

A. B. “HAPPY” CHANDLER AND THE POLITICS OF CIVIL RIGHTS

by

JOHN PAUL HILL

(Under the Direction of James C. Cobb)

ABSTRACT

This dissertation examines the complex civil rights views of Albert Benjamin “Happy” Chandler, one of Kentucky’s most controversial and charismatic politicians of the twentieth century. To offer perspective on his positions, this study focuses on Chandler’s statements and actions during several important periods in civil rights history. Chandler served two terms as governor (1935-1939, 1955-1959). During the first, the NAACP launched its first concerted campaign to desegregate the University of Kentucky. During the second, whites in two western Kentucky communities violently protested efforts to desegregate local schools in compliance with the Supreme Court’s landmark *Brown v. Board of Education* decision. Between his two terms as governor, Chandler served six years in the United States Senate (1939-1945) and six years as commissioner of Major League Baseball (1945-1951). As a member of the Senate, Chandler voted on antilynching legislation and on two bills designed to eliminate the poll tax in state and federal elections. During his term as commissioner, the game’s entrenched, longstanding ban on interracial play collapsed when Jackie Robinson took the field for the Brooklyn Dodgers in 1947. In 1968, nine years after he had last held elective office, Chandler nearly became the running mate of George C. Wallace, the arch-segregationist former governor

of Alabama who was pursuing the presidency under the banner of the American Independent Party.

Despite his flirtation with Wallace, Chandler's overall handling of the important civil rights matters of the day clearly distinguished him from most of his southern political colleagues. Whereas many white southern politicians during the period espoused diehard segregationist views, Chandler was neither a racial hardliner nor a racial progressive. Balancing personal convictions against the political realities of segregated Kentucky, he was instead a moderate who took several positions during his career that quickened the end of segregation in Kentucky, the South, and throughout the nation.

INDEX WORDS: A. B. "Happy" Chandler, Kentucky, African Americans, civil rights movement, civil rights moderates, Rufus B. Atwood, Alben W. Barkley, Franklin D. Roosevelt, NAACP, Major League Baseball, Branch Rickey, Jackie Robinson, *Brown v. Board of Education*, public school desegregation, George C. Wallace

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JOHN PAUL HILL

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M.A., Western Kentucky University, 1998

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JOHN PAUL HILL

Major Professor: James C. Cobb

Committee: Charles S. Bullock
John C. Inscoe
Robert A. Pratt

Electronic Version Approved:

Maureen Grasso
Dean of the Graduate School
The University of Georgia
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INTRODUCTION

Militant segregationists occupy the pages of most studies of southern whites during the civil rights movement. This pattern is understandable, perhaps. The extremist tactics that segregationists used in their desperate yet futile attempt to preserve the racial status quo in Dixie grabbed most of the headlines, and depictions of their actions helped to highlight the difficulties that blacks faced during their heroic struggle for their long-denied constitutional rights. This tendency to emphasize the most radical segregationists, however, has also fostered the erroneous impression that nearly all white southerners, especially those in positions of power, were fire-breathing white supremacists. According to this line of thought, if a white southern politician did not espouse segregation openly, then he supported it behind the scenes. In a 1977 article for the *New Yorker*, for example, Calvin Trillin, a journalist who achieved fame reporting on the integration of the University of Georgia for the *New York Times*, claimed that northern civil rights activists dismissed the possibility that a white leader in Dixie could be anything but a defender of Jim Crow. He argued that these northern activists eschewed the terms “moderate” and “segregationist” and instead labeled white politicians either “smart segs” or “dumb segs.” According to Trillin, police chief Laurie Pritchett of Albany, Georgia, was the embodiment of a “smart seg” because he thwarted integration efforts in that city in the early 1960s through “polite,” nonviolent means. By contrast, Birmingham, Alabama, Public Safety Commissioner Eugene “Bull” Connor was a “dumb seg” because he inadvertently helped build support for the civil rights movement when, to the horror of millions of people at home and abroad who

witnessed the events unfold dramatically on television, he unleashed fire hoses and police dogs on peaceful black demonstrators in 1963.¹

Even the handful of southern white liberals who championed reform dismissed the idea that anyone could occupy a middle ground on civil rights, perhaps believing that anyone who did not attack segregation unreservedly prolonged its life just as much as someone who defended it wholeheartedly. Harold C. Fleming, for example, a native Georgian who served as the longtime director of the Southern Regional Council, an important civil rights organization, derisively characterized self-proclaimed civil rights moderates as “white m[e]n without sidearms.”² Prominent social critic Lillian Smith, a Floridian by birth and the author of *Strange Fruit*, the controversial, best-selling novel about interracial love, said so-called moderates suffered from “moral and psychic paralysis,” insisting that they “never made a man or a nation great.”³

As Matthew D. Lassiter and Andrew B. Lewis have demonstrated in their edited collection, *The Moderates’ Dilemma: Massive Resistance to School Desegregation in Virginia*, however, an appreciable number of white southerners occupied a middle of the road position between the few liberals who openly supported integration and the segregationists who pledged to resist it at all costs.⁴ Sadly, many of these southerners were intimidated by the strident forces

¹ Calvin Trillin, “Reflections: Remembrance of Moderates Past,” *New Yorker*, March 21, 1977, 86. Despite the important place it occupies in the history of the civil rights movement, the struggle in Albany has been the subject of only a handful of works. See David J. Mussett, “Journey for Justice: A Religious Analysis of the Ethics of the 1961 Albany Freedom Ride” (Ph.D. diss., Temple University, 2001); and Gloria Ward Wright, *From the Back of the Line: The Views of a Teenager from the 1960s Civil Rights Movement* (Columbus, GA: Brentwood Academic Press, 2006). For the civil rights struggle in Birmingham, see Martin Luther King, Jr., *Letter from Birmingham Jail* (Stamford, CT: Overbook Press, 1968); Glenn T. Eskew, *But for Birmingham: The Local and National Movements in the Civil Rights Struggle* (Chapel Hill: University of North Carolina Press, 1997); Jonathan S. Bass, *Blessed are the Peacemakers: Martin Luther King, Jr., Eight White Religious Leaders, and the “Letter from Birmingham Jail”* (Baton Rouge: Louisiana State University Press, 2001); and Diane McWhorter, *Carry Me Home: Birmingham, Alabama: The Climatic Battle of the Civil Rights Revolution* (New York: Simon & Schuster, 2001).

² Quoted in Trillin, “Reflections: Remembrance of Moderates Past,” 86.

³ Quoted in James C. Cobb, *Away Down South: A History of Southern Identity* (New York: Oxford University Press, 2005), 196.

⁴ Mathews D. Lassiter and Andrew B. Lewis, eds., *The Moderates’ Dilemma: Massive Resistance to Jim Crow in Virginia* (Charlottesville: University Press of Virginia, 1998).

of segregation, while others were ambivalent about the end of Jim Crow. As a result, they rarely spoke out against massive resistance, raising their voices only later in the 1950s and the 1960s when, for example, school districts in some states tried to preserve segregation at the expense of public education. Although their voices may have been drowned out more often than not by the strident defenders of Jim Crow, the positions and actions of moderate southern whites reveal the gradations of support for integration that some historians and other observers of the South have frequently overlooked

Rarer than moderates in the general populace, but important to the advancement of civil rights nevertheless, were southern white politicians who espoused temperate views. Moderate politicians bowed to the federal courts, although they usually had at least some misgivings about desegregation, and as a result, they often refused to endorse *Brown* publicly. In 1957, for example, Tennessee Governor Frank G. Clement, one of the best-known southern white moderates, dispatched the National Guard to Clinton, a small town in Appalachia, to protect black children attempting to enroll in a local high school, but he went to great lengths afterwards to explain that he had sent troops to maintain law and order rather than to enforce integration.⁵ Many moderates feared violence if integration proceeded too quickly, but at the same time they believed that massive resistance represented chaos and encouraged lawlessness and the flouting of federal law. They were usually cautious in what they said publicly about integration, most likely out of fear of a backlash at the voters' booth, but in some instance because they had real concerns about integration. As a result, they rarely denounced the tactics of the segregationists,

⁵ Only one book to date has been published on Clement: Lee Seifert Greene, *Lead Me On: Frank Goad Clement and Tennessee Politics* (Knoxville: University of Tennessee Press, 1982). The school desegregation crisis in Clinton is the subject of Anna Holden and others, *Clinton Tennessee: A Tentative Description and Analysis of the School Desegregation Crisis*, Field Reports on Desegregation in the South (New York: B'nai B'rith, c. 1957); Neil R. McMillen, "Organized Resistance to School Desegregation in Tennessee," *Tennessee Historical Quarterly* 30, no. 3 (Fall 1971): 315-328; and June N. Adamson, "Few Black Voices Heard: The Black Community and the Desegregation Crisis in Clinton, Tennessee, 1956-1957," *Tennessee Historical Quarterly* 53, no. 1 (Spring 1994): 30-41.

but sometimes events compelled them to take a public stance. In 1958, for instance, Arkansas Congressman Brooks Hays, a Democrat who opposed forced integration, spoke out when he perceived stiffening resistance to school integration in his state. Hays publicly maintained that the desegregation controversy should be contested in the courts and that the courts' rulings should be respected. For his moderate views, Hays lost his 1958 re-election bid to a segregationist running as a write-in candidate.⁶ According to John T. Kneebone, author of *Southern Liberal Journalists and the Issue of Race, 1920-1944*, moderates such as Clement and Hays played a crucial role in the weakening of Jim Crow by keeping "alive a measure of debate in the South" and providing "evidence to the rest of the nation that southern white unity was not total."⁷

Like Clement and Hays, Kentucky's A. B. "Happy" Chandler was one of the era's most important but sometimes overlooked civil rights moderates. Probably best known nationally for serving as commissioner of baseball from 1945 to 1951, a period that saw Jackie Robinson break Major League Baseball's longstanding color barrier, Chandler also had a long, noteworthy political career. He served as lieutenant governor (1931-1935), twice as governor (1935-1939, 1955-1959), as a United States senator (1939-1945), ran for president in 1956, and failed three times to win an unprecedented third gubernatorial term. Seemingly always broadly smiling—hence, his nickname—Chandler charmed his audiences with songs (his favorite, especially late in his life, was "My Old Kentucky Home"), humorous tales, and colorful attacks on his opponents. His political philosophy blended elements of conservatism and populism, an eclectic

⁶ Hay's positions on civil rights are discussed in Brent J. Aucoin, "The Southern Manifesto and Southern Opposition to Desegregation," *Arkansas Historical Quarterly* 55, no. 2 (Summer 1996): 173-192; John Kyle Day, "The Fall of a Southern Moderate: Congressman Brooks Hays and the Election of 1958," *Arkansas Historical Quarterly* 59, no. 3 (Autumn 2000): 243-264; and James T. Baker *Brooks Hays* (Macon: Mercer University Press, 1989), chap. 6.

⁷ John T. Kneebone, *Southern Liberal Journalists and the Issue of Race, 1920-1944* (Chapel Hill: University of North Carolina Press, 1985), 223.

combination that left some political observers confused as to what he actually believed. Some said his politics reminded them of populist Huey Long, governor (1928-1932) and U.S. senator (1932-1935) from Louisiana, while others saw similarities between him and Harry F. Byrd, a staunch conservative who served Virginia as governor (1926-1930) and later as United States senator (1933-1965).⁸ Chandler never made racist appeals, and he had a fundamentally different concept of executive duty than many of his southern political contemporaries, especially evident in the immediate post-*Brown* period. Whereas many Deep South governors put state law above federal law (hence, their willingness to defy the courts and attempt to forestall desegregation), Chandler believed federal mandates took precedence and urged compliance with the Supreme Court's verdict.

To gain a deeper appreciation of Chandler's political leanings and especially his views on civil rights (and to put his beliefs in context), it is helpful to compare his positions to those of some of his best-known political contemporaries in the South. Chandler's speeches were sprinkled with populist themes, such as pledges to eliminate the sales tax, but he was not by any means a pure populist in the vein of Huey Long or Governor Jim Folsom of Alabama.⁹ Both

⁸ Huey Long has been the subject of numerous studies. See T. Harry Williams, *Huey Long* (New York: Alfred A. Knopf, 1969); Alan Brinkley, *Voices of Protest: Huey Long, Father Coughlin, and the Great Depression* (New York: Alfred A. Knopf 1982); William Ivy Hair, *The Kingfish and His Realm: The Life and Times of Huey P. Long* (Baton Rouge: Louisiana State University Press, 1991); David Zinman, *The Day Huey Long was Shot* (Jackson: University Press of Mississippi, 1993); and Richard D. White, *Kingfish: The Reign of Huey P. Long* (New York: Random House, 2006). For useful works on Byrd, see Ronald L. Heinemann, *Harry Byrd of Virginia* (Charlottesville: University Press of Virginia, 1996); idem, *Depression and New Deal in Virginia* (Charlottesville: University Press of Virginia, 1983); and J. Harvie Wilkinson, *Harry Byrd and the Changing Face of Virginia Politics, 1945-1966* (Charlottesville: University Press of Virginia, 1996). Scholarly articles include Brent Tarter, "A Flier on the National Scene: Harry F. Byrd's Favorite-Son Presidential Candidacy of 1932," *The Virginia Magazine of History and Biography* 82 no. 3 (July 1974): 282-305; Robert T. Hawkers, "The Emergence of a Leader: Harry Flood Byrd, Governor of Virginia, 1926-1930," *The Virginia Magazine of History and Biography* 82, no. 3 (July 1974): 259-281; A. Cash Koeniger, "The New Deal and the States: Roosevelt Versus the Byrd Organization in Virginia," *Journal of American History* 68, no. 4 (March 1982): 876-896; James R. Sweeney, "Whispers in the Golden Silence: Harry F. Byrd, Sr., John F. Kennedy, and Virginia Democrats in the 1960 Presidential Election," *The Virginia Magazine of History and Biography* 99, no. 1 (January 1991): 3-44.

⁹ Works that are useful for establishing the differences between Folsom and Chandler include Carl Grafton and Anne Permaloff, *Big Mules and Branchheads: James E. Folsom and Political Power in Alabama* (Athens: University of Georgia Press, 1985) and George Sims, *The Little Man's Big Friend: James E. Folsom in Alabama*

Long and Folsom exploited class divisions in their paths to power, promising to aid the poor by increasing taxes on the wealthy, whom they denounced as corrupt, greedy, and having a stranglehold on economic and political power. In his famous “Share Our Wealth” Plan, for example, which gained a national following during the bleak early years of the Great Depression, Long called for a guaranteed income for each family of \$2,000 to \$2,500, old-age pensions for everyone over sixty, and equal educational opportunities for all children. Folsom, governor from 1947 to 1951 and then again from 1955 to 1959, championed expanded benefits for the elderly, increased funding on roads, the abolition of the Alabama poll tax, and, in an especially bold move for the period, voting rights for blacks. Folsom regularly railed against the Alabama “establishment,” who he believed purposely retarded economic progress to maintain their own privileged position. The establishment, in turn, sought his defeat at the polls. In short, Long and Folsom promised social and political reform that favored the economically downtrodden over the elites. Chandler, by contrast, never denounced privilege (nor did he celebrate it) when making appeals to the poor.

Chandler’s political views, especially his economic positions and his ideas on streamlining government, more closely approximated Byrd’s. The Virginian was a dyed-in-the-wool economic conservative, who maintained that a state should be run like a business. To this end, he believed in greater governmental efficiency, which would reduce waste, and he espoused a “pay-as-you-go” spending philosophy, condemning deficit spending. Chandler considered Byrd his mentor and modeled his gubernatorial administrations, especially his first, after Byrd’s.

Politics, 1946-1958 (Tuscaloosa: University of Alabama Press, 1985); and *Big Jim Folsom: The Two Faces of Populism*, documentary (DVD), directed by Robert Clem (Hoboken, NJ: Waterfront Pictures Corporation and Foundation for a New Media, 1996). For shorter treatments on Folsom see Carl Grafton, “James E. Folsom and Civil Liberties in Alabama,” *Alabama Review* 32 (January 1979): 3-27; idem, “James E. Folsom’s First Four Election Campaigns: Learning to Win by Losing,” *Alabama Review* 34 (July 1981): 163-183; and idem, “James E. Folsom’s 1946 Campaign,” *Alabama Review* 35 (July 1982): 170-199.

The Kentuckian rallied against high taxes and wasteful spending and championed balanced budgets. Attempting to streamline government, he also reduced the state bureaucracy. During the Great Depression, Chandler roundly criticized the deficit spending of the New Deal, and after he joined Byrd in the United States Senate in 1939, they enjoyed a cordial working relationship and were often united in opposition to President Franklin Roosevelt's spending proposals.

Chandler was not as stridently opposed to the New Deal as some southern senators and governors, however. Unlike other southerners who feared that pro-labor legislation would hurt the region because it would drive up wages that the South supposedly could not afford, he gave labor some support. For example, he halfheartedly endorsed the Wagner Act of 1935, backing the right of workers to bargain collectively without company interference but denouncing the closed shop (as did most congressional southerners). In perhaps his most dramatic departure from his Deep South colleagues, he agreed with President Roosevelt on the necessity of reforming the Supreme Court, as embodied by the president's so-called court-packing plan, which would have granted the chief executive the authority to appoint up to six additional justices. Whereas most southern congressmen claimed the proposal was a power grab on Roosevelt's part, Chandler saw it as a necessary reform. He denounced the court as undemocratic for declaring several New Deal agencies unconstitutional when a majority of Americans supported Roosevelt. This was a curious position for someone as innately conservative and as lukewarm as Chandler toward the New Deal, suggesting that the Kentuckian's political thinking was at least somewhat flexible (if not inconsistent).¹⁰

Chandler and the southern bloc also frequently parted ways on civil rights. Most southern senators invariably opposed efforts to promote black legal and political equality. For

¹⁰ For southern congressional views on New Deal legislation, the following works are useful: James C. Cobb, ed., *The New Deal and the South: Essays* (Jackson: University Press of Mississippi, 1984), passim; and Roger Biles, *The South and the New Deal* (University Press of Kentucky, 2006), passim; and various state studies.

example, Richard Russell, who served Georgia as governor (1931-1933) and U.S. senator (1933-1971) was another of Chandler's close personal friends and colleagues, denounced anti-poll tax legislation as unconstitutional, arguing that the founding fathers had intended that the power to establish voting qualifications lay with the states, and not Congress. In the early and mid-1940s, as he was on his way to becoming one of the most powerful senators in history, Russell also opposed the Fair Employment Practices Committee (FEPC), which investigated alleged instances of discrimination in defense industries, maintaining that President Roosevelt had usurped legislative authority by assuming control over much of the FEPC's budget. Later, he lambasted *Brown* as an unconstitutional federal incursion into the rights of the states and led the unsuccessful southern filibuster of the Civil Rights Act of 1964.¹¹ Byrd, meanwhile, originated the idea of the Southern Manifesto (along with Strom Thurmond), coined the term "massive resistance," and successfully fought to extend the concept beyond his home state. Although he was not a racial demagogue, he resisted segregation to the bitter end. According to historian Numan Bartley, Byrd's unchallenged integrity and his considerable influence in the Senate added respectability to the segregationists' agenda, and he did more than any person to extend

¹¹ For Russell and Russell's views on civil rights and his efforts to forestall desegregation see Gilbert F. Courtland, *Richard B. Russell, Jr., Senator from Georgia* (Chapel Hill: University of North Carolina Press, 1991); John A. Goldsmith, *Colleagues: Richard B. Russell and His Apprentice, Lyndon B. Johnson* (Washington, DC: Seven Locks Press, 1993); and Mann, *The Walls of Jericho*. For a concise but important history of the poll tax, anti-poll tax legislation, and southern opposition to repealing the levy, see William M. Brew, "The Poll Tax and the Poll Taxers," *The Journal of Negro History* 29, no. 3 (July 1944): 260-299. The FEPC is examined in Louis Ruchames, *Race, Jobs, and Politics: The Story of the FEPC* (New York: Columbia University Press, 1953; reprint, Westport, CT: Negro University Press, 1971) and Merl E. Reed, *Seedtime for the Modern Civil Rights Movement: The President's Committee on Fair Employment Practice, 1941-1946* (Baton Rouge: Louisiana State University Press, 1991). The Civil Rights Act of 1964 is the subject of several studies, including Charles and Barbara Whalen, *The Longest Debate: A Legislative History of the 1964 Civil Rights Act* (Cabin John, MD: Seven Locks Press, 1984); Robert Mann, *The Walls of Jericho: Lyndon Johnson, Hubert Humphrey, Richard Russell, and the Struggle for Civil Rights* (New York: Harcourt Brace, 1996); and Robert D. Loevy, ed., *The Civil Rights Act of 1964: The Passage of the Law that Ended Racial Segregation* (Albany: State University of New York Press, 1997).

the “front lines of opposition from the Deep South to Washington, D. C., and the Potomac River.”¹²

Most southern senators, Byrd and Russell included, espoused a doctrinaire view of states’ rights, but Chandler took a more flexible position on state versus federal authority, shaping his positions on civil rights. Like his southern colleagues, he frequently lamented what he considered to be federal encroachment on state prerogatives; however, he sometimes conceded that only the federal government possessed the necessary resources to fulfill certain responsibilities. During World War II, for example, he believed that Washington was better equipped than the states, due to the logistics involved, to distribute ballots to servicemen overseas. In addition, his interpretation of the constitutionality of anti-poll tax legislation clashed with most of his fellow southerners in the Senate. Chandler sided with anti-poll tax legislators, who maintained that the Constitution vested the authority to establish qualifications for the franchise with the federal government, while Deep South senators argued that voting qualifications fell under the constitutional purview of the states.

Many of Chandler’s southern gubernatorial contemporaries shared his Senate colleagues’ views on race and civil rights and based their opposition to them on constitutional theory. In two of the most dramatic efforts to prevent desegregation of the public schools, Texas Governor Allan Shivers and Arkansas Governor Orval Faubus openly defied federal authority.¹³ Claiming

¹² Quoted in Bartley, *The Rise of Massive Resistance: Race and Politics in the South during the 1950’s* (Baton Rouge: Louisiana State University Press), 117.

¹³ Despite his role as one of the chief early obstructionists of public school desegregation, Shivers has gained little scholarly attention. The only two book-length studies on Shivers to date are Robyn Ladino, *Desegregating Texas Schools: Eisenhower, Shivers, and the Crisis at Mansfield High* (Austin: University of Texas Press, 1996) and Ricky F. Dobbs, *Yellow Dogs and Republicans: Allan Shivers and Texas Two-Party Politics* (College Station: Texas A & M University Press, 2005). Indispensable works on Faubus and the Little Rock integration crisis include Curtis M. Vaughan, *Faubus’s Folly: The Story of Segregation* (New York: Vantage Press, 1959); Daisy Bates, *The Long Shadow of Little Rock: A Memoir* (New York: David McKay Co., 1962); Elizabeth Huckaby, *Crisis at Central High, Little Rock, 1957-1958* (Baton Rouge: Louisiana State University Press, 1980); Melba Beals, *Warriors Don’t Cry: A Searing Memoir of the Battle to Integrate Little Rock’s Central High* (New York: Washington Square Press [Pocket

that state law superseded federal, in 1956 Shivers sent Texas Rangers to Mansfield, near Fort Worth, to prevent desegregation at the local high school. A year later, in a move that grabbed international headlines, Arkansas Governor Orval Faubus dispatched the National Guard to block court-ordered integration at Little Rock's Central High School. President Dwight D. Eisenhower belatedly forced desegregation at the school by federalizing the National Guard and ordering it to protect black school children as they entered the building, but the irrepressible Faubus thwarted the courts once more by closing Little Rock high schools for the 1958-1959 year. In sharp contrast, Chandler, who spurned racial demagoguery of any sort, showed in his response to early integration crises in Clay and Sturgis, Kentucky, that he saw his principal obligation as upholding the laws of the land, even if it ran counter to the wishes of many of his constituents.

Drawing on Chandler's papers at the University of Kentucky and the personal papers of some of his political contemporaries as well as newspaper and government documents, this study explores Chandler's political career from roughly 1930 to 1968, with an emphasis on his thinking on civil rights and the extent of his involvement in the important civil rights matters of the day. It demonstrates that Chandler was neither a racial hardliner nor a racial liberal. He was instead a civil rights moderate. Chandler undeniably held many conservative principles, sometimes disagreed with the timing of those who advocated the advancement of civil rights, and on at least one occasion seemingly abandoned his civil rights beliefs for personal political gain. Nevertheless, he took many positions during his career that quickened the end of segregation in Kentucky, the South, and throughout the nation.

As a point of clarification, this study does not explore Chandler's views on race. Race and civil rights are two different issues, and unless someone has an established track record on

Books], 1994); Roy Reed, *Faubus: The Life and Times of an American Prodigal* (Fayetteville: University of Arkansas Press, 1997); and John A. Kirk, ed., *An Epitaph for Little Rock: A Fiftieth Anniversary Retrospective on the Central High Crisis* (Fayetteville: University of Arkansas Press, 2008).

race, it is virtually impossible to divine his or her true feelings on the matter. One can discern a politician's true positions only when there is sufficient consistency in his or her words and actions.. The primary focus of this work is on what Chandler said about civil rights and, perhaps more importantly, what he *did* for civil rights.

The story of Chandler and his positions on civil rights is important for several reasons. In particular, not only does it provide valuable insight into the thinking and character of one of Kentucky's most important and complex politicians, but it affords a unique look at a prominent white southerner thrust, well before the civil rights movement began, into a pivotal, high-profile role in the integration of America's most widely popular professional sport. Beyond these considerations, this examination of Chandler's career reveals that southern white leaders' attitudes on civil rights were less monolithic and more complicated than some might realize. Between the two extreme views—the throngs of unabashed segregationists and the handful of integrationists—some politicians occupied a middle ground on the issue of equal rights for blacks. Understanding Chandler's story helps us to better understand the role of the oft-neglected moderate in the changes that marked the civil rights era.

CHAPTER 1

THE EARLY YEARS: POLITICS AND CIVIL RIGHTS, 1898-1939

Albert Benjamin “Happy” Chandler was one of the most charismatic, controversial, and, ultimately, enigmatic politicians in southern history. Chandler was born on July 14, 1898, a little more than two years after the Supreme Court had ruled in *Plessy v. Ferguson* that separate but equal accommodations for blacks and whites were constitutional. He grew up in segregated Corydon, a small town near Henderson in western Kentucky. As lieutenant governor (1931-1935), governor (1935-1939 and 1955-1959), U.S. senator (1939-1945), and commissioner of Major League Baseball (1945-1951), he would go on to witness or participate in some of the most significant events of the civil rights movement in Kentucky and in the nation: the NAACP’s first concerted efforts to integrate the University of Kentucky, debates in the United States Senate on antilynching legislation and bills to abolish the poll tax, the fall of the color barrier in Major League Baseball, the integration of the commonwealth’s public schools, and the white backlash of the 1950s and 1960s.

The circumstances of Chandler’s upbringing helped mold his future political beliefs, which, in turn, helped shape his positions on civil rights. Chandler’s parents were Joseph Selphus Chandler, who farmed and worked as Corydon’s handyman, and Collie Sanders Chandler. At the age of four, Chandler experienced heartbreak when his mother deserted the family because she considered rural life too stifling. After her departure, he stayed briefly with relatives before returning to live with his father. From an early age, Chandler helped with farm chores, but his father’s financial hardships forced him to work a variety of odd jobs, including

delivering newspapers. Despite his heavy workload, he flourished in school. He excelled academically, played baseball and basketball, ran track, joined the drama club, and honing the tenor voice that would later become a hallmark of his political repertoire, sang in the glee club.¹ Chandler's frenetic pace in high school presaged his nearly unsurpassed energies on the campaign trail.

As a newspaper boy, Chandler became known throughout Corydon, and many of his neighbors befriended him. The garrulous young man made friends easily and often dropped by homes at suppertime, hoping he would be invited to eat.² With members of the community accepting interracial play, Chandler's friends included black youngsters, one of whom, years later, commented that Chandler had a "hard time coming up, just like the black people."³

After Chandler graduated from high school, his father urged him to look for employment because he believed that a high school diploma would be sufficient for his son to earn a decent living. Chandler had graduated in an era when few students finished high school, and thus his father's sentiments were understandable, but the younger Chandler wanted to continue his education. His father finally relented, and Chandler enrolled in Lexington's Transylvania College (now Transylvania University) in the fall of 1917. Lacking sufficient funds to defray expenses, he held several jobs during his four years at the institution. He babysat, delivered newspapers, washed windows, served tables at a boarding school near campus, and performed a variety of duties for Dr. Homer Carpenter, a professor who had befriended him. Remarkably, Chandler also found time to play baseball, football, and basketball, act in plays, and sing in the glee club. Through all the demands on his time, he remained jovial and flashed a broad,

¹ Charles Roland, "Happy Chandler," *Register of the Kentucky Historical Society* 85, no. 2 (Spring 1987): 140-141.

² *Ibid.*, 140.

³ *Lexington Herald-Leader*, April 17, 1988.

seemingly perpetual grin, thereby gaining for himself the nickname “Happy,” a name, he later recounted, that was worth thousands of votes.⁴

Chandler graduated from Transylvania in 1921 with an average near a B, a mark good enough to gain him admission to Harvard Law School. Due to continuing financial difficulties, he left Harvard after one year and enrolled in the University of Kentucky College of Law. After attaining his law degree in 1924, he moved to Versailles, a small town located approximately fifteen miles west of downtown Lexington, in Woodford County. There he established a legal practice, coached baseball, and joined several fraternal organizations, among them the Masons, Shriners, and Legionnaires.⁵ Early in his practice, he met and fell in love with Mildred Watkins, a native Virginian who taught in a local girls’ school, and in November 1925, they were married. In 1928, he became the county’s master commissioner, an important appointive position whose responsibilities included issuing deeds for the court.⁶

As a result of his many activities, Chandler gained wide name recognition in Woodford County, and in 1929, many of his friends and associates asked him to run for state senate. Chandler hesitated initially, believing the overtures were just “pleasant flattery,” but he reconsidered and eventually entered the race.⁷ During the campaign, he discovered that he enjoyed politics more than he had ever imagined he would: “I liked politics; in fact, I *loved* it! I took to campaigning like a June bug to a duck’s back.”⁸ He won the race easily.

The 1929 senate race introduced Kentuckians to one of the most dynamic campaigners in state history. Folksy, likable, and gregarious, Chandler easily established a one-on-one rapport

⁴ Roland, “Happy Chandler,” 144.

⁵ Jasper Berry Shannon, “‘Happy’ Chandler: A Kentucky Epic,” in *The American Politician*, ed. J. T. Salter (Chapel Hill: University of North Carolina Press, 1938; reprint, Westport, CT: Greenwood Press Publishers, 1975), 176-177 (page references are to the reprint edition).

⁶ A. B. “Happy” Chandler with Vance Trimble, *Heroes, Plain Folks, and Skunks: The Life and Times of Happy Chandler* (Chicago: Bonus Books, Inc., 1989), 62, 75.

⁷ *Ibid.*, 77.

⁸ *Ibid.*

with voters. Upon arriving at a campaign stop, he energetically mingled with supporters, exuberantly shaking hands, hugging old friends, and kissing young children. The *New York Times Magazine* observed that Chandler “live[d] at the peak of emotional and physical tension. His walk is a bouncing trot. His handshake has the power and rhythm of a steam piston. . . . [H]e bubbles breathlessly.”⁹ After taking the speaker’s stand, he told emotional stories of his motherless childhood and his early financial difficulties, often bringing himself and members of his audience to tears. Then in what quickly became one of his signature moves, Chandler would delight audiences with his booming renditions of “My Old Kentucky Home,” “Sonny Boy,” and “There’s a Gold Mine in the Sky.” In a dramatic departure from the hours-long stump speeches of the day, he usually spoke for less than an hour, sometimes for only thirty minutes, focusing on attacks on his opponents and on a few specific issues that he believed would resonate with voters. Although he usually arrived at campaign rallies with a prepared text, he frequently ignored it and spoke extemporaneously. While talking with supporters and delivering speeches, he would pause to call out the names of people in the crowd, thereby putting on display another of his famous traits, his uncanny ability to recall the names of almost everyone he had ever met. Describing Chandler’s remarkable memory, *Collier’s* magazine observed: “At first he went to them calling them [his supporters] by name and nickname and miraculously calling them right. . . . [T]o one after another in his crowd, men and women, he recalled ancient personalities. . . . This goes on until there are no more folks to holler at.”¹⁰ Caught up in the emotional atmosphere of his rallies, his audiences often interrupted him with shouts of “Pour it on ‘em, Happy” or “That’s Right.” In a subsequent campaign, he became the first Kentucky politician to use a sound track. Blaring “Happy Days Are Here Again,” the truck raced through towns to announce Chandler’s

⁹ Cabell Phillips, “What Makes ‘Happy’ Chandler Run?” *New York Times Magazine*, October 30, 1955, 26.

¹⁰ “Happy Couldn’t Wait,” *Colliers*, July 16, 1938, 13.

imminent arrival at campaign stops. Such tactics led *Newsweek* magazine to declare that a Chandler rally resembled “a revival in a roadside tent.”¹¹

To be sure, not all observers were won over by Chandler’s personality and showmanship. A Tennessean who saw a newspaper photo of a broadly-smiling Chandler clipped the photo and sent it to Chandler, with the message that his toothy grin made him look like a “lunatic.”¹² Commenting on Chandler’s confidence and love of the theatric, the *Lexington Herald* once observed that his bumptiousness made him the biggest political “clown act” in state history.¹³ Scornful of Chandler’s methods, a gubernatorial opponent asked his listeners, “Do you want your sons and daughters to go up to Frankfort and see a man like THAT [emphasis in the original] in the Governor’s chair?”¹⁴ Other critics perceived a more sinister side to Chandler’s political persona. After Chandler’s 1938 visit to Washington, DC, for example, the *Dawson Springs (KY) Progress* commented, “Nothing like it . . . has been seen . . . since Huey Long. Mr. Chandler was accompanied by an armed bodyguard, a member of the state police, and by a retinue of three advisers.”¹⁵ In 1956, the *Louisville Courier-Journal* fumed that Chandler, then in his second gubernatorial administration, had used “Gestapo-like tactics” to seize control of the state Democratic Party apparatus. Such tactics, the paper alleged, had not been seen since “Huey Long bulldozed his way to power in Louisiana. . . .”¹⁶

In truth, Happy Chandler resembled Huey Long more in style than in substance. As one chronicler of Chandler’s 1938 U.S. Senate bid put it, “Except for his energy, which reminds you of New York’s Fiorella [*sic*] LaGuardia, he is as little like Mr. Long as is Virginia’s Harry Flood

¹¹ “Just Make a Win Bet,” *Newsweek*, June 20, 1955, 28.

¹² Unsigned letter to A. B. Chandler, February 28, 1938, box 51, A. B. Chandler Papers, Special Collections and Archives, Margaret I. King Library, Lexington, Kentucky (hereafter cited as Chandler Papers).

¹³ *Lexington Herald*, February 7, 1935.

¹⁴ Cabell Phillips, “What Makes ‘Happy’ Chandler Run?” *New York Times Magazine*, October 30, 1955, 27.

¹⁵ *Dawson Springs (KY) Progress*, February 25, 1938, newspaper clipping, box 47, A. B. Chandler Papers.

¹⁶ *Louisville Courier-Journal* quoted in “Happy’s Days are Here Again,” *Time*, July 16, 1956, 20.

Byrd. . . .”¹⁷ In 1938, the *St. Petersburg Evening Independent* observed that “Governor Happy Chandler has built since 1933 a state political machine every bit as efficient as was the late Huey Long’s. . . . True, Happy assumed no dictatorial postures, nor has he espoused the strong-armed methods of Huey.”¹⁸ Studying Chandler during his second race for governor in 1955, a reporter noted that “Chandler is the consummate rabble-rouser, but he deviates from type in one important particular. He does not deal in hate or fear except incidentally.”¹⁹

Despite his original doubts about running for office, Chandler would later conclude that he had been destined for a political career. Growing up, he had studied and admired George Washington, Thomas Jefferson, and Andrew Jackson. Both Chandler and his father revered Kentucky Governor William Goebel, a populist Democrat who had served in office only a few days in 1900 before succumbing to wounds he had suffered from an assassin’s bullet on the eve of his inauguration. During a graduation party his senior year in high school, Chandler often related, he received a fortune that read, “Study hard, work while you wait, and you’ll be governor of your State.”²⁰ He forever afterwards kept the slip of paper in a family Bible. As a student at Transylvania, Chandler attended Sunday services at the non-denominational Everybody’s Church. At one point, the church’s pastor, Dr. J. Archer Gray, told Chandler that he saw in him a divine spark that would allow him to accomplish great things. Chandler later remarked that Gray’s words “caused me to believe there was something special within me, vague and mysterious, a secret inner element that would channel my thoughts and shape my destiny.”²¹

In the state senate, Chandler’s ever-present smile and affable demeanor quickly won him the friendship of former Kentucky representative and senator and United States congressman

¹⁷ “Happy Couldn’t Wait,” *Colliers*, July 16, 1938, 51.

¹⁸ *St. Petersburg Evening Independent*, August 3, 1938.

¹⁹ Phillips, “What Makes ‘Happy’ Chandler Run?” 26.

²⁰ Roland, “Happy Chandler,” 146.

²¹ Chandler with Trimble, *Heroes*, 36.

Ben Johnson and Johnson's son-in-law, J. Dan Talbott, the leaders of one of the state's most important Democratic factions. Hoping to expand their power, Johnson and Talbott sought the lieutenant gubernatorial nomination for Chandler at the state party convention in 1931. The convention marked the first time in thirty years that the party had held a convention instead of a primary. Party members had chosen a convention because they feared the potential of a divisive primary campaign, which could leave the party factionalized during the general election. Only four years before, the Kentucky GOP had captured the governor's mansion by exploiting divisions that had lingered within the Democratic Party following a contentious primary. At the convention, the gubernatorial nominee, Ruby Laffoon, accepted Chandler as his running mate. Laffoon had the backing of Thomas S. Rhea's powerful western Kentucky machine, but he needed the support of Johnson and Talbott to unite the party.²² With the Republican Party's popularity suffering due to the Great Depression, both Laffoon and Chandler prevailed easily in the November elections.

Democratic Party harmony vanished quickly after election day, however. Laffoon inherited a budget shortfall of approximately \$11 million, an economic predicament of "unquestioned gravity," as one administration consultant put it.²³ The Reconstruction Finance Corporation had already begun providing rescue loans to many Kentucky banks, but Laffoon knew that as important as these loans were to the private sector, other funding measures were necessary to fund state government and its relief efforts. Therefore, Laffoon went before the General Assembly on February 23, 1932, and proposed a 2 percent sales tax, which he

²² Walter L. Hixson, "The 1938 Kentucky Senate Election: Alben Barkley, the New Deal, and the Defeat of Governor A. B. 'Happy' Chandler" (M.A. thesis, Western Kentucky University, 1981), 13; John Ed Pearce, *Divide and Dissent: Kentucky Politics, 1930-1963* (Lexington: University Press of Kentucky, 1987), 27, 31-33; Vernon Gipson, "Ruby Laffoon: Governor of Kentucky, 1931-1935" (M.A. thesis, Western Kentucky University, 1978), 46-49.

²³ Griffenhagen and Associates to Ruby Laffoon, February 16, 1932, copy in box 102, Chandler Papers.

subsequently reduced to 1 percent in hopes of securing its passage.²⁴ Despite the modest size of the tax, the levy met quick, determined opposition. Many depression-era Kentuckians, already impoverished, protested that they could not afford the additional expense, and merchants from around the state feared that the tax would drive them out of business. On March 3, thousands of merchants and poor Kentuckians descended on Frankfort to protest Laffoon's proposal, and approximately one hundred of them stormed the governor's mansion in an attempt to confront Laffoon personally. (He was not in the mansion at the time). Voicing the merchants' position, former state Democratic representative W. Reed Embry declared, "Competition is so keen, business is so poor that any obstacle in the path of progress that retards recovery from this terrible depression means an additional handicap that is insurmountable. The merchants are fighting for their lives." In his estimation, a sales tax would cause consumers to shop less, thereby driving down store profits: "Each merchant is too hard up for business and so is his competitor."²⁵ Chandler quickly joined the opposition. Voicing populist sentiments, he maintained that the tax would place a "burden upon those who can least afford to pay," and he argued that it would hurt businesses in large towns, such as Louisville and Covington, that bordered states with no such levy.²⁶ From his *ex-officio* position as senate president, Chandler rallied against the levy, helping to defeat it. His efforts won him the admiration of many poor Kentuckians, merchants, and anti-Laffoon Democrats, while leaving him estranged from the governor.

The defeat of the sales tax foreshadowed greater woes for Laffoon. Both the Herbert Hoover and Franklin Roosevelt administrations complained about Laffoon's questionable

²⁴ George T. Blakey, *Hard Times and New Deal in Kentucky, 1929-1939* (Lexington: University Press of Kentucky, 1986), 20.

²⁵ *Louisville Courier-Journal*, March 4, 1932.

²⁶ A. B. Chandler to J. E. Brinson, April 27, 1934, box 7, Chandler Papers (quotation); *Louisville Courier-Journal*, January 12, 1933.

financial stewardship, which often left the commonwealth unable to fund relief activities fully. In fact, some members of Roosevelt's cabinet were so annoyed by Laffoon that they dismissed him privately as a "damn fool."²⁷ The governor clashed in particular with the directors of the Federal Emergency Relief Administration (FERA). Created in 1933 to provide quick relief to the hungry and jobless, the FERA, among other functions, provided money directly to the states. Half the money that the FERA gave the states was given out on a matching basis, with the federal government providing one dollar for every three dollars that the states supplied. The other half was distributed to states to address pressing crises and did not require federal matching dollars. To distribute relief swiftly to the poor, FERA director Harry Hopkins had released millions of dollars to the states before they had begun to raise any matching funds, expecting them to match the federal government's allotment at a later date. It soon became evident, however, that some states, including Kentucky, were lagging in their efforts to raise revenue. Consequently, Hopkins began reducing FERA aid to those areas, and on July 11, he informed Laffoon that all FERA aid to Kentucky would be shut off on August 15 if his administration did not find additional revenue sources by that date.²⁸

Laffoon responded unimaginatively to Hopkins' request by once again campaigning for passage of a sales tax, which he now dubbed an "emergency gross receipts tax." During a special August legislative session, the state senate, with Chandler leading the way, defeated the tax by a voice vote and instead passed a consumer tax on the sale of beer and liquor with the receipts of the tax designated for relief purposes. When that levy failed to generate sufficient revenue to match federal funds, an increasingly feckless Laffoon telegrammed Hopkins and President Roosevelt on November 5, 1933, imploring the federal government to assume all relief

²⁷ Quoted in Blakey, *Hard Times*, 175.

²⁸ *Ibid.*, 46-47.

activities in the state. As historian George T. Blakey has observed, the governor was, in effect, declaring the commonwealth a pauper state in order to qualify for additional funds. The FERA chief nationalized all state relief programs under the condition that Laffoon had to eventually find another internal funding source.²⁹ Although the governor's answer to the state's financial dilemma was, yet again, a sales tax, this time his efforts paid off. Laffoon and State Highway Commissioner Thomas S. Rhea wooed support in the state house and senate with promises of patronage. At the same time, the governor reduced Chandler's chances of thwarting his ambitions by winning passage of a "ripper bill," which stripped the lieutenant governor of most of his powers over the state senate.³⁰ With his position thereby strengthened, Laffoon announced another special session for June 1934. On June 15, the state senate approved a 3 percent sales tax by a margin of twenty to seventeen. Still bitterly opposed to the tax, Chandler left the Capitol after the vote and refused to return for the bill's signing later that night.³¹

Laffoon predicted that the bill would soon become "the most popular law ever enacted in Kentucky," but in actuality it soon became his political albatross.³² The tax angered many retailers and the impoverished, giving Chandler and other anti-administration foes a convenient rallying point as the commonwealth approached another gubernatorial election in 1935. As early as September 1934, Chandler had informed friends that he intended to seek the gubernatorial nomination, but the lieutenant governor knew that his path to the nomination would not be easy.³³ Laffoon wanted the party to choose its gubernatorial nominee via a convention rather than a primary (as it had done in 1931). Although Laffoon was unpopular, he still dominated the

²⁹ Blakey, *Hard Times*, 49-52 ("pauper state" reference on 51).

³⁰ Olivia M. Frederick, "Kentucky's 1935 Gubernatorial Election" (M.A thesis, University of Louisville, 1967), 21; *Louisville Courier-Journal*, January 3, 1934.

³¹ *Louisville Courier-Journal*, June 16, 1934.

³² *Ibid.*

³³ A. B. Chandler to L. B. Meadow, September 17, 1934, box 9, Chandler Papers.

Democratic Party machinery, virtually guaranteeing a victory for his handpicked successor, Highway Commissioner Thomas S. Rhea, at a convention. Only the Democratic Executive Committee had the authority to call a convention, but the governor virtually controlled the committee through his considerable patronage powers.³⁴

Laffoon's position on the convention clashed with popular opinion. In a poll conducted in early 1935, the *Louisville Courier-Journal* found that 91.6 percent of all respondents (65,571 of 71,583), and 92.8 percent of Democrats, preferred the primary over the convention.³⁵ Many politicians from around the state also supported a direct primary. Besides Chandler, two other contenders for the Democratic gubernatorial nomination, James Richmond (who later withdrew from the race) and Frederick Wallis, openly endorsed the primary, as did a majority of Kentucky's congressional delegation.³⁶ Alben W. Barkley, Kentucky's senior United States senator, called the primary a "fundamental right" in a letter to a member of the executive committee, and he later personally appeared before the committee to urge its members to allow the voters to decide the party's nominee.³⁷ The national administration also wanted the committee to allow the people to choose. In his speech before the committee, Barkley had read a letter from President Roosevelt to that body asking it to hold a primary. In the letter, Roosevelt declared his "hope that in your state, without regard to political parties, the greatest freedom and widest opportunity may be accorded to all the people for participation in the selection of candidates as well as to their final selection."³⁸ Increasingly frustrated by Laffoon and his cronies, Roosevelt knew that a primary was the only possible electoral avenue for removing the Laffoon faction in favor of another candidate more amenable to the national administration.

³⁴ A. B. Chandler to James B. Miliken, January 21, 1935, box 9, Chandler Papers..

³⁵ *Louisville Courier-Journal*, February 5, 1935.

³⁶ *Louisville Herald-Post*, January 15, 1935.

³⁷ *Ibid.*; *Louisville Courier-Journal*, January 29, 1935.

³⁸ *Louisville Courier-Journal*, January 29, 1935.

Despite popular demand for a primary, on February 4 the committee voted thirty to twenty in favor of a convention.³⁹ In the aftermath of the vote, Chandler sounded like a defeated candidate. Writing a supporter from northern Kentucky, he noted, “They [Laffoon and Rhea] are determined to perpetuate themselves into office and at the present it seems that nothing will stop them.” In the same letter, he added, “If a situation develops and my friends in Northern Kentucky feel that they could carry that section for me and name the delegates, I would certainly consider making the race.”⁴⁰

An opportunity for Chandler to force a primary soon presented itself, however. On February 5, Laffoon and Rhea boarded a train for Washington, ostensibly to discuss relief with Roosevelt but in reality to talk to the president about the political situation in Kentucky. Under Kentucky law at that time, the lieutenant governor became the acting governor when the chief executive left the state. Thus, when some of lieutenant governor’s supporters learned that Laffoon had boarded the train, they pleaded with Chandler to call a special session of the General Assembly to enact a compulsory primary law once the train crossed the state line. Many studies of depression-era Kentucky history imply that Chandler enthusiastically followed his friends’ advice, calling a special session almost immediately after Laffoon’s train left the commonwealth. In truth, he hesitated to take such action. Although the exact reason for his indecisiveness is not clear, he had earlier declared that he had hoped that the primary-convention struggle could be settled without “any extreme measure.”⁴¹ Chandler decided to call the special session but only after some of his supporters convinced him that the move would be highly

³⁹ Ibid., February 5, 1935.

⁴⁰ A. B. Chandler to Lawrence Stahl, February 7, 1935, box 9, Chandler Papers. Based on the timing of subsequent events, this letter does not appear to have been dated correctly. Although the letter might have been mailed on February 7, it appears almost certain that the letter was written on February 5.

⁴¹ Ibid.

popular among voters and that a primary was the only means of defeating Rhea.⁴² On February 6, he announced a special session for considering a compulsory primary, justifying his decision on the grounds that “the right of the people to have primaries is a fundamental one and ought not be denied.”⁴³

Laffoon and Rhea, who had apparently discounted the possibility that Chandler would capitalize on the governor’s absence, rushed back to Kentucky upon learning of Chandler’s move. Laffoon tried to revoke the call for the special session, but the state constitution did not invest the governor with such authority. Nevertheless, Laffoon continued to try to reverse Chandler’s order until the Franklin circuit court and then the Kentucky Court of Appeals upheld the call for the special session. Laffoon’s forces then turned their attention toward defeating the primary in the General Assembly.⁴⁴ When it became obvious to the administration that it did not have the votes to block a primary, they introduced a bill that called for a run-off, or a second primary, between the top two finishers in the first if no one received 50 percent of the vote. A run-off would not only satisfy those who wanted a primary but also, Rhea and Laffoon believed, give Rhea a clear advantage over the person who then appeared to be the favored candidate of the anti-administration forces, former governor and U.S. senator J. C. W. Beckham. With several other candidates already in the field, it was unlikely that anyone would receive 50 percent of the vote in the first primary, thereby forcing the runoff. The Laffoon and Rhea faction

⁴² Frederick, “Kentucky’s 1935 Gubernatorial Election,” 44-45. Frederick’s source for her information about Chandler’s hesitancy to call a special session was Allan M. Trout, a longtime correspondent for the *Louisville Courier-Journal*.

⁴³ *Louisville Courier-Journal*, February 7, 1935.

⁴⁴ James C. Klotter, *Kentucky: Portrait in Paradox, 1900-1950* (Frankfort: Kentucky Historical Society, 1996), 303-304.

believed that Beckham, at the age of sixty-five, then would be worn down during the runoff campaign.⁴⁵

Rhea and Laffoon's political instincts betrayed them, however. Although Beckham's impressive political resume had made him the first choice of Talbott and Johnson, and Chandler appeared willing to step aside for him, Beckham decided against making the race due to his age and because he had "encountered many bitter contests" for office during his career and now wanted "rest and peace in his remaining years."⁴⁶ With Beckham now removed from the picture, Chandler formally declared his candidacy. Instead of facing an old, tired politician as he had hoped, Rhea now drew as his opponent the most energetic campaigner in Kentucky history.

In a whirlwind tour of the state, Chandler repeatedly called Rhea "Sales Tax Tom" and pledged to "repeal the Sales Tax which taxes the necessities of our people at a time when they can least afford to pay."⁴⁷ Chandler's attacks on the sales tax were the heart of a campaign platform that emphasized an assortment of conservative and populist themes, including reducing government waste, eliminating corruption and graft, and providing free textbooks to schoolchildren. He pledged to abolish "unnecessary" state offices and lay off "unneeded" state employees, and he vowed to "reduce the expenses of the State Government to the lowest possible amount consistent with efficient service." While he admitted that new taxes might be necessary, he promised that he would ask for a tax increase only if he was first certain that all governmental waste had been eliminated. If new taxes did become necessary, he assured voters that he would first "consult with the leaders of labor, agriculture, business and industry" to devise a tax plan that would raise only enough revenue "to meet necessary requirements." Any new taxes,

⁴⁵ Chandler with Trimble, *Heroes*, 103; Lowell H. Harrison and James C. Klotter, *A New History of Kentucky* (Lexington: University Press of Kentucky, 1997), 368.

⁴⁶ *Ibid.*, April 25, 1935

⁴⁷ *Ibid.*, May 10, 1935 (first quotation); A. B. Chandler to G. H. Masters, May 16, 1935, box 9, Chandler Papers (second quotation).

furthermore, would not “discriminate against or work an undue hardship upon any class of taxpayers,” as had the regressive sales tax.⁴⁸

Chandler took his message to all corners of the state, including black neighborhoods. In a close contest, neither Rhea nor Chandler could ignore African Americans, who constituted about 7 percent of the state’s population and who enjoyed much greater access to the ballot box than blacks in the Deep South due to the absence of disfranchisement statutes in Kentucky. In fact, Chandler had already taken at least some interest in black political affairs before he had formally declared his candidacy. In January 1935, Clyde Hawkins had written the lieutenant governor about the formation of new political organization, the Negro Democrat Clubs of Kentucky, the purpose of which was “to register and to cause all Negroes we can to affiliate with the Democratic Party.” Hawkins, the organization’s “corresponding secretary,” had asked Chandler “to send the most intelligent Negro citizen that can be found in your county whose belief is similar to our party’s views” to an organizational meeting on February 12.⁴⁹ Chandler responded positively, saying that he would “undertake to have a colored man who is interested in the organization of your Club and in the Democratic party attend the banquet which you are giving.”⁵⁰ During the campaign itself, E. L. Landrum, a politically active African American with wide-ranging contacts in Louisville’s black community, helped the Chandler campaign spread its message among blacks by publishing a campaign newsletter on Chandler’s behalf.⁵¹

Despite Chandler’s overtures to the black community, Rhea was not without black support. Less than two weeks before the first primary, the *Louisville Leader*, a prominent black

⁴⁸ “Platform of A. B. Chandler, Candidate for the Democratic Nomination for Governor,” copy found in box 10, Chandler Papers.

⁴⁹ Clyde Hawkins to A. B. Chandler, January 15, 1935, box 7, Chandler Papers.

⁵⁰ A. B. Chandler to Negro Democrat Clubs of Kentucky, January 22, 1935, box 7, Chandler Papers.

⁵¹ E. L. Landrum to A. B. Chandler, February 11, 1938, box 50, Chandler Papers. All of the campaign newsletters that Landrum published have apparently been lost.

newspaper, declared, “From the recommendation of those who know him best, who have been his neighbors and friends, we feel that it is in the best interest of both races to support his [Rhea’s] candidacy. . . .” The paper noted that Rhea, as state high commissioner, had “selected deserving Negroes to places of trust and profit.” In that same position, Chandler ally Ben Johnson, by contrast, had “dared not to employ a single one of them—not even a weed cutter. . . .” The paper further alleged that another important Chandler supporter, E. Leland Taylor, a political boss in Jefferson County, had dismissed blacks from positions in the court house and the sheriff’s office. As a result, “thoughtful Negroes are deserting the Taylor-Chandler campaign and going over to Mr. Rhea. . . .” Finally, the *Leader* endorsed Rhea’s economic policies, maintaining that sales tax receipts helped fund desperately needed relief services.⁵²

On the day of the primary, August 3, nearly 450,000 Democrats cast ballots, a record for a Kentucky primary.⁵³ Rhea received the most votes, 203,010 (45.1 percent), but Chandler came in a close second, with 189,575 (42.1 percent). Three other candidates polled a combined 57,306 votes (12.7 percent), thus denying Rhea the 50 percent majority that he needed to avoid a runoff.⁵⁴ In what must have been an encouraging sign for the lieutenant governor, two of the minor candidates had, like Chandler, opposed the sales tax outright, while the third had supported the tax but had declared that food and clothing should be exempted from the levy.⁵⁵

With the run-off primary just over a month away (September 7), Chandler immediately returned to the campaign trail, encouraging Democrats “to get on the bandwagon for the tailgate is down.”⁵⁶ Rhea, meanwhile, tried to slow Chandler’s momentum by proposing that he and the

⁵² *Louisville Leader*, July 27, 1935.

⁵³ Frederick, “Kentucky’s 1935 Gubernatorial Election,” 79.

⁵⁴ Macolm Jewell, *Kentucky Votes*, vol. 2, *Gubernatorial Primary and General Elections, 1923-1959* (Lexington: University of Kentucky Press, 1963), 15.

⁵⁵ *Louisville Courier-Journal*, July 21, 1935.

⁵⁶ Chandler quoted in Shannon, “Happy Chandler: A Kentucky Epic,” 181.

lieutenant governor agree to cease all political activities. Citing concerns that continued Democratic Party infighting would leave the party divided for the November elections, Rhea argued that the “voters were sufficiently advised about the positions of the two candidates to vote intelligently.”⁵⁷ Ignoring Rhea’s plea, which was most likely a desperate attempt to stave off certain defeat, Chandler crisscrossed the state with his sound truck and delivered four to five speeches a day. His prospects of victory grew even stronger when Frederick A. Wallis, who had finished third in the August primary with a respectable 38,410 votes (8.7 percent), endorsed the lieutenant governor on August 15.⁵⁸ Rhea countered with an endorsement from Elam Huddleston, the other sales tax supporter in the Democratic primary, but Huddleston had finished in a distant fourth place, with only 15,501 votes, less than half of Wallis’ total, calling into question whether his support was actually meaningful to Rhea.⁵⁹

The run-off saw almost 45,000 more Democrats go to the polls than had voted in the first primary. Chandler was the clear winner, with 260,573 (52.8 percent) votes to Rhea’s 234,124 (47.3 percent). The lieutenant governor easily defeated Rhea in Chandler’s home base of central Kentucky, and he carried most of the state’s major urban centers, including Louisville, Lexington, and Covington. Rhea’s best showings came in the poorer parts of the state, especially eastern Kentucky, where he captured several counties convincingly.⁶⁰ Although the sales tax had few supporters among the poor, Rhea scored well in the mountain region because that area was highly susceptible to patronage. With few powerful local Democratic machines to stand in

⁵⁷ Ibid., August 9, 1935.

⁵⁸ Jewell, vol. 2, 15; *Louisville Courier-Journal*, August 16, 1935.

⁵⁹ Jewell, vol. 2, 15; *Louisville Courier-Journal*, August 19, 1935.

⁶⁰ Jewell, vol. 2, 16-17.

its way, the Laffoon administration had won considerable loyalty in the area through the liberal use of patronage.⁶¹

With his victory over Rhea, Chandler now faced Republican nominee King Swope, a prominent circuit judge from Fayette County, who entered the fall campaign with his party united behind him. The Roosevelt administration took a keen interest in the campaign. Because Kentucky was of the few states holding a major election in 1935, Roosevelt's supporters believed that the gubernatorial election would serve as a barometer on the popularity of the New Deal. Although the Democratic Party was the majority party in the commonwealth, it did not enjoy the nearly complete dominance that it did in other southern states. Kentucky Republicans had captured the governorship three times between 1907 and 1931, and the party routinely posted over 45 percent of the vote even in the gubernatorial contests that it lost. In 1931, for example, the GOP candidate for governor had captured 45.4 percent of the vote despite the erosion of support that the national Republican Party had suffered as a result of the Great Depression and President Herbert Hoover's unsuccessful attempts to halt the economic meltdown.⁶² Many political observers believed that a Swope victory would be interpreted as a repudiation of Roosevelt and the New Deal and perhaps even put the state in play in the 1936 presidential election. The *New York Times*, for example, maintained that Roosevelt "and his administration will suffer because of the trend which, nationally speaking, such a defeat would seem to indicate," while Robert W. Bingham, publisher of the *Louisville Courier-Journal* and *Louisville Times* and United States Ambassador to the United Kingdom, declared that "the election of a Republican governor in November would be a blow to the national administration,

⁶¹ Frederick, "Kentucky's 1935 Gubernatorial Election," 81.

⁶² Jewell, vol. 2, 13.

and it should be prevented if possible.”⁶³ Furthermore, Interior Secretary Harold Ickes noted that “Senator [Marvel Mills] Logan, of Kentucky, told me some time ago that he was fearful of the result this fall in his state and that if the Republicans carried it this year, they were almost sure to carry it next year in the presidential election.”⁶⁴

Ignoring the entreaties of his fellow Republicans, Swope refused to condemn the New Deal or the president. He certainly hoped to reap the benefits of any New Deal backlash, but in order to defeat Chandler, he needed the votes of Kentucky Democrats, in particular Rhea voters, who the primary campaign had left disaffected. Attacking the president’s economic policies was unlikely to woo many Democrats to his side. According to the *New York Times*, “the theory was that Democrats intending to vote against the Democratic candidate for Governor mustn’t be prevented from fulfilling that good intention by the lugging-in of national politics.”⁶⁵ Swope instead devoted his time to discussing his platform and to attacking Chandler. Swope agreed with Chandler that the sales tax had to be eliminated, and he proposed several measures to eradicate the state debt, including placing the supervision of the state penal system in the hands of a “non-salaried, non-political board” and revising the election calendar to abolish the costly practice of holding elections every year in the commonwealth. He pledged to conduct his campaign above “the abuse, mud-slinging and false issues that have signalized the two recent Democratic primaries,” and he promised to “appoint a non-political highway commission.”⁶⁶ Furthermore, he also tried to tie Chandler to Laffoon, observing that Chandler had been remonstrating that the administration of which he had been a member since 1931 had violated all

⁶³ *New York Times*, November 2, 1935 (first quotation); Robert W. Bingham quoted in William Elliott Ellis, *Robert Worth Bingham and the Southern Mystique* (Kent, Ohio: Kent State University Press, 1997), 162 (second quotation).

⁶⁴ Harold L. Ickes, *The Secret Diary of Harld L. Ickes*, vol. 1, *The First Thousand Days, 1933-1936* (New York: Simon and Schuster, 1953), 465.

⁶⁵ *New York Times*, November 9, 1935.

⁶⁶ *Louisville Courier-Journal*, September 22, 1935 (first quotation); *Lexington Herald*, September 22, 1935 (second quotation).

of its platform pledges. “When he makes such admissions as these, far be it from me, as the Republican nominee for Governor,” Swope declared, “to contradict him or to waste my time or yours in proving what he already admits.”⁶⁷

In his campaign, Chandler repeatedly called Swope “his majesty” and alleged that the judge had endorsed repeal of the sales tax only after he had learned that it was politically unpopular.⁶⁸ He took issue with Swope’s promise to establish a non-political highway commission. “Don’t let Swope tell you there is any such thing as a non-partisan party in Kentucky,” he exclaimed.⁶⁹ Clarifying this statement, he later suggested that a bi-partisan administration would still look after its own interests, regardless of party labels.⁷⁰ Mirroring the sentiments of national Democrats, Chandler contended that his election was crucial for President Roosevelt. He warned his audiences that if Swope prevailed, he would try to roll back Roosevelt’s reforms, which would lead to the return of “Hoover prices for farm products” and to “the obstruction of social security and old-age pension legislation in Kentucky.”⁷¹

Hoping to insure a victory for Chandler, the Roosevelt administration tried to foster Democratic Party unity in Kentucky; thus, it appealed to both Rhea and Laffoon, who still bristled over the results of the primary, to put personal animosities aside and endorse Chandler. In September, Kentucky native and presidential appointments secretary Marvin H. McIntyre asked Chandler, Rhea, and Laffoon to meet with the president. Roosevelt wished to convince Rhea and Laffoon to work with Chandler, but both men refused to attend the meeting. Laffoon later declared that he would vote for the entire Democratic ticket with the exception of Chandler. Laffoon cited Chandler’s disloyalty to him and the party as the basis for his decision: “When a

⁶⁷ *Louisville Courier-Journal*, September 22, 1935.

⁶⁸ *Ibid.*, October 2, 1935

⁶⁹ *Ibid.*, October 19, 1935.

⁷⁰ *Ibid.*, October 20, 1935.

⁷¹ *Ibid.*, October 2, 1935 (first quotation); *Lexington Herald*, October 27, 1935 (second quotation).

Democrat tries to wreck a Democratic administration he is not entitled to support. Mr. Chandler and his gang have done all they could against my administration. For that reason I am not going to support Mr. Chandler.”⁷² Rhea, meanwhile, endorsed King Swope, claiming that a Chandler victory would be an affront to the Democratic Party. “His tactics and conduct are not such that his election would be a Democratic victory; but it would have been such as would discredit any party,” he reasoned.⁷³

Its failed efforts to win over Rhea and Laffoon notwithstanding, the Roosevelt administration played an important, although perhaps not crucial, role in Chandler’s campaign. Ambassador Bingham donated \$10,000 to Chandler’s efforts, and in October, Postmaster General and National Democratic Party Chairman James Farley campaigned for Chandler in Louisville.⁷⁴ Appearing before the Young Democrats, Farley affirmed the importance of the Kentucky election to the Roosevelt presidency.⁷⁵ As election day approached, Senator Alben Barkley and Barry Bingham, Ambassador Bingham’s son, barnstormed with Chandler in western Kentucky.⁷⁶ The national administration also played politics with New Deal relief agencies in its drive to rally Kentuckians behind Chandler. In the final weeks of the campaign, Works Progress Administration (WPA) payrolls more than doubled in Kentucky, and a few days before the general election, beneficiaries of federal relief funds received letters, sent from Washington, that advised them that the continuation of New Deal funding depended on a Democratic victory.⁷⁷

As he had done in the primary, Chandler also took his campaign to black communities. At one point, his campaign contacted Rufus B. Atwood, the well-known president of Kentucky

⁷² *Lexington Herald*, October 30, 1935.

⁷³ *Louisville Courier-Journal*, November 5, 1935.

⁷⁴ Ellis, *Robert Worth Bingham*, 164; *Louisville Courier-Journal*, October 6, 1935.

⁷⁵ *Louisville Courier-Journal*, October 6, 1935.

⁷⁶ *New York Times*, November 2, 1935.

⁷⁷ Ellis, *Robert Worth Bingham*, 162; *Cincinnati Inquirer*, November 4, 1935.

State Industrial College (now Kentucky State University) in Frankfort, one of the commonwealth's two black state colleges, and asked him to ride the sound truck in black communities and urge residents to vote for Chandler. Wishing to keep the college free of any direct involvement in politics, Atwood turned down the offer, but he later admitted that the proposal had "tempted" him because he had hoped to see Chandler elected. Atwood and Chandler would go on to know each other for nearly fifty-years, and although Atwood never specified why he had supported Chandler over Swope, he once commented that he "got along with [Chandler] very well, and so far as I know, the Negro people got along with him very well."⁷⁸ Chandler also personally met with C. Ewbanks Tucker, a longtime civil rights activist from Louisville who was running for state senate. Tucker had arranged the meeting because he wanted "to know his [Chandler's] attitude on the Negro question." Tucker left the meeting convinced of Chandler's "friendship and concern for Negroes" and proceeded to campaign vigorously for him throughout Louisville.⁷⁹ In other campaign developments in the black community, E. L. Landrum of Louisville continued to publish his pro-Chandler newsletter, and the Lexington-based Colored Voters' League endorsed Chandler, its chairman telling him "we [are] happy to support your cause, and hope to be able to do the same in the future."⁸⁰

Swope also made a direct appeal to black voters, although he did so in a somewhat questionable fashion. In his opening address, Swope briefly mentioned that he would enforce Kentucky's antilynching statute, passed in 1920, and work to curb mob violence. Although the antilynching law had helped reduce the number of lynchings in the commonwealth—

⁷⁸ Rufus B. Atwood, interview by Terry Birdwhistell, March 19, 1974, Rufus B. Atwood Oral History Project, Louie B. Nunn Center for Oral History, Margaret I. King Library, University of Kentucky, Lexington, Kentucky (hereafter cited as Atwood Oral History Collection).

⁷⁹ *Louisville Courier-Journal*, March 31, 1940.

⁸⁰ J. Rise Porter, Chairman of the Colored Voters' League, to A. B. Chandler, February 11, 1936, box 113, Chandler Papers.

the year 1934 saw the last—the statute seemed inadequate to many blacks. The law had defined the crime of lynching narrowly. According to its provisions, only those persons forcibly removed from police custody and then killed or injured were classified as lynching victims. Other types of mob violence were ignored under the law. Law enforcement officials who failed to protect someone in their custody from a lynch mob were to be removed from their positions by the governor automatically. If the lynching victim died, those responsible for the lynching would face the death penalty or life imprisonment. If the victim survived, all culprits involved in the crime would receive a prison sentence of five to fifteen years. As a result of this law, some peace officers were in fact removed from office, but convictions of lynch mob members proved difficult to obtain in some Kentucky counties.⁸¹ Swope did not, however, make strengthening the antilynching statute a cornerstone of his campaign, nor did he outline how he would curb other forms of mob violence if he became governor.

In early October, Walter Robinson, Swope’s publicity director, published an article in the *Louisville Leader*. In what was perhaps a deliberate attempt to convince readers that the article had been written by a regular columnist for the *Leader*, and not an operative for the Swope campaign, the byline omitted Robinson’s connection to Swope and referred to him simply as a “publicity chairman.” In the piece, Robinson noted that in contrast to Swope, Chandler had failed to discuss important civil rights issues in his opening address. “He evidently did not consider these questions sufficiently important to mention,” Robinson maintained. In his opening speech, Swope, by contrast, had gone “on record as being unalterably opposed to mob

⁸¹ James Harmon Chadbourn, *Lynching and the Law* (Chapel Hill: University of North Carolina Press, 1933), 29-31, 58.

violence and has promised to put teeth into the present ‘anti-lynch’ law of the State by barring from appointment any immediate member of the family of a removed officer.”⁸²

On election day, November 4, 1935, over one million Kentuckians went to the polls, the largest turnout in the state’s history. Chandler captured the governorship in comfortable fashion, outpacing Swope with 54.5 percent of the vote to Swope’s 45.1 percent (556,262 votes to 461,104). Chandler’s strength lay in traditionally Democratic western, central, and northern Kentucky. He also did well in the southeastern part of the state. Formerly a Republican stronghold, the region was trending more Democratic in the 1930s as organized labor made inroads in the mountain coalfields. Swope still did well in those mountain counties, Republican since the Civil War, where coal was not an important industry or where unionization efforts had not succeeded.⁸³

After taking the oath of office on December 10, Chandler quickly embarked on an ambitious reform program. To streamline government, he dismissed 10,000 state employees, most of them holdovers from the Laffoon administration, only days before Christmas. The timing of the dismissal seemed heartless to many, but Chandler rationalized that it was preferable to make difficult decisions quickly than to wait: “If it were well when it were well done, it were well it were done quickly.”⁸⁴ Approximately 8,000 of the dismissed workers had worked for the state highway department, a longtime haven for political jobholders. Charges that Chandler simply replaced the highway workers with his own supporters proved groundless; as of March 1936, only 2,727 individuals worked for the highway department. The cuts reduced Kentucky’s

⁸² *Louisville Leader*, October 5, 1935.

⁸³ Jewell, vol. 2, 19.

⁸⁴ Chandler with Trimble, *Heroes*, 108.

state highway payroll from a peak of \$8.5 million per year under Governor Laffoon to approximately \$3 million per annum during the first months of the Chandler administration.⁸⁵

At the opening session of the General Assembly on January 7, 1936, Chandler implored lawmakers to rise above “partisanship, factionalism, and dissension” and establish a “new order” in Kentucky that would eliminate “entrenched privilege and greed.” To this end, he called for the immediate repeal of the sales tax and for a variety of reform measures.⁸⁶ The legislature responded with remarkable swiftness, passing more than 100 bills within a matter of weeks, including measures that repealed the sales tax, established a compulsory single primary law, provided for better maintenance of county roads, and funded \$15 monthly pensions for the elderly. Also at Chandler’s behest, the legislature abolished the state’s tax on real estate and reduced the state’s automobile license fees by 40 percent, to \$4.50.⁸⁷ Chandler found the legislature virtually united behind him, with many of these measures passing with only token opposition. “You couldn’t really afford to be against him,” former state representative Ollie J. Brown recalled. “He advocated those things the people wanted.”⁸⁸

At Chandler’s request, the legislature adjourned on February 16. Then, in a plan he had prearranged with the legislature, he reconvened that body three more times in special sessions between late February and the end of March. By calling a special session, he could more easily control the legislation that appeared before the General Assembly. In the first special session, Chandler asked the legislature to reorganize the state government in order to make it operate more efficiently, while in the second he asked it to pass a budget for the fiscal year 1936-1937.

⁸⁵ *Wheeling Intelligencer*, September 28, 1936.

⁸⁶ *Louisville Courier-Journal*, January 8, 1938

⁸⁷ *Louisville Courier-Journal*, February 16, 1936; *New York Times*, May 17, 1936; *Wheeling Intelligencer*, September 28, 1936, and October 5, 1936.

⁸⁸ Ollie J. Bowen, interview by Terry Birdwhistell, March 19, 1974, A. B. Chandler Oral History Collection, Louie B. Nunn Center for Oral History, Margaret I. King Library, University of Kentucky, Lexington, Kentucky (hereafter cited as Chandler Oral History Collection).

The reorganization bill passed quickly, eliminating or consolidating fifty-five of the state's seventy-eight independent departments, many of which had had overlapping duties, but Chandler's proposed \$23.34 million budget met some resistance.⁸⁹ Republican floor leader Claude L. Hammons claimed that the Chandler administration had contemptuously left legislators out of the budget writing process and now wanted the legislature to pass it without question: "They have made up the appropriations, which we will be called upon merely to ratify. . . . Our laws are not being made on the floor of the General Assembly."⁹⁰ Other opponents claimed that the proposed budget would give the governor too much oversight over the expenditures of various state departments because it would grant him the authority to pare appropriations once a session had adjourned. Seeing sinister intentions in this proposal, Attorney General Beverly M. Vincent accused Chandler of trying to establish in Kentucky "a political oligarchy the like of which Huey Long never dreamed."⁹¹ Swinging the momentum in the debate their way, Chandler's supporters in the legislature countered that the bill's critics had failed to offer an alternative budget and that the budgetary power that the bill would vest in Chandler was not unusual, noting that the controller general of the United States wielded it on a the federal level. Besides, one state senator observed, Chandler needed the extra authority in order "to bring order out of chaos."⁹²

After approving the budget on March 24, the General Assembly adjourned, whereupon Chandler called it into special session six days later for the third and final time in 1936.⁹³ This time, the governor sought funding for his budget. The sales tax alone had generated approximately \$11 million a year, and with it now abolished, the prospect of even larger budget

⁸⁹ *Wheeling Intelligencer*, September 28, 1936.

⁹⁰ *Louisville Courier-Journal*, March 19, 1936.

⁹¹ *Ibid.*, March 23, 1936.

⁹² *Ibid.*, March 25, 1936.

⁹³ *Ibid.*, March 31, 1936.

deficits loomed if the legislature did not find other funding sources. Holding firm to his campaign pledge to avoid taxing the necessities of life, Chandler proposed a series of “sin” taxes on luxury items. One readily available source of revenue was alcohol, the consumption of which had been legalized in Kentucky with the repeal of prohibition in 1935. Chandler asked for, and received, a sales tax of five cents a gallon on alcohol as well as a processing tax on liquor production.⁹⁴ Then, in a move fraught with political peril in a tobacco-growing state, Chandler brashly proposed a tax on cigarettes. Tobacco farmers and cigarette manufacturers immediately objected to the levy, and many legislators had misgivings about taxing the state’s number-one cash crop, but Chandler was undeterred. He lashed out at “selfish minority interests” and, sounding again like a populist, maintained that tobacco corporations could easily afford the levy because they paid “their presidents million dollar bonuses, but buy tobacco from Kentucky farmers for a little as they can.”⁹⁵ The cigarette tax eventually passed the house and senate but not before it suffered an initial defeat in the lower chamber.⁹⁶ Chandler also secured a luxury tax of 20 percent on such items as soft drinks, chewing gum, ice cream, candy, nuts, and cosmetics, and he won passage of a graduated personal income tax ranging from 1 to 4 percent as well as a 4 percent tax on corporate net incomes. Rounding out the tax reforms were increases in corporation license taxes and inheritance taxes. Chandler’s advisors estimated that the new tax structure would yield \$11,890,000 annually.⁹⁷

Although Chandler’s reforms affected the lives of all Kentuckians, none dealt specifically with black interests. However, the ambitious legislative agenda of the new governor did not escape the notice of the state’s black leaders. In April 1936, Rufus Atwood, president of

⁹⁴ *New York Times*, May 17, 1936.

⁹⁵ *Louisville Courier-Journal*, April 17, 1936.

⁹⁶ *Ibid.*, April 16, 23, 25, 1936.

⁹⁷ *New York Times*, May 17, 1936.

Kentucky State Industrial College, wrote the governor about the financial plight of the black institution. Atwood reported that the Frankfort school, long underfunded, could not afford to repair buildings or provide enough books or adequate classroom space for students on its \$65,000 appropriation for the 1936-1937 school year. Expressing admiration for Chandler's "most efficient program for managing the state," the president asked the governor to allot the school an extra \$10,000 from the state emergency fund.⁹⁸ Chandler granted the request and subsequently asked Atwood to prepare a more detailed statement on the school's needs. In his report, Atwood contended that between 1924 and 1937 the state had spent more than \$28 million on white higher education and only \$2 million on black colleges. He further noted that the institution had received a "B" rating (standard with deficiencies) from the Southern Association of Colleges and Secondary Schools due in part to the poor state of the college's finances. Chandler responded by allotting the school \$110,000 for recurring expenses and \$50,000 in capital outlay for each school year of the period 1938-1940.⁹⁹

Atwood later acknowledged that Chandler's appropriations to the school had fallen short of what he wanted, but, nevertheless, he believed that the governor was "favorably disposed" to his institution.¹⁰⁰ He recalled a warm working relationship with Chandler, who on more than one occasion invited Atwood and his wife to dine at the governor's mansion, a courtesy that other southern governors most likely would not have extended to an African American during the era. Chandler frequently attended sporting events at Kentucky State, and the college's choir and dance band sometimes performed at state functions at the governor's request.¹⁰¹ Atwood

⁹⁸ Rufus B. Atwood to A. B. Chandler, April 4, 1936, box 72, Chandler Papers.

⁹⁹ Gerald L. Smith, *A Black Educator in the Segregated South: Kentucky's Rufus B. Atwood* (Lexington: University Press of Kentucky, 1994), 50.

¹⁰⁰ Rufus B. Atwood, interview by Terry Birdwhistell, March 19, 1974, Atwood Oral History Collection.

¹⁰¹ *Pittsburgh Courier*, May 5, 1945; Warren Swindell, "The Kentucky State Collegians," *The Black Perspective in Music*, 15, no. 1 (Spring 1987): 11-12.

admitted, however, that Chandler was “a politician,” who might not have been as friendly to Kentucky State if he had not helped him politically from time to time. For example, Chandler asked Atwood to persuade Charles W. Anderson, Jr., the lone black member of the state legislature, to change his vote on the controversial cigarette tax that Chandler favored. Atwood approached Anderson about his vote, and Anderson promised to change it in return for Chandler’s pledge to back some bills that he supported. Chandler promised his full support to Anderson, and Anderson voted for the cigarette tax when it came before the house the second time. Atwood did not think that Chandler’s political machinations were unusual, though, because “that’s how things were done” politically in Kentucky during the period.¹⁰²

One of the bills for which Anderson sought Chandler’s support was a bill to provide scholarships for black students to attend out-of-state institutions if they wished to pursue graduate work or major in an undergraduate field not available at the state’s black colleges. Segregated education had prevailed in Kentucky since 1904, when the state legislature had passed the Day Law, which mandated separate academic facilities for blacks and whites and stipulated fines for persons and institutions that violated the law. Because Kentucky State and Western Kentucky Industrial College (WKIC), the state’s other black institution, had no graduate or professional programs, blacks who wished to pursue their education beyond a bachelor’s degree were forced to go to out-of-state universities in the North, often at a much greater expense than they would have incurred in-state, if they could afford to go at all. Undergraduates who wished to major in a subject that Kentucky State or WKIC did not offer faced a similar

¹⁰² Rufus B. Atwood, interview by Terry Birdwhistell, March 19, 1974, Atwood Oral History Collection. Atwood states in the interview that Chandler had wanted Anderson to change his vote on the sales tax. Anderson was not a member of the legislature when that body had passed the tax under Governor Laffoon’s watch, however, and the legislature only took one action on the sales tax—voting to repeal it—during Chandler’s first term. Only one issue, the cigarette tax, came before the legislature twice in the early days of Chandler’s first administration, indicating that Chandler had wanted Anderson to change his vote on that issue.

predicament. Hoping to relieve the financial burden on these students, Anderson and state senator Stanley Mayer sponsored an act that would appropriate \$5,000 annually toward funding the education of blacks who had to leave the state for their studies. Black Kentuckians who attended out-of-state institutions would be eligible for up to \$175 per academic year. The bill, known formally as the Anderson-Mayer State Aid Act, passed the legislature in early 1936 without a dissenting vote.¹⁰³

Although the act left untouched segregated education in Kentucky, it made the commonwealth only the fifth state to provide funding to black students who were forced to pursue their degrees in another state. (The four others were Maryland, Missouri, Tennessee, and Oklahoma). NAACP legal counsel Charles Houston thanked Anderson for his “efforts . . . to improve Negro education in Kentucky,” but he believed that the bill was a “palliative” that did not alleviate “the inequalities which exist” in the commonwealth’s schools.¹⁰⁴ Ultimately concluding that out-of-state tuition scholarships forestalled desegregation, the NAACP would launch a lawsuit in 1938 against Missouri’s law. The decision that followed, *Missouri ex rel Gaines*, would have far-reaching consequences for the pursuit of educational equality. In the meantime, the \$5,000 appropriated under the Anderson-Mayer Act proved insufficient to meet the demands of the commonwealth’s black citizens. Responding to the need, between 1936 and 1938 Chandler allocated more than \$2,000 from his emergency fund to support the tuition payment plan.¹⁰⁵ Although Chandler’s exact motives for releasing the funds are not clear, there is no evidence to suggest that he did so as part of a calculated racist political ploy to maintain segregation in Kentucky.

¹⁰³ Smith, *Atwood*, 118-119.

¹⁰⁴ Quoted in George C. Wright, *A History of Blacks in Kentucky*, vol. 2, *In Pursuit of Equality, 1890-1980* (Frankfort: Kentucky Historical Society, 1992), 161.

¹⁰⁵ Smith, *Atwood*, 119.

As the year 1936 unfolded, it became clear that Chandler's budget was generating substantially more net revenue than Laffoon's fiscal policies ever had and that his reorganization plan was fostering efficiency in state government. Chandler had inherited a \$20 million state debt from Laffoon, but his program of increased taxes and reduced government spending soon began to shrink that total precipitously.¹⁰⁶ By 1938, the deficit had dropped to \$7 million, and by early 1940, Governor Keen Johnson, Chandler's successor, could report that the state had a surplus of \$2 million.¹⁰⁷ The state tax department, one of the many agencies that had been reorganized under Chandler, epitomized the newfound efficiency of state government, even though "the work of collecting and handling taxes [was] generally recognized to be much heavier than was the task of administering the old consumers [*sic*] tax."¹⁰⁸ The agency owed a large part of its success to its director, John W. Martin, an economics professor at the University of Kentucky, who Chandler had hired to help run the government on a business basis. A nationally recognized tax expert, Martin administered his department as he would a company, largely staying above the political fray. In fact, when one reporter described him as "a political phenomenon," Martin quipped, "But I don't know a thing in the world about politics."¹⁰⁹

The scale of Chandler's reforms and the speed with which he secured their passage elicited praise from a variety of observers, some of whom compared Chandler's leadership with that of the president. Soon after the end of the third special session, the Democratic *Louisville*

¹⁰⁶ Few sources agree on the exact amount of the debt, but all sources put the debt at at least \$20,000,000. In May 1936, Norman S. Taber and Company, a financial consulting firm, listed the state's "outstanding floating indebtedness" at "\$20,000,000. . . ." The *New York Times* reported the same amount. Norman S. Taber and Company to the Governor, et al., May 12, 1936, box 114, Chandler Papers; and the *New York Times*, November 10, 1935. In February 1936, Chandler declared that the debt stood at \$25,000,000, but in 1938, both *Time* and *Collier's* put the figure at \$28,000,000. *Louisville Courier-Journal*, February 21, 1936; *Time*, August 1, 1938, 11; *Collier's*, "Happy Couldn't Wait," July 16, 1938, 49.

¹⁰⁷ Frederick D. Ogden, ed., *The Public Papers of Governor Keen Johnson, 1939-1943* (Lexington: University Press of Kentucky, 1982), 23.

¹⁰⁸ *Wheeling Intelligencer*, October 7, 1936.

¹⁰⁹ *Ibid.*

Courier-Journal declared that “Governor Chandler stands . . . unsurpassed in accomplishment in this or, perhaps, any Commonwealth.”¹¹⁰ Lamenting that West Virginia did not have a frugal governor like Chandler, the Republican *Wheeling Intelligencer* lauded the “courageous young executive” for wielding the “economy axe.”¹¹¹ In May 1936, Senator Barkley maintained that the governor had “made a remarkable record in dealing with the difficult problems of state government,” while *Collier’s* asserted that “even his opponents admit” that Chandler was “the ablest governor Kentucky has had beyond the memory of the fading generation.”¹¹² Agreeing with Chandler supporters who called his program the “Kentucky New Deal,” the *New York Times* declared, “The technique Chandler has used thus far as State Chief Executive is strongly reminiscent of that which Mr. Roosevelt employed immediately after his inauguration.”¹¹³

Chandler’s reforms also spawned their share of critics. Some estranged Democrats minimized Chandler’s success by calling his budgetary reforms “paper savings.”¹¹⁴ When Chandler first proposed the tax on cigarettes, over 3,000 Kentuckians had marched on Frankfort in protest.¹¹⁵ Other detractors maintained that in some cases the “sin” taxes actually taxed everyday items rather than luxury goods. In a July 1936 letter to Chandler, for example, Colonel P. J. Noel argued that the tax on ice cream was especially unjust because it affected children. Noel related the story of a little girl who had walked into drug store in Bowling Green to buy ice cream only to be told that a nickel was no longer enough to purchase a cone. Noel claimed that the girl “said that the nickel was all she had and then walked out with a sad heart.” He closed by asking the governor to remember that “little girls and boys are quite different from grown people

¹¹⁰ *Louisville Courier-Journal*, May 10, 1936.

¹¹¹ *Wheeling Intelligencer*, October 7, 1938.

¹¹² *Louisville Courier-Journal*, May 27, 1936; *Collier’s*, “Happy Couldn’t Wait,” July 16, 1938, 13.

¹¹³ *New York Times*, July 4, 1937.

¹¹⁴ *Ibid.*

¹¹⁵ *Louisville Courier-Journal*, April, 16, 1936.

and their little minds are working and thinking how they are going to get by, when their Mamas and Daddys [*sic*] only can spare them a mite at a time.”¹¹⁶ Voters’ anger over the “sin” taxes on such items as ice cream and cosmetics might also have played a role in J. C. W. Beckham’s close loss to Marvel Mills Logan in the 1936 Democratic U.S. Senate primary in Kentucky. Chandler had informed voters that he would interpret a victory for Beckham, who had come out of retirement to oppose Logan, as an endorsement of his administration.¹¹⁷

Although the comparisons between Chandler and Roosevelt are understandable, Chandler’s reforms drew on a mixture of conservatism and populism rather than New Deal liberalism. To be sure, Chandler did support some New Deal programs, such as Social Security, and he welcomed the arrival of federal dollars. Under his direction, the General Assembly passed laws that expedited the implementation of federal programs, and his administration provided matching funds without the public disputes that had characterized the Laffoon administration. In 1936, Chandler campaigned for Roosevelt in four states.¹¹⁸ A year later, he supported the president’s “court-packing plan,” which would have granted the chief executive the authority to appoint up to six additional justices, even though most other southern politicians deserted the president on that issue. Speaking before Labor’s Non-Partisan League in Nashville, Tennessee, he called the court proposal a necessary “reform” that would make possible “the appointment of men on the Supreme Court Bench who have been in close touch with present-day conditions.”¹¹⁹ Yet Chandler regarded Harry F. Byrd, the conservative former governor of Virginia and an anti-New Deal senator, as his close friend and political mentor, and he modeled some of his reforms on Byrd’s programs as governor. He was proud of having balanced the

¹¹⁶ Colonel P. J. Noel to A. B. Chandler, July 7, 1936, box 113, Chandler Papers.

¹¹⁷ *New York Times*, August 4, 1936.

¹¹⁸ *Louisville Courier-Journal*, October 6, 1936.

¹¹⁹ A. B. Chandler, undated 1937 speech in Nashville, Tennessee, at a meeting of Labor’s Non-Partisan League, box 586, Chandler Papers.

budget in Kentucky, and he maintained that New Deal spending would not end the depression. Noting that the depression lingered even as federal spending increased, he declared that “contrary to the beliefs of some, it isn’t possible to spend your way to prosperity.”¹²⁰ He also believed that New Deal programs could destroy individual initiative, remarking the “Government . . . is rearing a generation which believes it is the Government’s duty to provide for it.”¹²¹ As the New Deal progressed, he concluded that the legislative branch had dangerously delegated “excessive legislative powers to the Executive,” especially measures that granted the president additional budgetary oversight, and he later argued that Congress should “reassert its constitutional obligations to more carefully supervise the finances of the country.”¹²² While he stated that the Wagner Act “adequately protected” labor, he decried sit-down strikes as a violation of personal property rights, and he criticized the labor organizing tactics of United Mine Workers of America (UMWA) President John L. Lewis, at one point claiming that he used “Communistic methods.”¹²³

Confident that he had the affairs of the state in order, Chandler asked for few reforms during the next biannual session of the General Assembly, in 1938. Yet he still sought to reduce state expenses, and he believed that one easy cost-cutting measure would be the merging of WKIC with Kentucky State. As early as 1924, the state had considered closing WKIC due to its inadequate facilities, poor quality of instruction, and considerable distance from most of the

¹²⁰ *Louisville Courier-Journal*, April 29, 1938.

¹²¹ *Ibid.*

¹²² A. B. Chandler, “Delegation of Legislative Power to the Executive,” undated 1938 speech, box 45, Chandler Papers (first quotation); *Louisville Courier-Journal*, February 12, 1939 (second quotation). In the speech entitled “Delegation of Legislative Power to the Executive,” Chandler cited the Reciprocal Tariff Act as an example of a New Deal measure that granted the president excessive authority. Passed in 1934 and renewed in 1937, the act authorized the president to match tariff rate deductions that trading partners granted the United States up to a 50 percent reduction.

¹²³ A. B. Chandler, undated 1937 speech in Nashville, Tennessee, at a meeting of Labor’s Non-Partisan League, box 586, Chandler Papers (first quotation); *Louisville Courier-Journal*, February 12, 1939; A. B. Chandler, undated speech [c. 1938-1939], box 591, A. B. Chandler Papers (second quotation).

state's large black population centers, but no action had been taken. In 1932 and 1936, the school's image had suffered further due to two major scandals involving its president, Dennis Anderson. In the first instance, Anderson had kept some of the school's money in his own personal savings, and in the second, students had boycotted classes when they discovered that he had been living in the women's dormitory. Anderson was replaced in 1937, but by then, the state was already reconsidering the school's future.¹²⁴ President Atwood of Kentucky State himself believed black education in the commonwealth would benefit from the merger of the two schools. Writing Chandler, Atwood maintained that "one state institution, if given the annual support now given to the two colleges, and additional buildings, can adequately serve the needs of the Negro population with less cost, and less waste."¹²⁵

Many black educators disagreed with Atwood's and Chandler's positions. In the January-February 1938 edition of the *Kentucky Negro Education Association Journal*, KNEA president W. H. Fouse argued that the new president of the industrial college should be given the opportunity to improve the school before the state considered a merger. Implying that some black students in western Kentucky would attend a local institution but not a college that was more than three hours driving time away, he also maintained that the proposed merger could potentially prevent black students in western Kentucky from attending college.¹²⁶ KNEA's Legislative Committee Chairman A. E. Meyzeek also expressed concern that a merger would deprive western Kentucky blacks of educational opportunities, and he argued that if other southern states such as Alabama, Louisiana, and North Carolina could fund more than one black institution, then Kentucky could do likewise.¹²⁷

¹²⁴ Smith, *Rufus B. Atwood*, 92.

¹²⁵ Rufus B. Atwood to A. B. Chandler, October 27, 1937, box 72, Chandler Papers.

¹²⁶ W. H. Fouse, "The Proposed Merger," *KNEA Journal* 9 (January-February 1938): 22-23.

¹²⁷ A. E. Meyzeek, "Arguments against the Merger," *KNEA Journal* 9 (January-February 1938): 24-25.

With the controversy over the merger of the college continuing, Representative Charles Anderson and legislators from western Kentucky worked out a compromise bill. Under their plan, WKIC's liberal arts program would be merged with Kentucky State's, but, in a concession to supporters of the school, WKIC would remain open, albeit as a vocational training center. Chandler signed the bill on April 20, 1938, ending the controversy over the two schools, and sparing the governor from further political fallout.¹²⁸

Chandler approached the merger of Kentucky State and WKIC from a purely business perspective. A large cash influx would have been required to correct the myriad deficiencies at the college, but depression-era Kentucky was short on cash, and Chandler adhered strictly to a cost-cutting, "pay-as-you-go" fiscal policy. Even if Kentucky had not been facing a financial crisis, it is doubtful that the conservative Chandler would have invested substantially in a college that, as the *Louisville Courier-Journal* put it, had been "troublesome since it first began to receive State aid."¹²⁹ Given Chandler's economic leanings, it is difficult to conceive of any other course of action that he might have taken vis-à-vis the Paducah college. Yet Chandler should have anticipated that the merger of the colleges would be unpopular among blacks, especially among African Americans in western Kentucky. He could have personally addressed their concerns, but, for the most part, he allowed President Atwood to explain the benefits of merging the college to the black community. All evidence indicates that Chandler believed the merger would improve the quality of black education, but his handling of the merger controversy reveals that he was not fully attuned to the sentiments of black Kentuckians.

Believing he had already put the affairs of Kentucky in order, Chandler seemed bored as governor by 1938, maintaining that "only routine duties would occupy [his] time" after the

¹²⁸ Smith, *Rufus B. Atwood*, 96.

¹²⁹ *Louisville Courier-Journal*, December 17, 1937.

legislative session adjourned in 1938 and until his term ended in December 1939.¹³⁰ He sought greater political challenges, and before long, he openly admitted to members of the national administration that he hoped soon to become a United States senator so he could position himself for a run for the presidency in 1940. Kentucky's senior senator, Alben Barkley, faced a re-election bid in 1938, while the commonwealth's junior senator, Marvel Mills Logan, would not stand for re-election until 1942. The 1938 election cycle fit Chandler's political time table perfectly, but the governor initially hesitated to run against the powerful Barkley, the Senate Majority Leader and one of the president's closest allies. He instead focused his efforts on trying to remove Logan from office to create a Senate opening to which he could be appointed. To this end, when Supreme Court Justice George Sutherland retired from the bench in mid-January 1938, Chandler urged the Kentucky legislature to petition President Roosevelt to name Logan to the vacancy. The legislature complied with the request, but the position instead went to another Kentuckian, United States Solicitor General Stanley Reed.¹³¹

Even while trying to secure another position for Logan, Chandler fueled speculation that he would not shy away from a race with Barkley. On January 22, Chandler attended a luncheon, ostensibly held to discuss Kentucky's welfare programs, at Louisville's Pendennis Club. The date of the luncheon coincidentally fell on the same day that a dinner for Barkley was scheduled to take place across town at the Brown Hotel. Raising suspicions that the luncheon had purposely been scheduled as a rival affair to the event for Barkley, Chandler refused to attend the dinner because he feared that his "attendance would be misinterpreted as an indorsement of

¹³⁰ A. B. Chandler to G. T. Denton, July 8, 1938, box 47, Chandler Papers.

¹³¹ *Louisville Courier-Journal Magazine*, January 16, 1938. For more background on Stanley Reed's appointment to the Supreme Court, see Henry J. Abraham, *Justices and Presidents: A Political History of Appointments to the Supreme Court*, 3rd ed. (New York: Oxford University Press, 1992), 218-219.

Senator Barkley for renomination in the August primary.”¹³² Moreover, Barkley did not receive an invitation to the Pendennis Club luncheon.¹³³ At the luncheon, Chandler spoke before more than 1,000 persons, and although he talked mostly about his plans for the commonwealth’s psychiatric hospitals and penal institutions, he turned to politics toward the end of his speech. He maintained that Lieutenant Governor Keen Johnson would be a capable successor “if by chance you people want me to represent you in any other capacity,” a statement that his listeners interrupted with “prolonged cheering.” He then attacked Barkley, while again intimating that he would be a candidate. Alluding to ardent New Dealers, such as Senators Sherman Minton (D-Indiana) and Lewis Schwellenbach (D-Washington), who planned to attend the Barkley dinner, Chandler declared: “When I go home back to Frankfort this afternoon . . . I won’t call upon any Senators from the North to come help me. I have had all I could do to take care of my own business at Frankfort and now that I am getting it pretty well in shape, I may decide to take a hand in theirs.”¹³⁴ Chandler’s remarks were, as the *Courier-Journal* later put it, an “all but open declaration of his candidacy.”¹³⁵

Although the Barkley dinner later that day lacked the political overtones of the Chandler luncheon, the event was politically significant nonetheless. Barkley’s friends praised the senator’s life and career, and the senator spoke in broad terms about national developments during his years in Congress, but no one mentioned the Pendennis Club luncheon or the potential Chandler-Barkley showdown. Senator Minton did refer to Governor Chandler but only in passing, quipping, “We in Indiana can’t fish the Ohio River without getting a license from

¹³² *Louisville Courier-Journal*, January 17, 1938.

¹³³ *Ibid.*, January 18, 1938.

¹³⁴ *Ibid.*, January 23, 1938.

¹³⁵ *Ibid.*, January 30, 1938.

Happy Chandler.”¹³⁶ A moment of political drama occurred, however, when Marvin McIntyre, Roosevelt’s emissary to the meeting, stood to read a letter from the president. In the letter, Roosevelt praised Barkley, leaving no doubt about his devotion to the senator:

These are critical times, times which demand all that a public man can command of resources and experience. Senator Barkley’s long familiarity with national affairs, his patriotic zeal, his courage and loyalty and his eloquence in enunciating and elucidating problems and principles give him exceptional equipment as a legislator and as a leader.

For all that he has done in his country’s service, his countrymen owe him a debt of gratitude which it is difficult to estimate, but which I embrace this opportunity to acknowledge.¹³⁷

According to the *Courier-Journal*, Roosevelt’s words elicited “wild cheers” from the audience.¹³⁸ Buoyed by the outpouring of support, Barkley formally announced his re-election bid the next day.¹³⁹

Despite Roosevelt’s ardent support for Barkley, the administration dreaded the prospects of a Chandler-Barkley race, hoping it could be avoided. Roosevelt and his supporters knew that the contest would exacerbate the bitter struggle for party control that was then being waged between conservative party members, led by southern Democrats, and the president’s liberal allies. Beginning in the mid-1930s, southern Democrats had grown increasingly concerned about the perceived weakening of the South’s position within the party, while simultaneously growing increasingly disillusioned with the New Deal. In 1936, the South had effectively lost its ability to block potential nominees at the national convention when the party abolished its requirement that the presidential and vice presidential nominees receive a two-thirds majority vote among the delegates. Later that year, Roosevelt demonstrated in his landslide victory over

¹³⁶ Ibid., January 23, 1938.

¹³⁷ Ibid.; memorandum, Franklin D. Roosevelt to Marvin McIntyre, January 21, 1938, President’s Personal File, Marvin McIntyre, Box 6222, Franklin D. Roosevelt Library, Hyde Park, New York. (hereafter cited as FDRL).

¹³⁸ *Louisville Courier-Journal*, January 23, 1938.

¹³⁹ Ibid., January 24, 1938.

Republican Alf Landon that a Democrat could win the White House without the South. Southerners routinely warned that Roosevelt's New Deal programs would create a permanent welfare class, and, like Chandler, they condemned the sit-down strike, a relatively new and sometimes violent labor tactic, as an encroachment upon property rights. They also urged Roosevelt to balance the budget and to lower federal taxes. When loyal New Dealer Alben Barkley became Senate Majority Leader in 1937 after narrowly defeating conservative Mississippi Senator Pat Harrison, the rift between the party factions deepened. When Barkley allowed an antilynching bill to be introduced before the Senate at the opening of the 1938 congressional session, southern members reacted angrily, denouncing the legislation as a northern assault on states' rights. Southerners likewise condemned the president's court-packing plan as a power grab on the part of the executive. As a result of these developments, southern congressmen lashed out at the New Deal, slowing the pace of reform to a crawl and hoping to wrest party control away from New Deal sympathizers before the 1940 presidential election.¹⁴⁰

In addition to putting southerners a step closer to Democratic Party dominance, a Chandler victory over Barkley would be a repudiation of Roosevelt's leadership. Barkley was one of Roosevelt's closest, most powerful allies, a loyal New Dealer, whom the president dubbed "Dear Alben" and entrusted to steer legislation through the Senate. In short, if the majority leader fell to Chandler, Roosevelt would not just lose a supporter, he would lose one of his most trusted allies, and he would gain a vocal, energetic opponent in Chandler. Revealing the importance of the race to Roosevelt, Interior Secretary Harold Ickes maintained that a Chandler victory would "hurt the President's prestige considerably," while a *Collier's* magazine reporter

¹⁴⁰ For an overview of these developments, see David M. Kennedy, *Freedom from Fear: The American People in Depression and War, 1929-1945*, Oxford History of the United States, ed. C. Vann Woodward, vol. 9 (New York: Oxford University Press, 2005), 339-346.

declared, “Mr. Roosevelt cannot well afford the psychological loss that will come of a defeat of his own choice for Senate majority leader.”¹⁴¹

The administration dreaded the repercussions of an internecine party struggle in Kentucky to such an extent that it apparently reconsidered Chandler’s desire for Logan to receive an appointment that would clear his way to the Senate. In an extended January conference, Democratic Party Chairman James Farley and President Roosevelt discussed several offices to which Logan could be nominated, including solicitor general, controller general, and budget czar. Logan was surprised to hear about Farley and Roosevelt’s discussions, commenting that “nobody has consulted me and nothing has been offered me.” He also disavowed any interest in serving as solicitor general or as controller general but added that he would carefully consider any judicial position that might be offered him.¹⁴²

Speculation that Logan would receive such an appointment ran rampant following the death of Judge Charles H. Moorman of the Fifth Judicial Circuit on January 26. Chandler pushed for Logan’s nomination to the post, but his efforts backfired. Apparently angered by Chandler’s persistent efforts to create a Senate vacancy for himself, both Logan and Barkley announced that Logan was not a candidate for a federal position. Insinuating that a judicial appointment might have appealed to him if Chandler had not tried to engineer his appointment to the bench, on January 31 Logan declared, “Under existing circumstances, I would decline appointment. I wish it to be understood that I definitely do not intend to resign my Senate seat for at least another year, even in the event that an important judicial post or other appointment is offered to me.”¹⁴³ That same day, Barkley alleged that Chandler had repeatedly warned that he

¹⁴¹Harold L. Ickes, *The Secret Diary of Harold L. Ickes*, vol. 2, *The Inside Struggle, 1936-1939* (New York: Simon and Schuster, 1954), 421 (first quotation); *Collier’s*, “Happy Couldn’t Wait,” July 16, 1938, 13 (second quotation).

¹⁴²*Louisville Courier-Journal*, January 21, 1938.

¹⁴³*New York Times*, February 1, 1938.

would oppose him in the Senate primary if he did not help the administration find a position for Logan, declaring: “For months I have been threatened from Frankfort with opposition in my race for re-election to the Senate unless I entered into a conspiracy which would have involved Senator Logan, the President of the United States and me, to find some way to eliminate Senator Logan from the Senate by appointing him to something else in order to avoid opposition to me.” He added, “I wish to say if anybody in the State desires to run against me because I have not been willing to stoop to the despicable expediency involved in all these threats, I welcome such opposition.”¹⁴⁴

Despite Barkley’s willingness to face Chandler, many Democrats still hoped that the race could be avoided. Kentucky supporters of both Barkley and Chandler arranged a January 31 meeting at the White House between Chandler and Roosevelt. During their twenty-minute tête-à-tête, the president tried to dissuade the governor from making the race, arguing that he should await a better opportunity, but Chandler refused. Seeing similarities between his political career and Roosevelt’s, he brashly told the president that he intended to run: “I reminded him that he didn’t wait himself. He popped it to them when he had a chance.” Chandler later bragged that he had stood up to “that fellow” [Roosevelt], telling him that “I was from Harvard, too,” lest the president thought he was dealing with a “country boy come to the city.”¹⁴⁵

The next day, Chandler met with his close friend, Senator Harry F. Byrd, and Senator Pat Harrison, Barkley’s old rival for the Senate leadership post, both of whom encouraged him to make the race. Soon thereafter, he returned to Frankfort and began plotting his campaign strategy with his advisors, and on February 19, he spoke before 5,000 supporters at campaign rally in Frankfort. Although Chandler would not formally declare his candidacy for a few more

¹⁴⁴ *Louisville Courier-Journal*, February 1, 1938.

¹⁴⁵ *Ibid.*, February 3, 1938.

days, his speech was noteworthy because it revealed part of his attack plan against Barkley. He professed friendship for President Roosevelt while denouncing Senator Barkley for supposedly ignoring the needs of Kentuckians. “I am President Roosevelt’s friend and everybody knows it,” Chandler declared. Without referring to Barkley by name, he denounced “fat, sleek Senators who go to Europe and have forgotten the people of Kentucky except when they ran for election.”¹⁴⁶ When he formally announced his candidacy four days later at the annual banquet of the Campbell County Chamber of Commerce, Chandler expanded on his line of attack. He accused the majority leader of being “a stranger to the State” who “has given Kentucky the absent treatment.” Without criticizing Roosevelt directly, he contrasted his fiscally conservative record in Kentucky with the deficit spending of the administration, implying that New Deal spending was excessive. “We’ve got to undertake to pay the national debt,” he contended. “We’ve got to cut governmental costs,” he continued. “We’ve done it in Kentucky and now we are prepared to lead the way in Washington.”¹⁴⁷ In short, Chandler sought to paint Barkley as an aloof, out-of-touch politician and cast doubt on the philosophical underpinnings of the New Deal while simultaneously portraying himself as a personal friend of Roosevelt. The president was still highly popular both nationally and in Kentucky despite the recession that was then gripping the country, and Chandler knew that any direct attack on him would doom his candidacy from the outset. In fact, when a supporter criticized the president in a letter about the Senate race that he intended to submit to the editorial page of the *Lexington Leader*, Chandler asked him to remove the references to the president.¹⁴⁸

The campaign quickly became one of the most closely watched in the nation in 1938, with the *New York Times* calling it the “Gettysburg of the party’s internecine strife over national

¹⁴⁶ Ibid., February 20, 1938.

¹⁴⁷ Ibid., February 24, 1938.

¹⁴⁸ A. B. Chandler to H. G. Hoffman, March 2, 1938, box 49, Chandler Papers.

control in 1940.”¹⁴⁹ Adding to the drama of the campaign, both Chandler and Barkley enjoyed the help of powerful allies. Besides the support he received from the Roosevelt administration, the majority leader also enjoyed help from Thomas Rhea and his political machine and former Kentucky congressman John Y. Brown.¹⁵⁰ Furthermore, he received important endorsements from the *Courier-Journal* and from United Mine Workers of America President John L. Lewis, who praised the senator for “being cooperative in his attitudes toward legislation in the interests of labor and the common people.”¹⁵¹ Chandler picked up endorsements from the *Lexington Herald* and the *Kentucky Post* of northern Kentucky and a scattering of smaller newspapers.¹⁵² The lieutenant governor, Keen Johnson, backed Chandler as did former Kentucky governor and United States senator J. C. W. Beckham.¹⁵³ Many state legislators who had joined Chandler only a few years before to battle Laffoon’s tax proposals were still in Chandler’s corner, and many state workers favored the governor because they owed their jobs to him. Despite his friendship with many conservative Democrats from outside the state, Chandler refused their open support, observing that his campaign had “refrained from asking for outside help in the campaign. We feel that our worthy opponent has perhaps overdone this.”¹⁵⁴

In the midst of the campaign, Chandler delivered an essentially non-political speech at a meeting of the Jefferson County Sunday School Association, a black multi-denominational organization consisting of thirty-one Sunday schools.¹⁵⁵ Chandler’s speech and appearance

¹⁴⁹ *New York Times*, February 13, 1938.

¹⁵⁰ *Ibid.*, February 1 and March 1, 1938.

¹⁵¹ *Ibid.*, May 26, 1938.

¹⁵² Walter Mulbry, Governor Chandler’s executive secretary, to Walter D. Bell, July 29, 1938, box 46, Chandler Papers. Several smaller newspapers also endorsed Chandler. They included the *Henderson Gleaner*, the *Edmonson News*, the *Lyon County Sentinel*, the *Richmond Daily Register*, the *Somerset Journal*, and the *Woodford Sun*. See *ibid.* and A. B. Chandler to A. A. and Dan Bomar, March 8, 1938, box 46, Chandler Papers.

¹⁵³ Elizabeth Michele Fraas, *Keen Johnson: Newspaperman and Governor* (Ph.D. diss., University of Kentucky, 1984), 222; *Louisville Courier-Journal*, July 3, 1938.

¹⁵⁴ A. B. Chandler to Fred Kahil, August 1, 1938, box 50, Chandler Papers.

¹⁵⁵ *Louisville Courier-Journal*, April 28, 1938.

before the association are instructive. His address was the longest, clearest statement that he made early in his career on civil rights. A speech by a white southern politician to a black audience was exceedingly rare during the era in any event, and Chandler's comments reveal a degree of sympathy, albeit measured, for the black community absent from the speeches of his Deep South counterparts, if sympathy was to be found in them at all.

Speaking before "hundreds of members of Negro Sunday-schools" on the subject of brotherly love, Chandler maintained that he had endeavored to make Kentucky a kinder, more caring place for the children and the mentally disabled of both races. "There comes a time in every man's life when the contentment of his children is of more importance than anything he might accomplish," Chandler declared. "We want to make this State and this world a better place for our children." He added that adults should never be too busy to talk to their children about spiritual things, and he expressed confidence that "the burdens of the mentally sick, both black and white, in our now crowded State institutions, will be alleviated" now that the state was on a firmer economic footing. In the most telling passage of the speech from the standpoint of civil rights, Chandler declared: "It makes little difference to you who occupies the public offices, provided they keep you and your interests in mind and work for the common good." "I assure you of my continued interest in all the people of this State and of my solicitude for your welfare," he added. "As I am young, vigorous, active and fairly determined, I hope, with God's help, to accomplish greater things to contribute to your welfare, which has always been my chief object."¹⁵⁶

Although it is difficult to gauge the exact depth of Chandler's support among the commonwealth's black citizens, it was significant enough to prompt the Roosevelt administration and the Barkley campaign to launch a concerted drive for the black vote.

¹⁵⁶ Ibid., May 2, 1938.

Roosevelt dispatched William J. Thompkins, the former director of the Democratic National Committee's Colored Division, to Kentucky to campaign for Barkley, and Barkley's campaign committee established a "colored" division.¹⁵⁷ The division's associate director of publicity, William N. Wasson, published articles that portrayed Chandler as an anti-New Deal zealot who ignored the needs of the state's poor and minority citizens. In an article in the *Louisville Leader*, for example, Wasson maintained that Chandler's attacks on the New Deal had "shocked" black voters more than anything else that had occurred "within the last nine years of the depression." "[H]ad it not been for the humanity of Roosevelt," Wasson wrote, "countless thousands of unemployed Negroes would have starved or frozen to death." Wasson then discussed several New Deal agencies, noting the specific cash outlays for each and the importance of those agencies to the welfare of black Americans. Wasson championed Barkley as a friend of Roosevelt, who had to be re-elected to ensure the perpetuation of the New Deal.¹⁵⁸

The Barkley campaign's overtures to black voters may well have weakened Chandler's standing among African Americans, but the governor still found important black allies. Early in the campaign, M. A. Blackburn, vice president of the Colored Fifth District Democratic Organization, pledged his "heartiest" support to Chandler.¹⁵⁹ The Colored Democrats of Kentucky, a small but politically active Louisville organization, endorsed Chandler and asked the Chandler campaign for funds to operate. Chandler headquarters responded by sending approximately \$650 (about \$9,900 in 2009 dollars).¹⁶⁰ The organization's vice president, Robert McGruder, compiled a letter, presumably mailed to black potential voters, that revealed the Colored Democrats' reasons for backing Chandler. He declared, "During the two and one-half

¹⁵⁷ Sean J. Savage, *Roosevelt: The Party Leader, 1932-1945* (Lexington: University Press of Kentucky 1991), 141; *Louisville Leader*, June 25, 1938.

¹⁵⁸ *Louisville Leader*, June 25, 1938.

¹⁵⁹ M. A. Blackburn to A. B. Chandler, January 24, 1938, box 46, Chandler Papers.

¹⁶⁰ Mary Lou Hubbard to Mrs. A. B. Chandler, August 2, 1938, box 49, Chandler Papers.

years Governor Chandler has been in office as Governor of Kentucky, he has to the best of my knowledge, treated problems of the Negroes the same as all other race groups.” Calling attention “to just one major concern of the Negro,” McGruder then discussed the increased educational funding that Chandler had made available to blacks:

Under Governor Chandler’s administration, he has increased the appropriations of State institutions for the education of Negroes and increased the appropriation for graduate education under the Anderson-Mayer State Aid Act. In past years, the appropriation for Kentucky State College was \$60,000.00 and that of West Kentucky State College was approximately \$40,000.00. Today Kentucky State College receives an appropriation of \$160,000.00 and West Kentucky State College . . . is receiving an appropriation of \$79,000.00. The first provisions for graduate education for Negro youth were instituted under the Chandler administration and a sum of \$5,000.00 allotted. Within the last six months, this sum has been increased to \$7,500.00.

According to McGruder, Chandler’s record demonstrated that he was a man of “action” and not just promises.¹⁶¹

Roosevelt himself personally visited Kentucky to campaign for Barkley. Earlier in the election season, the president had pledged to stay above the political fray, but he ultimately decided “to purge” his party of recalcitrant Democrats, targeting for defeat several anti-New Deal party members. At the same time, he sought to aid pro-New Deal Democrats such as Barkley in their primaries against conservative challengers. In announcing his intentions on June 24, the president said, “I feel that I have every right to speak in those few instances where there may be a clear issue between candidates for a Democratic nomination. . . .”¹⁶² In his first of three campaign stops in the Bluegrass state, Roosevelt arrived in Covington by train on July 8. As governor, Chandler had received an invitation to greet the president. He joined the president and Barkley for the short ride to the nearby racetrack in Latonia, seemingly unabashed by the

¹⁶¹ Robert McGruder, “Some Things You Should Know About Negro Education From the Record of Gov. A. B. Chandler,” undated campaign letter, box 45, Chandler Papers.

¹⁶² *New York Times*, June 25, 1938.

president's appearance on behalf of the majority leader. Chandler, who sat next to Roosevelt in the president's open-topped car, waved enthusiastically and grinned broadly as the president acknowledged the crowds who lined the streets to the racetrack. At Latonia, Roosevelt spoke before approximately 50,000 people, who heard him firmly endorse Barkley while remaining personally friendly to Chandler. "Your Governor deserves due credit for getting this state on a sound financial basis," Roosevelt asserted, but he then added quickly that Chandler owed some of his success to the New Deal: "He never came to Washington and went away empty-handed." The president went on to declare: "I have no doubt that Governor Chandler would make a good Senator from Kentucky—but I think he would be the first to acknowledge that as a very junior member of the Senate it would take him many, many years to match the national knowledge, the experience and the acknowledged leadership in the affairs of our nation of that son of Kentucky of whom the whole nation is proud."¹⁶³ The president's statement, a deft combination of praise for Barkley and damnation for Chandler's Senate bid, did not fluster Chandler outwardly, who smiled broadly and thrust a clinched fist into the air whenever Roosevelt even faintly praised him.

Chandler did not accompany Roosevelt on the president's final two stops on the president's schedule. With the governor absent, the president intensified his invectives against him in rallies at Louisville and Bowling Green, but especially at the latter. Recalling the Ohio River flood that had inundated Louisville only the year before, Roosevelt declared that Kentucky needed a senator with "national experience" to help bring planned flood control policy to the region.¹⁶⁴ At Bowling Green, the president condemned Chandler for "dragging federal judgeships into a political campaign," while extolling Senator Logan for refusing to ask for a

¹⁶³ *Louisville Courier-Journal*, July 9, 1938.

¹⁶⁴ *Ibid.*

federal post that would have created a Senate opening for Chandler. The president later released a letter he had written to Logan in February, soon after Chandler had visited Washington, DC. In the letter, Roosevelt recounted that he had quickly rebuffed Chandler when he proposed appointing Logan to a federal position. The governor “seemed surprised,” Roosevelt maintained, “when I told him that you and I would be the last people in the world to traffic in judicial appointment in order to satisfy the ambition of one office seeker.”¹⁶⁵

Despite the hoopla surrounding the president’s visit, charges of political malfeasance in both camps and a bizarre poisoning incident soon dominated the headlines. The Chandler campaign complained that the Roosevelt administration was attempting to bolster Barkley’s re-election bid by funneling hundreds of thousands of extra relief dollars into the state. WPA payrolls had increased, the Chandler team claimed, and WPA administrators had threatened to fire workers if they did not vote for the senior senator. *Collier’s* magazine reported that relief workers had distributed food in bags that bore Senator Barkley’s name.¹⁶⁶ Thomas Stokes, a newspaper reporter for Scripps-Howard, the nation’s largest newspaper chain, substantially confirmed these allegations, as did a Senate investigative committee. Removing doubt that their findings were politically motivated, both Stokes and the head of the Senate committee, Senator Morris Sheppard, were New Deal supporters. Stokes, who had traveled 1,400 miles in the commonwealth and interviewed dozens of people, concluded that the WPA was “deep in politics” for the Barkley campaign.¹⁶⁷ In a report released on the eve of the primary, the Sheppard committee denounced “deplorable” political tactics in Kentucky.¹⁶⁸

¹⁶⁵ *Lexington Leader*, July 9, 1938.

¹⁶⁶ “Happy Couldn’t Wait,” *Collier’s*, July 16, 1938, 12.

¹⁶⁷ *Knoxville News-Sentinel*, June 6, 1938.

¹⁶⁸ *Louisville Courier-Journal*, August 3, 1938.

Although the Barkley camp probably committed the worst political abuses, the Chandler campaign was hardly a practitioner of scandal-free politics. Reporters, the Sheppard committee, and other political observers uncovered numerous instances of questionable political activities by Chandler and his supporters. State workers faced dismissal if they did not pledge support to the governor. Emmett Durrett of the Department of Industrial Relations, for example, pledged in a letter to Chandler that he would fire unfaithful employees: “If there is such a thing as a disloyal employee in this Department I haven’t found it, and off the record—if I do, they [*sic*] won’t be an employee long.”¹⁶⁹ Barkley supporters alleged that state government officials had even pressured their employees to campaign for Chandler. In a letter to Marvin McIntyre, for example, Flemingsburg attorney J. M. McIntire claimed that state government had distributed “blue books” to each state highway worker, with instructions “to get 22 people to sign his little blue book agreeing to vote for Chandler. . . .”¹⁷⁰ In another heavy-handed political move, state workers personally distributed Social Security checks to 54,000 Kentuckians, with instructions “to line up the vote” for Chandler.¹⁷¹

Adding still more drama to the campaign, Chandler accused the Barkley campaign of trying to kill him after he fell ill in the early morning hours of July 22. Spending the night at Louisville’s Kentucky Hotel after he had made a radio broadcast from there earlier in the day, the governor awoke in the night with chills, stomach pains, and high fever. An attending physician declared that Chandler’s illness was not serious, advising him “to rest a couple of days.”¹⁷² His illness lingering, Chandler returned to Frankfort by ambulance on Sunday, July 24, while Dan Talbott, who suffered from the same symptoms, stayed behind at the hotel. The next

¹⁶⁹ Emmett Durrett to A. B. Chandler, June 4, 1938, box 48, Chandler Papers.

¹⁷⁰ J. M. McIntire to Marvin McIntyre, February 21, 1938, Franklin D. Roosevelt Official File, National Democratic Committee, box 300, FDRL.

¹⁷¹ *Louisville Courier-Journal*, July 19, 1938.

¹⁷² *Ibid.*, July 23, 1938.

day, Chandler began describing his sickness as “intestinal poisoning,” a claim suddenly corroborated by the same physician who had attended him at the hotel. The doctor now swore that Chandler, Talbott, and a state policeman had all become ill after drinking water that had been “doctored with a poison.” The doctor explained that the water had come from a pitcher provided by the hotel for Chandler’s radio address. “There is no question that it was a chemical poison,” the physician asserted, “and that the Governor got more than half the fatal dose.”¹⁷³

Instead of evoking widespread concern for his well-being, the governor’s predicament elicited laughs and charges that Chandler had pulled a strange last-minute publicity stunt in a desperate attempt to gain sympathy votes. “Most people laughed about it,” state representative Tyler Munford later recalled. “They thought it was a political gimmick.”¹⁷⁴ After investigating the alleged poisoning, the Louisville police dismissed the affair as “a political bedtime story.”¹⁷⁵ In a letter to Chandler, labor organizer James R. Cates described the governor’s illness as a “stunt” worthy of a “circus-clown [*sic*].”¹⁷⁶ Despite the lack of evidence linking anyone in the Barkley camp to the water pitcher, Chandler insisted—even years after the fact—that someone working for Barkley had “tried to kill” him in order to insure the majority leader’s re-election.¹⁷⁷

On election day, August 6, Chandler suffered the first defeat of his meteoric political career. Outmatched by the forces of the Barkley camp and the Roosevelt administration, the governor received 223,690 votes (42.6 percent) to the majority leader’s 294,562 (56 percent). Minor candidates received the remaining 1.4 percent. Chandler lost Barkley’s native western Kentucky by a substantial margin, and he suffered a landslide 30,000-vote defeat in Jefferson County, where the political bosses of Louisville, who had supported him against Swope only

¹⁷³ Ibid., July 26, 1938.

¹⁷⁴ Tyler Munford, interview by Terry Birdwhistell, September 18, 1975, Chandler Oral History Collection.

¹⁷⁵ *New York Times*, July 27, 1938 {check}

¹⁷⁶ James R. Cates to A. B. Chandler, July 29, 1938, box 46, Chandler Papers.

¹⁷⁷ Chandler with Trimble, *Heroes*, 139.

three years before, aligned firmly behind Barkley and the New Deal. Chandler split the vote with Barkley in central Kentucky, and he scored well in the northeastern portion of the state, one of his old political strongholds. Revealing the conservative-liberal divide in the race, Chandler also bested Barkley in many of the traditionally Republican counties in southeastern Kentucky.¹⁷⁸ Although registered Republicans could not vote in the Democratic primary, many persons who voted Republican in national elections often registered Democratic in order to participate in state elections, which the Democratic Party normally dominated.

Although keenly disappointed by the results, Chandler urged Kentuckians who had supported him to vote for Barkley and to support the president. Speaking in Campbell County on November 3, he declared, “I am anxious for Kentucky to remain a Democratic State. I came here to say that the present State Administration will continue to co-operate with the National Administration and to tell you that I am going to vote for Senator Barkley.” In the same speech, Chandler maintained that he would likely finish his gubernatorial term and then retire from politics: “I probably will serve my term out. When I retire after twelve years in State offices I probably will go to work to support my family.”¹⁷⁹

Although Chandler had earlier predicted that only “routine” matters would occupy his time during the remainder of his administration, he faced a critically important civil rights issue in 1939. In January of that year, Alfred Carroll, a black Louisville resident and a law student at Howard University, had applied to the University of Kentucky College of Law. Carroll had at first sought funds allocated under the Anderson-Mayer Act in order to stay at Howard, but when the state told him that the money had been exhausted, he sought to attend Kentucky in order to receive the less expensive in-state tuition rates. Carroll was one of several black students who

¹⁷⁸ Jewell, *Kentucky Votes*, vol 1, *Presidential Elections, 1952-1960, U.S. Senate and Primary and General Elections, 1920-1960* (Lexington: University of Kentucky Press, 1963), 30-31.

¹⁷⁹ *Louisville Courier-Journal*, November 4, 1938.

had recently been turned down by the state because of the depletion of the \$5,000 fund.

Assistant Superintendent of Public Instruction Gordie Young estimated that the state would have to furnish an additional \$1,600 to fund all black students who recently had been rejected for out-of-state tuition aid.¹⁸⁰

The day after newspapers published the details of the Carroll case, Chandler allocated the additional \$1,600 from his emergency fund. In releasing the money, the governor said that Rufus Atwood had informed him that Carroll “would be satisfied if we’d put up the money for his schooling.”¹⁸¹ In light of the Supreme Court’s recent decision in *Missouri ex rel. Gaines*, which held that states that provided schools to white students must also provide in-state education to black pupils, Chandler’s statement seems to indicate that he had been worried that Carroll might sue to gain admission to the University of Kentucky. Subsequent correspondence between Chandler and Atwood makes it clear that a lawsuit did in fact worry the governor. In a February 8 letter to Chandler, Atwood assured the governor that “no suit would be filed at this time.”¹⁸² Chandler told newspaper reporters that the question raised by Carroll was one he had hoped to avoid by making Kentucky State a “first class colored” school with offerings equal to the other state universities, but he admitted that the Frankfort school was “not yet ready” to offer legal studies.¹⁸³

Despite Atwood’s assurance to the governor, the NAACP did briefly contemplate using the Carroll situation as the starting point for a lawsuit against the University of Kentucky. Apparently, the organization dropped the idea because it did not consider Carroll an ideal applicant around whom to base a lawsuit. Carroll had attended the then unaccredited

¹⁸⁰ Ibid., January 28, 1939.

¹⁸¹ Ibid., January 29, 1939.

¹⁸² Rufus B. Atwood to A. B. Chandler, February 8, 1939, box 72, Chandler Papers.

¹⁸³ *Louisville Courier-Journal*, January 29, 1939.

Wilberforce University in Ohio, meaning the University of Kentucky could potentially claim that his application had been turned down on the basis of his academic credentials rather than his race.¹⁸⁴ Despite the NAACP's decision, Kentucky blacks continued to pressure the state in 1939 for equal educational opportunities. In March 1939, the KNEA helped arranged a meeting between black and white educational leaders and Chandler. In the meeting, the governor quickly dashed the hopes of those seeking a quick end to school segregation. Chandler insisted he could do little to promote integration because of certain circumstances over which he had no control, such as the Day Law, which had banned integrated education at all levels in the commonwealth. "If you insist on going to the University of Kentucky now," he declared, "you are making a mistake, because there are barriers, which we did not make and for which we are not responsible, to prevent you from going to the university." Chandler added that "I see no immediate prospects for completely equalizing opportunities for higher education at the present time." Dean David Lane of the all-black Louisville Municipal College immediately took issue with this statement, retorting that "the right thing to do is admit Negroes to the University of Kentucky." Chandler asked for a more cautious approach, saying that "the best thing to do is to appoint a committee for both sides and let it work out a solution for this problem." Chandler's suggestion seemed to please everyone at the meeting, and he immediately named three white educators with a promise to select seven black leaders at a later date.¹⁸⁵

With Chandler's administration nearing its end, the appointment of a committee effectively postponed action on school integration in the commonwealth until after his term ended. The next governor, Keen Johnson, was not bound by anything that the committee suggested, and as a result, African Americans who sought college integration in the

¹⁸⁴ Smith, *Atwood*, 120.

¹⁸⁵ *Louisville Courier-Journal*, March 12, 1939.

commonwealth were back to square one. The University of Kentucky would remain closed to blacks until 1949, when the courts ordered the admission of Lyman T. Johnson to the graduate school.

By the time of the Carroll case, Chandler had achieved political distinction both in Kentucky and nationally. Young, charismatic, and ambitious, he had gained nationwide attention beginning in 1935, when he had capitalized on Kentuckians' acute dissatisfaction with the sales tax to upset the Laffoon faction and capture the governorship at age thirty-seven. The folksy and garrulous Chandler gravitated toward people and politics, and his rousing oratory (which mixed humorous stories with biting invective) and his emotional stump singing came natural to him. Chandler's policies demonstrated that he was on the whole an economic conservative. Arguing that deficit spending would inevitably bankrupt a government, he championed balanced budgets, streamlined government, and low taxes. He espoused personal initiative, believing that individuals could best solve their own problems. If the state or federal government provided too many services—handouts, as he saw them—then individual initiative would be destroyed. There was also a populist element to his message. He denounced regressive taxes, especially the infamous sales tax, instead supporting a variety of “sin” taxes and a progressive income tax, and he provided free textbooks to schoolchildren. In Chandler's view, high taxes worked to undercut individual initiative, taking hard-earned money away from the poor, thereby removing the impetus to find work or work harder.

Chandler's positions on civil rights were coming into full view by the time black leaders pressed him to integrate the University of Kentucky in 1939. In many respects, he was a bold politician—his aggressive reorganization of state government and his campaign against Barkley attested to that—but he was hardly an unconditional advocate of civil rights. He increased

funding to Kentucky State and allocated emergency funds to the school at the request of President Atwood. He invited Atwood and his wife to the governor's mansion in an era when black leaders almost never received similar invitations from other southern governors, and he meet with other prominent blacks, including Louisvillian Charles W. Ewbanks, to seek their electoral support. He took his campaign to black communities, and he enjoyed measurable black support in each of his races in the 1930s. Yet Chandler never spoke out against lynching, and he never funded Kentucky State at a level that satisfied Atwood. As would become clearer later in his career, he thought integrating quickly would lead to increased racial strife, a situation that would inevitably retard interracial progress. In 1955, for example, Chandler freely admitted to the *Louisville Defender*, the state's largest black newspaper, that he had told black leaders in 1939 that school integration was impossible because he then believed that the racial climate in Kentucky would not permit it: "[I] could not foresee the outcome [of integration] at that time."¹⁸⁶ When he did speak to black audiences, such as the black Sunday school convention, he often spoke in general terms about the welfare of blacks, rarely mentioning specific issues. Nevertheless, his mere appearance before the Sunday school convention clearly demonstrated that he was not a diehard segregationist. Few other southern governors during this period, perhaps none, would have appeared before a black audience and delivered a speech that included a discussion, albeit brief and general, of civil rights.

Chandler's mixed views on civil rights—as well as how those views differed starkly from those of his Deep South colleagues—would soon become even more apparent. Rejected by the voters in his showdown with Barkley and barred from running for a second consecutive term by Kentucky's constitution at the time, he once believed that his political career might end when his term expired in December 1939. However, Chandler unexpectedly found new political life in the

¹⁸⁶ *Louisville Defender*, July 14, 1955.

fall of that year. The decisions that he would make in this new position would bolster his legacy as one of the South's most prominent civil rights moderates of the early to mid-twentieth century.

CHAPTER 2

THE SENATE YEARS: CIVIL RIGHTS CHALLENGES, 1939-1945

On October 3, 1939, just nine weeks before Happy Chandler's term as governor was set to expire, Democrat Marvel Mills Logan, Kentucky's junior United States senator, died unexpectedly in Washington, DC, giving Chandler an unforeseen opportunity to fulfill his old goal of reaching the U.S. Senate. Within days, he resigned the governorship, whereupon his lieutenant governor, Keen Johnson, became governor. Then, in a prearranged plan, Johnson appointed Chandler to the vacant seat. On October 10, in an event fraught with irony, Alben W. Barkley, who had upset Chandler's Senate dreams only fourteen months before, escorted him to the Senate floor, where Vice President John Nance Garner administered the oath of office to him.¹

Seeking his party's support for the 1940 special election called to fill the remainder of Logan's term, Chandler quickly reached out to Barkley and other prominent supporters of President Franklin Roosevelt, who still seethed over Chandler's attacks against the New Deal during Chandler's race with Barkley. In a gesture of "appeasement," he had given Barkley an umbrella a few days before he had taken the oath. When Barkley received it, he had said the umbrella was a "ribless wreck," but he had accepted it in the spirit that Chandler had offered it. Chandler had also announced that he would support Roosevelt in 1940 if Roosevelt won the nomination.²

¹ *Washington Post*, October 11, 1945.

² *Ibid.*

Chandler's efforts to ingratiate himself with his party paid off. He won the special election in 1940 against nominal opposition, went on to win a full term in 1942, and served until late April 1945 when he resigned to become commissioner of Major League Baseball. During this period, the war effort took precedence in the minds of most senators, including Chandler's, and the Kentuckian took an active role in trying to shape military policy. After the United States entered World War II, for example, he became the Senate's most vocal advocate of a Japan-first strategy. In a dramatic speech on the Senate floor in May 1943, he explained his position, arguing that Japan might become unbeatable if given time to consolidate its territorial conquests and speculating that Britain and the Soviet Union would drop out of the conflict upon Germany's surrender.³ The speech roused the ire of British Prime Minister Winston Churchill, who knew, as *Time* magazine observed, that "Chandler was speaking for a substantial segment of American opinion when he rose in the Senate and declared that the U. S. should turn its chief present energies" toward Japan. Churchill, already in Washington, responded to Chandler's charges the next day in his own speech before Congress. During his address, he assured the American people that Britain would fight Japan "while blood flows through our veins." Although Churchill never mentioned Chandler by name, observers noted that the Kentuckian's face had flushed red when the prime minister announced: "Lots of people can make good plans for winning the war if they have not got to carry them out."⁴ Later in 1943, the U.S. Senate chose Chandler and four other senators to undertake a two-month long tour of world battlefronts to gather information and report on the progress of the war.⁵

³ *Time*, May 31, 1943, 17.

⁴ *Ibid.*, 17 (first quotation), 17-18 (second quotation), 18 (third quotation).

⁵ The other Senators were Ralph O. Brewster (R-Maine), Henry Cabot Lodge (R-Massachusetts), James M. Mead (D-New York), and Richard B. Russell (D-Georgia). See Ralph O. Brewster and others, *Report on the War: Observations by Five Members of the United States Senate in a 45,000-Mile Trip to the War Areas* (Washington, DC: United States News, 1943).

Although the war took center stage during Chandler's Senate term, three important civil rights issues also came before Congress during that time. The first of these was an antilynching bill in 1940.⁶ As a member of the Senate Judiciary Committee, Chandler had to vote on whether to refer the bill to the full Senate. In 1942 and 1944, anti-poll tax legislation reached the Senate floor after the House of Representatives had overwhelmingly approved both bills. In both instances, southern senators successfully filibustered against the legislation. Those years also saw debate on whether to waive the poll tax for military personnel. In 1944, southern congressmen attempted to destroy the Fair Employment Practices Committee (FEPC) by stripping it of its funding. President Franklin Roosevelt had created the committee on June 25, 1941, when he signed Executive Order 8802 in response to civil rights activist A. Philip Randolph's threatened march on Washington to protest discrimination in defense industries and the armed forces. The FEPC was responsible for investigating alleged violations of the order, but it lacked the necessary enforcement powers. Nevertheless, the committee angered many southerners who feared that it perhaps foreshadowed larger federal initiatives to guarantee civil rights.

Chandler participated, in varying degrees, in the debates on each of these civil rights measures. An analysis of his voting record and his public statements on those measures reveals that his position on civil rights legislation was more nuanced—and more moderate—than the positions of most southern senators. At the same time, his voting record shows that Chandler was hardly a civil rights liberal. His strongly held belief in states' rights and his own political calculations restrained Chandler from taking a more liberal position on the issue. At the same

⁶ The best study of the antilynching campaign is Robert L. Zangrando, *The NAACP Crusade against Lynching, 1909-1950* (Philadelphia: Temple University Press, 1980). Another useful study is George C. Rable, "The South and the Politics of Anti-Lynching Legislation, 1920-1940," *The Journal of Southern History* vol. 51, no. 2 (May 1985): 201-220.

time, his populist leanings and his innate sense of fairness caused him to support some civil rights measures. Chandler's record on civil rights during his term in the U.S. Senate clearly established him as a moderate.

The history of antilynching legislation had its origins in the founding of the NAACP in 1909. Although the number of lynchings in the United States had declined from an average of 149 per year between 1882 and 1901 to 80 between 1902 and 1909, a Jim Crow mentality still prevailed, especially in the South, where about 78.6 percent of all lynchings took place between 1882 and 1968. Moreover, as the number of lynchings had fallen, the percentage of lynching victims who were black had increased dramatically. From 1882 to 1885, the number of lynched whites had actually exceeded the number of lynched African Americans, but by the early 1900s African Americans constituted 70 to 80 percent of total lynching victims.⁷ The crime was increasingly becoming a means of racial control. As a result, lynching and other forms of mob violence became top priorities for the NAACP. The group conducted numerous on-site investigations, sought the prosecution of perpetrators, publicized the horrors of lynching, and appealed to the states and to the federal government to undertake measures to curtail mob activity. Leadership squabbles and financial problems hampered these early efforts, but the NAACP found more success in the second decade of the twentieth century. To put the nation on a war footing during World War I, the federal government had taken a more active role in public affairs than ever before. As a result of the new activist spirit, the Congress (which until this point had virtually ignored the NAACP's entreaties to undertake interracial reform) became somewhat more receptive to the NAACP's agenda. In addition, the war threatened to upset the racial status quo as thousands of blacks left the rural South for work in defense industries in the urban South, the North, and the Midwest. As the urban black population swelled, racial tensions

⁷ Robert L. Zangrando, *The NAACP Crusade against Lynching*, 6.

increased and then exploded in 1917, when a race riot in East St. Louis, Illinois, claimed the lives of forty-seven people, and then again in 1919, when twenty-five cities, including Chicago, witnessed riots. Those riots focused national attention on the vulnerability of black Americans, thereby adding momentum to the antilynching campaign.⁸

In response to wartime racial strife, congressmen Leonidas Dyer (R-Missouri) and Merrill Moores (R-Indiana) each introduced an antilynching bill in 1918. Dyer's bill, which gained the support of the NAACP because the Missourian was more closely aligned with the association than Moores, became the model for future antilynching measures. The bill defined a mob as three or more persons "acting in concert for the purpose of depriving any person of his life without authority of law as a punishment for or to prevent the commission of some actual or supposed public offense." Furthermore, it declared that the state or local governments that failed to protect anyone from a riotous mob would violate not only the equal protection provision of state laws but also, by extension, the equal protection clause of the Fourteenth Amendment. Law enforcement officials who did not make "all reasonable efforts" to protect someone from a lynch mob or who refused to apprehend members of a lynch mob would be guilty of a felony and subject to a prison term of up to five years and a fine of up to \$5,000. Officials who abetted a lynching would face life in prison. Counties where a lynching occurred would be required to pay a \$10,000 indemnity to the lynching victim's family.⁹

After a series of delays, the Dyer bill passed the House by a vote of 231 to 119 on January 26, 1922.¹⁰ When the measure came before the Senate in late November, southern Democrats mounted an immediate filibuster. They argued that the measure was a power grab on

⁸ Ibid., 22-37.

⁹ U.S. Congress, Senate, Committee on the Judiciary, *Antilynching Bill*, report to accompany H. R. 13, 67th Cong., 2nd sess., S. Rept. 837, 33-34.

¹⁰ *Congressional Record* (hereafter cited as *CR*), 67th Cong., 2nd sess., 1795.

the part of Republicans, who were supposedly attempting to solidify their support among northern blacks; however, some senators who opposed the measure did so for overtly racist reasons. Senator Lee Slater Overman (D-North Carolina) maintained, for example, that uneducated blacks in the South would interpret the legislation as federal permission to commit heinous acts. “Good negroes,” by contrast, did not want the law because they “did not need it.” “The decent hardworking negroes of the South enjoy every safeguard of the law,” Overman continued. “They own property, their children go to public schools, and for such as they this proposed legislation is absolutely uncalled for.” With no end of the filibuster in sight, Senate Majority Leader Henry Cabot Lodge (R-Massachusetts) concluded that he could no longer postpone debate on other bills. On December 2, he announced that he would table the Dyer bill for the remainder of the legislative session.¹¹

Lodge’s decision meant that supporters of a federal antilynching law would have to wait until the next session of Congress before attempting to convince legislators to revisit the bill. Between 1923 and 1933, the NAACP continued to speak out against lynching, but its efforts lacked the zeal that marked the group’s efforts during the Dyer bill debate. With a hostile Congress refusing to consider another federal antilynching measure, it increasingly combated racial discrimination through other means. It launched, for example, a publicity campaign to expose the racial violence endemic to the Ku Klux Klan, and it increasingly sought court action to overturn racial segregation ordinances. In 1933, however, the NAACP vigorously reopened its drive to secure a federal law against lynching. Two principal reasons spurred the NAACP’s renewed efforts: the number of lynchings had spiked between 1930 and 1935 after a three-year decline, and far-left organizations, including the Communist Party of the United States, had begun to erode the NAACP’s support by arguing that the association was a hesitant, ineffectual

¹¹ *New York Times*, December 3, 1922.

body. In 1934, the reinvigorated antilynching drive scored a major victory when the NAACP convinced senators Robert F. Wagner (D-New York) and Edward Costigan (D-Colorado) to sponsor an antilynching measure.¹²

The U.S. Senate considered the Wagner-Costigan bill, but it died a slow death by filibuster in that chamber in 1935.¹³ Undeterred, the NAACP successfully pressured lawmakers to consider a similar bill, sponsored by senators Wagner and Frederick Van Nuys (D-Indiana), in early 1937. In April, the House passed the bill by a 277 to 120 margin.¹⁴ When the measure reached the Senate in early 1938, however, fifteen southern Democrats, Idaho Republican William Borah, and Utah Democrat William King mounted yet another determined filibuster. On January 27, 1938, proponents of the bill attempted to end the filibuster by invoking cloture. Established in 1919 by Senate Rule XXII, cloture, or the curtailment of debate, could (at the time) occur only if two-thirds of members present agreed to the action. In this instance, only thirty-seven senators voted for cloture, while fifty-one opposed it. A second cloture petition in February likewise failed. Faced with an insurmountable filibuster, senators Wagner and Van Nuys laid the bill aside.¹⁵

In January 1940, the NAACP convinced the House again to consider an antilynching measure (H.R. 801). The House passed the measure, the third and final time in history that antilynching legislation would emerge from the lower chamber, but another Senate filibuster loomed. Hoping to avoid more legislative obstructionism, the NAACP sought to convince a southern senator to speak out on national radio against a filibuster of the bill. Persuading a politician from the South to make such a high-profile statement would aid the NAACP's efforts

¹² Zangrando, *The NAACP Campaign against Lynching*, chps. 4-5.

¹³ *New York Times*, April 20-May 2, 1935.

¹⁴ *CR*, 75th Cong., 1st sess., 1795.

¹⁵ *Ibid.*, 75th Cong., 3rd sess., 1166 (January cloture vote), 1924-1925 (February cloture vote), 2201-2210 (decision to lay the bill aside).

to secure an up-and-down vote on the measure and thereby reveal that the South's opposition to civil rights legislation was not monolithic. In early 1940, NAACP Executive Secretary Walter White began corresponding with Chandler and some of Chandler's acquaintances about the bill, hoping to persuade the Kentuckian to deliver the speech. In none of his correspondence did White explain his motivations for singling out Chandler, but White referred to him as a "friend" in at least one letter.¹⁶ Chandler's membership on the powerful Senate Judiciary Committee also might have caused White to seek his assistance. Following hearings on the antilynching bill by the Subcommittee of the Judiciary, the full committee would vote on whether to report the legislation to the U.S. Senate. All committee members by that time would be intimately familiar with the merits of the bill, and if a member spoke out against a potential filibuster, his words would theoretically carry more weight than those of another senator. In addition, the NAACP head perhaps believed that Chandler, as a border state politician, would be more amenable to his overtures than Deep South congressmen.

White first began corresponding with Chandler on February 1, 1940, only five days before the Subcommittee of the Judiciary began hearings on the bill. In a letter to Chandler, White asked the Kentuckian if he would vote for cloture if the bill emerged from committee and was then filibustered by the U.S. Senate. "In the event of an expensive filibuster, would you be willing to vote for cloture?" White wrote. "We sincerely trust that you will."¹⁷ Chandler responded with a short form letter: "This [letter] will acknowledge your communication of the first, asking my support for the Anti-Lynching Bill. I shall remember your interest."¹⁸

¹⁶ Walter White to Catherine Connor, Kentucky Democratic National Committeewoman, March 25, 1940, Papers of the NAACP, Part 7: The Anti-Lynching Campaign, 1912-1955, Series B: Anti-Lynching Legislation and Publicity Files, 1916-1955, microfilm reel 33 (references to this reel hereafter identified as reel 33, NAACP Papers); Walter White to William B. Hastie, Dean of Howard University Law School, March 22, 1940, reel 33, NAACP Papers.

¹⁷ Walter White to A.B. Chandler, February 1, 1940, reel 33, NAACP Papers.

¹⁸ A.B. Chandler to Walter White, February 5, 1940, reel 33, NAACP Papers.

Chandler's noncommittal reply did not deter White from seeking his help. On February 9, he contacted Catherine Connor, Kentucky's Democratic National Committeewoman and a friend of Chandler, informing her that their mutual friends Aubrey Williams and Stephen Spingarn had suggested "that I should talk with you about Senator Chandler and the anti-lynching bill. I shall probably be there [Washington, DC] during the latter part of next week. May I come in to see you?"¹⁹

Connor, while agreeing to serve as an intermediary between the NAACP and the Kentuckian, encouraged White to continue his pursuit of Chandler. In a March 4 letter, White asked Chandler "to read carefully the testimony of the witnesses who appeared February 6th and 7th before the Sub-Committee on behalf of the Anti-Lynching Bill." He specifically wanted Chandler to review the testimony of three men: the Reverend Charles G. Marmion, who had testified how he had been nearly lynched himself after unsuccessfully trying to prevent a double lynching in Texas; NAACP legal expert Arthur B. Spingarn, who had emphasized to the committee that lynchings sullied the reputation of American democracy abroad; and Howard University Dean William H. Hastie, who had argued in favor of the bill from a constitutional perspective.²⁰ Chandler responded that he would read the testimonies carefully, but once again, he did not reveal his position on supporting cloture or on speaking out on radio against a filibuster.²¹

In the meantime, Connor approached Chandler about making a speech opposing a filibuster of the antilynching legislation. Although he informed Connor that he did not support a

¹⁹ Walter White to Catherine Connor, February 9, 1940, reel 33, NAACP Papers.

²⁰ Walter White to A.B. Chandler, March 4, 1940, reel 33, NAACP Papers. For Spingarn's, Marmion's, and Hastie's testimonies before the subcommittee, see U.S. Congress, Senate, *Crime of Lynching: Hearings before a Subcommittee of the Committee on the Judiciary*, on H. R. 801, 76th Cong., 3rd sess., February 6 and 7, March 5, 12, and 13, 1940., 22-33 (Marmion), 75-84 (Spingarn), 84-93 (Hastie).

²¹ A. B. Chandler to Walter White, March 5, 1940, reel 33, NAACP Papers.

national antilynching bill (a stance which apparently did not give Connor and the NAACP pause), he told her he believed the Senate should not filibuster the measure, and he agreed to deliver the speech if President Franklin D. Roosevelt supported his decision.²² According to an NAACP memorandum, Chandler, who was still trying to mend political wounds left over from his 1938 U.S. Senate bid, “did not wish to do anything which would interfere with the President’s agenda in this session of the Congress.” Seeking Roosevelt’s position on the Chandler speech, White asked presidential secretary Major General Edwin M. Watson to speak with the president. After talking to Roosevelt, Watson called White to inform him the “President would not make any statement whatever to Senator Chandler.”²³

Roosevelt’s position was not surprising. Although the president had once called lynching “collective murder” in a national radio broadcast, he had repeatedly refused to take a position on national antilynching legislation.²⁴ He feared that if he openly backed such a bill, he would lose support among southern congressional Democrats, whose votes were vital for passage of New Deal legislation. As Robert Zangrando has written, “New Dealers were . . . thoroughly political animals, and in the hard-nose give-and-take of Washington, officials knew that black advocates had relatively few rewards to offer in return for whatever risks a politician or party might take on their behalf.”²⁵ Eventually, Roosevelt proposed a bill empowering the FBI to investigate mob violence, but the NAACP balked at the recommendation, arguing that it fell far short of the goals of the antilynching crusade. When White and Spingarn met with Roosevelt on February 7, 1940,

²² NAACP memorandum from Walter White to Arthur Spingarn and William H. Hastie, March 16, 1940, reel 33, NAACP Papers. Walter White spoke about Chandler’s opposition to the bill only once, and then only in passing. See Walter White to Catherine Connor, March 25, 1940, reel 33, NAACP Papers.

²³ NAACP memorandum from White to Spingarn, March 16, 1940, reel 33, NAACP Papers.

²⁴ President Franklin D. Roosevelt quoted in Zangrando, *The NAACP Crusade against Lynching*, 104.

²⁵ *Ibid.*, 102.

to discuss the antilynching bill, Spingarn bluntly told the president that his FBI proposal would receive negligible support among backers of national antilynching legislation.²⁶

After Roosevelt refused to give Chandler's radio address the green light, William Hastie began to question Chandler's motivations for approaching the president with the idea for the speech. In his estimation, if Chandler was indeed sincere about the speech, he should follow his own convictions rather than Roosevelt's.²⁷ In a letter to White, Hastie conjectured that the Kentuckian's actions were part of a "game" taking place behind the scenes between supporters of Vice President John Nance Garner, who was increasingly at odds with Roosevelt over administration policy, and ardent New Dealers.²⁸ Rumors circulated that Garner sought to build momentum for a possible presidential bid in 1940 by making inroads in Roosevelt's support among black voters. Word spread that Garner hoped to steer through the Senate a bill of his own empowering the FBI to investigate lynchings.²⁹ Hastie believed Chandler was allied with the Garner forces and that Chandler and Garner had possibly conspired to trap Roosevelt by exploiting the NAACP's invitation to Chandler to deliver the radio address. Chandler and Garner both knew, Hastie intimated, that Roosevelt would reject Chandler's request to give the speech. The Garner faction then planned to use Roosevelt's rejection as a political wedge to siphon away black votes. According to Hastie, "the Garner forces . . . are seeking every opportunity to win Negro support at the expense of New Dealers."³⁰

After a March 21 meeting with Eleanor Roosevelt, Hastie retreated from these allegations. The First Lady informed him that Chandler, who faced a Democratic primary

²⁶ Ibid., 163.

²⁷ William H. Hastie to Walter White, March 22, 1940, reel 33, NAACP Papers.

²⁸ William H. Hastie to Walter White, March 15, 1940, reel 33, NAACP Papers.

²⁹ Zangrando, *The NAACP Crusade against Lynching*, 163.

³⁰ William H. Hastie to Walter White, March 18, 1940, reel 33, NAACP Papers. Vice President Garner did not sponsor his own FBI antilynching bill, undercutting the main thrust of Hastie's argument.

showdown later in the year, “feels somewhat shaky about his situation in Kentucky and is very anxious to get himself in right with the President.” Despite Chandler’s concerns, Mrs. Roosevelt told Hastie that she hoped he would give the speech. As he left the meeting, Hastie vowed to tell Connor that Chandler should speak out against a filibuster “irrespective of whether the White House approves or disapproves.”³¹

On March 25, the Committee on the Judiciary met to decide the antilynching legislation’s fate. The committee voted eleven to four to report the bill to the Senate. To the dismay of White and other supporters of the legislation, Chandler joined Democrats Tom Connally of Texas, Key Pittman of Nevada, and John Elvis Miller of Arkansas in opposing the bill.³² In a letter to Connor, White observed: “I was quite disappointed to see that our friend voted against reporting out the bill yesterday. I remember that you told me he said frankly that he would not vote for the bill but did believe that a vote should be had on it. But how could we even get a vote on the floor of the Senate if the Judiciary Committee had not reported it out? Does this indicate a change of heart?”³³ Also disappointed by Chandler’s action, the Louisville Chapter of the NAACP declared in its newsletter, “While it was well known that he had never been an enthusiastic supporter of Anti-Lynching legislation, we felt reasonably sure that he would not attempt to interfere with its passage when it came to a vote.”³⁴ The newsletter also printed a copy of Chandler’s response to branch President P. O. Sweeny, who had telegraphed the senator on March 27, to ask whether his vote in committee signaled that he had rethought his stance on the bill. “I have not changed my position with reference to the Anti-Lynching Bill,” Chandler replied. “I shall continue to do everything that would be for the good of the race. I shall

³¹ William H. Hastie to Walter White, March 22, 1940, reel 33, NAACP Papers.

³² *Louisville Courier-Journal*, March 26, 1940.

³³ Walter White to Catherine Connor, March 25, 1940, reel 33, NAACP Papers.

³⁴ *Louisville NAACP NEWS LETTER*, April 1940, reel 33, NAACP Papers.

continue, however, to oppose such legislation as the Anti-Lynching Bill.”³⁵ In the same article, the Louisville NAACP vowed to fight Chandler’s re-election bid, saying he was “not a fit representative of the people of Kentucky. . . .”³⁶

In late March, as scores of telegrams urging him to support the antilynching bill poured into his office, Chandler explained the reasons behind his committee vote, although he did not clarify his seemingly inconsistent position of opposing the bill in committee after having maintained that it deserved an up-or-down vote in the full Senate. “I am against lynching by anybody and of anybody,” he maintained. “But the present bill carries penalties on local officials and local subdivisions which I think are too severe.” In particular, Chandler noted that “few, if any counties would be able to pay the \$10,000 fine which it is possible to enforce in behalf of a lynched victim.” He also opposed the portion of the bill that stipulated penalties for local law enforcement officials who failed to prevent lynchings: “Moreover, a local official could be in one end of the county when a lynching occurred all the way across that county, but he could be arrested and fined up to \$5,000 and sent to prison because the lynching took place in spite of him.” Reflecting the arguments of other southern senators who had long opposed antilynching measures, Chandler also insisted that a federal antilynching law would encroach upon states’ rights. “I am against lynching,” he reiterated, “but I oppose legislation whereby the Federal Government takes over the local police authority and intervenes in a matter in which States themselves are taking care of the situation.” As proof that states had taken effective action against lynching, he pointed out that only two lynchings had been reported in the United States

³⁵ A. B. Chandler to Dr. P. O. Sweeny, n.d. [late March 1940], quoted in Louisville *NAACP NEWS LETTER*, reel 33, NAACP Papers.

³⁶ Louisville *NAACP NEWS LETTER*, April 1940, reel 33, NAACP Papers.

in 1939.³⁷ Chandler was not alone in taking this position. Almost all white southerners who opposed antilynching legislation also pointed out that the number of lynchings had dropped significantly in the South, implying that the crime would vanish with time.

Chandler also suggested that supporters fought to secure its passage for political gain rather than for the stated purpose of stopping lynching. “Without impugning any one’s motives,” he declared, “I nevertheless fear that in the agitation over the bill a lot of it is politics, with the purpose of winning support of the Negro vote in certain States.”³⁸ Here, too, Chandler expressed a common belief of those southern senators who opposed a national antilynching law. In 1938, when the bill had last come before the U.S. Senate, several southerners had noted that its northern supporters in the Senate disproportionately represented states with large urban districts and, therefore, large black voting blocs. These northern senators, their southern counterparts charged, knew that the black vote might play a pivotal role in close elections. Southerners thus maintained that northern senators actually sought passage of the bill not out of concern for the victims of lynchings but rather due to unease about their political futures.³⁹

A day after Chandler gave his reasons for opposing the measure, the *Louisville Courier-Journal*, whose editor, Mark Ethridge, was a forceful advocate of the antilynching bill, condemned him. The paper stressed that the financial penalties to which the senator objected would be unnecessary if the national law stopped lynching: “The Federal Law would become automatically operative only in the event State law was unenforced.” Expanding on its argument, the paper maintained, “The penalty for delinquency has the merit of an incentive for

³⁷ *Louisville Courier-Journal*, March 27, 1940. In reality, three lynchings occurred in the United States in 1939. See Zangrando, *The NAACP Crusade against Lynching*, 6-7, for the number of lynchings year-by-year from 1882-1968.

³⁸ *Louisville Courier-Journal*, March 27, 1940.

³⁹ *CR*, 75th Cong., 3rd sess., 158-159, (Kenneth McKellar [D-Tennessee]), 253 (Pat Harrison [D-Mississippi]), 228 (Cotton Ed Smith [D-South Carolina]).

the performance of duty. It could be only deliberately incurred; and, when incurred, the severity would hardly be commensurate with what happened to the victim and his family.” The editorial closed with a stinging indictment of Chandler: “The issue posed by Senator Chandler himself presents a conflict between the United States Government’s obligation to protect the right of its lowliest citizen to life, liberty and the pursuit of happiness, and the right of a State to ignore its own obligation.”⁴⁰

While these events unfolded, the antilynching bill languished in the U.S. Senate, with that body failing even to take up the bill. White sought to break the impasse by asking senators to participate in a nationwide radio broadcast about the necessity of bringing the bill to a vote. White approached Charles McNary (R-Oregon), Matthew Neely (D-West Virginia), Robert F. Wagner, and Happy Chandler.⁴¹ White hoped his overtures to Chandler would prove fruitful this time, and political circumstances did indeed appear more favorable than they had been earlier for a positive response from him. Chandler had never retreated from his previous stance that the bill deserved an up-or-down vote, and he would run less risk of angering Roosevelt if he joined other senators for the speech, especially Senator Wagner, who was one of the chief executive’s most loyal allies. White contacted Chandler on April 3 about the proposed broadcast. The senator responded, “I do not see any chance of the Anti-Lynching Bill being brought to a vote at the present session. Because I have made no speech in Washington, either on the floor of the Senate or on the radio, my efforts having been confined to a few remarks, I believe it would be better for you to select some other individual for the broadcast you have in mind.”⁴²

⁴⁰ *Louisville Courier-Journal*, March 28, 1940.

⁴¹ Zangrando, *The NAACP Crusade against Lynching*, 163.

⁴² Chandler quoted in Walter White to Catherine Connor, April 5, 1940, reel 33, NAACP Papers.

Senator McNary likewise turned down White's invitation, but Senators Wagner and Neely agreed, and on April 29 they joined Arthur Spingarn and Senator Arthur Capper (R-Kansas) in a discussion of the antilynching legislation on the NBC Blue Network.⁴³ Obviously disappointed with Chandler, White wrote Catherine Connor about the senator's refusal to participate in the broadcast and sent her a clipping of a *Louisville Times* article that questioned Chandler's commitment to civil rights.⁴⁴

The radio broadcast had little to no effect on the Senate, as the bill remained off its agenda. In April, the NAACP contacted Senate Majority Leader Alben Barkley arguing that the Senate had made no honest effort to bring the bill to a floor vote, and in May, Thurgood Marshall, the organization's national counsel, said Barkley's supposed obstinacy was the last barrier to the bill's passage. Angered by the allegations, the majority leader blasted the NAACP, contending that the organization had trivialized his efforts on behalf of the legislation and attempted to turn his constituency against him by publishing articles critical of him in the *Louisville Defender*. When a fellow senator asked consideration of the bill later in the fall, Barkley refused.⁴⁵ As Robert Zangrando has observed, the majority leader believed "current legislative complexities, past experiences with the filibuster, and repeated failures to obtain cloture made the whole business impractical. . . ." Soon thereafter, the Senate laid the bill to rest. And with that, a major chapter in the antilynching crusade came to an end, as the House never again voted on an antilynching measure.⁴⁶

Prominent Kentucky blacks, however, would not let Chandler forget his subcommittee vote. Civil rights activist C. Ewbank Tucker, who had supported Chandler in his race for

⁴³ Zangrando, *The NAACP Crusade against Lynching*, 163.

⁴⁴ Walter White to Catherine Connor, April 5, 1940, reel 33, NAACP Papers.

⁴⁵ Zangrando, *The NAACP Crusade against Lynching*, 163; *Louisville Courier-Journal*, May 4, 1940.

⁴⁶ Zangrando, *The NAACP Crusade against Lynching*, 162-164 (quotation on 164)..

governor in 1935, declared that Chandler had “aligned himself with such Negro-hating Senators as Harrison, Bilbo, Overton, Smith of South Carolina, Ellender, George and Russell. The Negroes of this state expected better things from the junior Senator from Kentucky.”⁴⁷ Fulfilling the promise made in its April newsletter, the Louisville Chapter of the NAACP met on May 3 to coordinate efforts to defeat Chandler in the August primary. The chapter sent a telegram to State Highway Commissioner J. Lyter Donaldson, who was rumored to be considering the race, about its decision to oppose Chandler, and it pledged to hold additional organizational meetings around the state. Guest speaker Thurgood Marshall implored members to oppose Chandler. “We must show any Senator the criminal folly of voting against the expressed interests of a large block of his voting constituents,” he declared. “This organization hopes that Kentucky Negroes will vote solidly against Senator Chandler whenever his name is on a ballot—even if he should run for municipal dog-catcher.”⁴⁸

The NAACP’s political efforts failed to unite black voters against Chandler. Only days after the Louisville meeting, Robert G. McGruder, head of the Kentucky branch of the Colored Democrats, offered Chandler words of encouragement. “[Y]ou may rest assured that there are some Negroes who have pledged their support to you [in the primary],” he wrote. Chandler’s black supporters “have promised me that your stand in any matters concerning Negroes in Kentucky, [*sic*] will be judged by your splendid record as Governor of the State of Kentucky.”⁴⁹ The NAACP’s campaign to defeat Chandler received a major blow when Donaldson and other prominent Democrats opted not to challenge Chandler in the primary. Charles Farnsley, whose

⁴⁷ *Louisville Courier-Journal*, March 31, 1940.

⁴⁸ *Ibid.*, May 3, 1940.

⁴⁹ Robert G. McGruder to A.B. Chandler, May 8, 1940, box 131, A.B. Chandler Papers, Special Collections and Archives, Margaret I. King Library, University of Kentucky, Lexington, Kentucky (hereafter cited as Chandler Papers).

political experience consisted of two terms in the Kentucky State House, emerged as the most viable of the five relatively unknown Democrats who threw their hats into the ring. Chandler defeated Farnsley easily, garnering 176,520 votes (79.2 percent) to Farnsley's 26,061 (11.7 percent), with the four other candidates combining for 20,325 votes (9.1 percent). In Jefferson County (Louisville), home to Farnsley and approximately 22 percent of the state's 214,031 African Americans, Chandler outpaced his statewide showing, winning 82 percent of the vote.⁵⁰ In the general election, Chandler's Republican opponent, attorney Walter B. Smith, tried to exploit Chandler's position on the antilynching bill by distributing pamphlets in black communities that questioned the senator's commitment to civil rights. Chandler responded to the charges during a November 1 radio campaign address, maintaining that the "false pamphlets" would not mislead black voters because his record as governor had proved his "interest in the Colored population of Kentucky."⁵¹ Chandler bested Smith by 58.3 to 41.7 percent, a margin that exceeded (albeit slightly) President Roosevelt's showing against Wendell Wilkie in the commonwealth. Chandler once again carried Jefferson County by a larger percentage than he carried the entire state, capturing 59.9 percent of the vote.⁵² In short, Chandler's committee vote against the antilynching bill had no apparent effect on his popularity among black voters.

Between 1940 and 1942, civil rights organizations shifted their focus from winning passage of antilynching legislation to securing repeal of the poll tax in federal elections. As of 1942, eight southern states—Alabama, Arkansas, Georgia, Mississippi, South Carolina, Tennessee, Texas, and Virginia—still made the payment of a poll tax a prerequisite for voting in

⁵⁰ U.S. Bureau of the Census, *Sixteenth Census of the United States: 1940*, vol. 2, *Characteristics of the Population*, part 3, *Kansas-Michigan* (Washington, DC: Government Printing Office, 1943), 174, 311. Malcolm E. Jewell, *Kentucky Votes*, vol. 1, *Presidential Elections, 1952-1960; U.S. Senate Primary and General Elections, 1920-1960* (Lexington: University of Kentucky Press, 1963), 36-37. Farnsley lost 119 of 120 counties, but won Logan County, in western Kentucky, by a landslide, garnering 3,322 votes to Chandler's 440. Logan County was the center of former Chandler opponent Thomas S. Rhea's political machine. *Ibid.*, 36.

⁵¹ Text of Chandler's November 1, 1940, radio address, box 586, Chandler Papers.

⁵² Jewell, *Kentucky Votes*, vol. 1, 38-39.

state and federal elections. The tax ranged from \$1.00 to \$2.00 per voter and in some states accumulated with time.⁵³ Poor whites and blacks often could not afford the tax, resulting in their disfranchisement. In the early 1940s, the National Committee to Abolish the Poll Tax (NCAPT) estimated that approximately eleven million people were disfranchised, of whom 37.4 percent were black, in seven poll-tax states (Tennessee excluded). While acknowledging that the poll tax alone did not account for all disfranchised African Americans, the committee noted that 25 percent of the population voted in the non-poll tax states in 1940 compared to only 3 percent who voted in the seven poll tax states of the study.⁵⁴ According to the NCAPT and other civil rights organizations, the poll tax also lent itself to political corruption. Politicians could more easily manipulate a smaller electorate, and they could buy elections if necessary by paying a voter's poll tax in exchange for his support. In a notorious 1905 case, for instance, saloon interests in Cooke County, Texas, had reportedly paid the poll taxes of five hundred citizens in return for their votes against a prohibition statute.⁵⁵

On August 5, 1939, with momentum building against the poll tax, Congressman Lee E. Geyer (D-California) introduced the first national anti-poll tax measure before the United States Congress, H.R. 7534. Fearful that the courts might overturn on states' rights grounds any federal measure that sought to ban the poll tax in local or primary elections, Geyer limited his objective to the elimination of the poll tax in general elections for national office. Despite the bill's narrow scope, many southerners vehemently opposed the legislation. In their minds, the elimination of the poll tax in any election presaged bolder and broader efforts to expand black

⁵³ Patricia Sullivan, *Days of Hope: Race and Democracy in the New Deal Era* (Chapel Hill: University of North Carolina Press, 1996), 106-107.

⁵⁴ William M. Brewer, "The Poll Tax and the Poll Taxers," *The Journal of Negro History* 29, no. 3 (July 1944): 264-266.

⁵⁵ Peter H. Odegard, *Pressure Politics: The Story of the Anti-Saloon League* (New York: Columbia University Press, 1928), 252-253.

suffrage, if not a full-fledged attack on Jim Crow. Congressman William Comer (D-Mississippi) maintained, for example, that “the direct object of this movement is to enfranchise the Negro in the South. If Congress can remove poll tax requirements it can also remove education requirements and registration itself,” while Georgia Senator Richard Russell held that “All of us who are familiar with the present trend are very anxious to check the efforts now apparently being made to destroy the existing relations between the races in the South.”⁵⁶ The bill died in the House Judiciary Committee in the spring of 1940, but an undeterred Geyer and other supporters of the bill reintroduced it in the next Congress. The bill (H.R. 1024) stalled in the House Judiciary Committee before a discharge petition forced its release to the full House. It eventually won passage there by a vote of 254 to 84 on October 13, 1942.⁵⁷ The bill now awaited a date with the Senate.

Foreshadowing the intensity of the debate to come over the anti-poll tax bill, on July 20, 1942, Representative Robert Ramsay (D-West Virginia) proposed legislation that would provide absentee ballots to qualified military personnel who wished to vote in federal elections.

Congressman Estes Kefauver (D-Tennessee) then proposed an amendment to the Ramsay bill that would waive the poll tax requirement for GIs, both black and white, from the eight poll tax states. Kefauver expressed dismay that men who were risking their lives for their country might be denied the franchise because they could not afford the levy. The House defeated Kefauver’s proposal but passed the Ramsay bill by a comfortable margin. After the bill (known informally as the Soldiers Voting Act) reached the Senate, Claude Pepper (D-Florida) and Scott Lucas (D-

⁵⁶ *CR*, 77th Cong., 2nd sess., 8167 (first quotation); Senator Richard B. Russell to Mrs. C.R. Harris, Oglethorpe, Georgia, October 19, 1942, Poll Tax File, box 146, Civil Rights Series, Richard B. Russell Collection, Richard B. Russell Library for Political Research and Studies, University of Georgia Libraries, Athens, Georgia (hereafter cited as Russell Collection) (second quotation).

⁵⁷ *CR*, 77th Cong., 2nd sess., 8174.

Illinois) revived the Kefauver amendment and extended it to party elections.⁵⁸ Senators from the eight poll tax states, led by Tom Connally (D-Texas), immediately announced their opposition. Connally maintained that abolishing the poll tax for GI's through federal fiat violated the Constitution. According to the Texan, Congress should leave the power to regulate elections in the hands of the states "where the Constitution placed it." Reflecting the arguments of many who had opposed the antilynching legislation, he further held that those who hoped to abolish the poll tax for servicemen actually did so for selfish, rather than democratic, reasons. Backers of the bill, Connally maintained, hoped their efforts would translate into "more votes from the soldiers when they get back."⁵⁹ Even some senators who opposed poll taxes objected to the amendment, however, maintaining that the amendment would produce heated debate in the House when the Senate returned the bill to the lower chamber for its approval, thereby potentially delaying the bill's passage and preventing servicemen from voting in the upcoming elections. Senators Theodore F. Green (D-Rhode Island), the floor manager of the bill, and Alben Barkley, for example, both suggested that a delay could close the ballot box to servicemen.⁶⁰

Southerners decided against a filibuster of the amendment, lest they appear unpatriotic during wartime. On August 25, the Senate passed the amendment by a thirty-three to twenty vote margin. Five of the six poll tax state senators present that day voted "nay" (the exception was Democrat Tom Stewart of Tennessee). Seven of the ten absent poll tax state senators asked Connally to announce that they would vote "nay" if present. Barkley and Green also voted

⁵⁸ Steven F. Lawson, *Black Ballots: Voting Rights in the South: 1944-1969* (Lanham, MD: Lexington Books, 1999), 66.

⁵⁹ *Washington Post*, August 26, 1942. Two poll tax states, South Carolina and Mississippi, already exempted servicemen from the poll tax. Boyd Martin, "The Service Vote in the Election of 1944," *American Political Science Review* 39, no. 4 (August 1945): 725.

⁶⁰ *Washington Post*, August 26, 1942.

against the amendment. Chandler did not vote because he was absent attending to his duties as a member of the Special Committee to Investigate National Defense, but he and another absent senator, James Davis (R-Pennsylvania), had agreed to an informal arrangement, known as a general pair, to have their names recorded in the *Congressional Record*. Two senators who enter a general pair are usually on opposite sides of an issue, thereby subtracting a vote from each side. If present, Davis would have supported the amendment, meaning that Chandler most likely would have voted against it, although his exact feelings on the matter were not recorded.⁶¹

With the amendment eliminating the poll tax for servicemen now attached, the Soldiers Voting Act (Public Law 712) passed later that day by a vote of forty-seven to five and would become law on September 16. Upon its passage, Barkley announced that Chandler would have voted “yea” on the measure if he had been present. Four of the five who opposed the bill in its final form were from poll tax states: Harry F. Byrd (D-Virginia), Tom Connally, Walter F. George (D-Georgia), and Richard Russell (D-Georgia).⁶² Because he had not spoken during any of the debates on the Soldiers Voting Act, Chandler’s position on the poll tax would become clear only later.

When the Geyer bill came before the Subcommittee of the Senate Judiciary Committee on July 19, 1941, the committee held concurrent hearings on an anti-poll tax bill (S. 1280) sponsored by Pepper. During the proceedings, the Pepper bill, which expanded on Geyer’s bill by seeking to ban poll taxes in all elections for federal office, became the bill of choice for the members of the committee who opposed the tax. The subcommittee concluded its hearing on October 13, 1942, and on October 26, the full committee voted thirteen to five to send the Pepper

⁶¹ *CR*, 77th Cong., 2nd sess., 6971.

⁶² *Ibid.*, 77th Cong., 2nd sess., 6971-6972.

bill to the Senate.⁶³ Convinced that the Pepper bill was constitutional, Chandler was the lone southern Democrat on the committee to support the bill. Senators Tom Connally, Wall Doxey (D-Mississippi), James H. Hughes (D-Delaware), Joseph C. O’Mahoney (D-Wyoming), and Warren R. Austin (R-Vermont) opposed the measure.⁶⁴

The dissenters on the committee maintained that the Pepper bill was unconstitutional due to Article 1, Section 2, of the Constitution, which reads: “The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the state legislature.” This portion of the Constitution, according to the opponents of the Pepper bill, gave the states, and not the federal government, the sole authority to determine the qualifications of voters. They further cited several court cases that apparently supported their contention, including a case that had begun in Georgia, a poll tax state. In that case, *Breedlove v. Shuttles, Tax Collector* (1937), the Supreme Court had ruled that “payment as a prerequisite [to voting] is not required for the purpose of denying or abridging the privilege of voting.”⁶⁵

Writing for the majority, Senator George Norris (I-Nebraska) countered that the poll tax was a “meaningless pretended qualification which, in fact, is no qualification whatever and is only a pretended qualification by which large numbers of poor citizens are prohibited from voting simply because they are poor.” Norris maintained that southerners had misused and misinterpreted Article 1, Section 2 and had ignored other parts of the Constitution that apparently vested the federal government with the authority to establish voter qualifications. He pointed to

⁶³ U.S. Congress, Senate, Subcommittee of the Committee on the Judiciary, *Poll Taxes: Hearings before a Subcommittee on the Judiciary*, on S. 1280, 77th Cong. 2nd sess., part I: July 19.1941; March 12-14; July 30; September 22 and 23, 1942; U.S. Congress, Senate, Subcommittee of the Committee on the Judiciary, *Poll Taxes: Hearings before a Subcommittee on the Judiciary*, on S. 1280, 77th Cong. 2nd sess., part II: October 13, 1942; *Washington Post*, October 27, 1942.

⁶⁴ *Washington Post*, October 27, 1942.

⁶⁵ Quoted in U.S. Congress, Senate, Committee on the Judiciary, *Amending an Act to Prevent Pernicious Political Activities*, report to accompany H. R. 1024, 77th Cong., 2nd sess., S. Rept. 1667, 12.

Article 1, Section 4 in particular: “The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the Places of choosing Senators.” The Nebraskan also quoted several court cases to bolster his argument, including *Ex Parte Yarbrough* (1884), in which Justice Samuel Freeman Miller, writing for the majority, had held that “the right to vote for Members of Congress is fundamentally based upon the Constitution of the United States, and was not intended to be left within the exclusive domain of the states.”⁶⁶

Although he sided with the committee’s constitutional interpretation of the poll tax, Chandler did not publicly discuss his personal feelings on the tax. Soon after the Senate Judiciary Committee had voted in favor of abolishing the poll tax, however, Chandler did privately speak about his personal views with N. H. Hendrix, chairman of the executive board of the Ashland, Kentucky, branch of the NAACP, which had dispatched Hendrix at Walter White’s request to ascertain where the senator stood on the issue. Reporting the meeting to White, branch president Benjamin Bradley recounted that Chandler had told Hendrix that he had voted for the anti-poll tax bill in committee and would continue to support it once it came before the Senate. Chandler ascribed his support to his belief that “all men should be free.”⁶⁷ Given the context of this statement, Chandler seemingly viewed the tax as an unjust measure that denied millions of African Americans a fundamental democratic right.

When the Pepper bill reached the U.S. Senate, senators from the eight poll tax states launched an immediate filibuster. With the legislative session slated for adjournment on January

⁶⁶ Ibid., 2-3.

⁶⁷ Benjamin Bradley, President, Ashland, Kentucky, Branch of the NAACP, to Walter White, October 13, 1942, Papers of the NAACP, Part 4: The Voting Rights Campaign, 1916-1950, Group II, Series A: General Office Files continued, reel 12.

2, 1943, they knew that they could effectively end the bill's legislative life if they prevented the current session from taking up the measure. Once Congress adjourned, all unaddressed legislation would have to be reintroduced at the beginning of the next session.

Hours after the committee's vote on October 26, Connally successfully began the effort to prevent Senate consideration of the Pepper bill by arguing that the Senate Judiciary Committee's vote on the measure had been "void and without authority" because only nine senators had been present when the committee had voted, one short of the necessary ten for a quorum. (Nine members, including Chandler, had voted by proxy.) Senate Majority Leader Barkley immediately countered that Senate rules allowed committees to determine for themselves what number constituted a quorum. When Connally responded that the Judiciary Committee had never fixed the number necessary for a quorum, both Barkley and committee chairman Frederick Van Nuys maintained that the committee had long held that six members was the minimum number of members needed to transact business. Despite Barkley's and Van Nuys' statements, Connally and other senators from the poll tax states continued to insist that the Judiciary Committee had acted without the presence of a quorum.⁶⁸

While still maintaining that the Senate Judiciary Committee had voted without authority, southerners used another dilatory tactic, arguing in a series of sustained orations that the bill was an unconstitutional usurpation of states' rights. Connally quoted Article 1, Section 2 as proof that the states held the exclusive right to determine voter qualifications.⁶⁹ On November 13, arch-segregationist Theodore G. Bilbo (D-Mississippi) called the Pepper bill a "damnable piece of legislation" because it ignored evidence that the Founding Fathers had not objected to voting qualifications: "When the founding fathers provided that the qualifications of electors to vote for

⁶⁸ *CR.*, 77th Cong., 2nd sess., 8659-8662, 8814-8830 (Connally quotation on 8659).

⁶⁹ *Ibid.*, 8659.

a member of the House of Representatives should be the same as those of electors for the most numerous branch of the State legislature, they knew that practically every one of the 13 States had certain prerequisite qualifications before their citizens could exercise the right of franchise.”⁷⁰ Bilbo proceeded to lambaste the advocates of the Pepper bill as hypocritical meddlers: “However, the sponsors of the proposed legislation are so grievously affected by the conditions which they find among their brethren in some sister States that they propose to cram this legislation down the throats of certain States” even though “the same conditions prevailed for 150 years in other States before they were changed.”⁷¹

The next day, poll tax supporters again thwarted attempts to consider the Pepper bill. When the chief clerk called the roll to determine whether a quorum was present, only twenty-seven senators answered. Four more senators soon entered the chamber. Alben Barkley then ordered the Sergeant at Arms to request the attendance of the absent senators. All thirteen senators whom the Sergeant at Arms located in Senate offices and cloakrooms soon entered the chamber and answered to their names. Their attendance still left the Senate five short of a quorum. When the Sergeant at Arms reported that eight additional senators (six of whom were from poll tax states) were elsewhere in Washington, an angry Barkley asked Vice President Henry Wallace to issue warrants for their arrest. After Wallace issued the warrants and the search for the eight senators had begun, two more senators, Clyde Herring (D-Iowa) and George Aiken (R-Vermont), who were not known to be in town, arrived. Deputy sergeants at arms soon located Senators Burnet Maybank (D-South Carolina) and Senator Berkeley Bunker (D-Nevada) and placed them under “technical” arrest, after which both soon arrived in the Senate. A deputy sergeant actually had to arrest Kenneth McKellar (D-Tennessee), the Senate’s third most senior

⁷⁰ Ibid., 8832 (first quotation); 8833 (second quotation).

⁷¹ Ibid., 8834.

member, to compel his attendance. The five other senators could not be located.⁷² With a quorum now established, Barkley tried to bring the bill to the floor once again, but Bilbo consumed the day with another long speech questioning the constitutionality of the poll tax.⁷³

Between hours-long speeches, southerners engaged in other delaying tactics. On November 16, they turned to the rarely used Rule VIII, which allows a senator on any Monday to ask a reading of the Senate calendar to consider all measures already reported to the Senate. Under the terms of the rule, the motion takes precedence over all other motions. Seventy-one bills predated the poll tax measure, meaning that senators could potentially debate and vote on all seventy-one measures before returning to Barkley's motion to take up the poll tax. Aware that considering previous bills on the calendar could delay consideration of the poll tax for days, if not weeks, Barkley prevented the Senate from taking up any motion that day by adjourning Congress until the next day.⁷⁴ When the Senate reconvened, poll tax defenders seized upon another time-consuming ruse: demanding the reading and correcting of the previous day's *Senate Journal*, with particular attention given to the proper placement of punctuation marks. In between haggling over the journal, several southern senators delivered verbose speeches on the poll tax, and an indignant McKellar denounced Barkley for "besmirching" McKellar's good name via the arrest.⁷⁵

During the filibuster on November 17, Chandler spoke out about the poll tax for the first time. His comments came in response to Senator John Overton's (D-Louisiana) tortuous discussion of the Pepper bill. During his speech, Overton had observed that Barkley had said

⁷² Ibid., 8838-8839; *New York Times*, November 15, 1942; *Newsweek*, November 23, 1942, 35. Another senator would not be arrested to compel a quorum until 1988. In February of that year, police officers escorted Senator Bob Packwood (R-Oregon) to the Senate floor to be recorded as present. *New York Times*, February 25, 1988.

⁷³ *Newsweek*, November 23, 1942, 35.

⁷⁴ *CR.*, 77th Cong., 2nd sess., 8861-8864.

⁷⁵ Ibid., 8899-8922; *New York Times*, November 17, 1942.

that no proponent of the Pepper bill had suggested that the Supreme Court would find it constitutional. To prove Barkley wrong—and to kill time—he then quoted portions of Senator Pepper’s testimony before the judiciary subcommittee. While acknowledging that the Supreme Court had ruled in favor of the poll tax in its 1937 *Breedlove* decision, Pepper had expressed confidence that the Supreme Court, which had seen a turnover of six justices since that case, would hold his bill constitutional if it came before the court. At this point, Overton interrupted his own reading of Pepper’s testimony to interject that the “general interpretation of the *Breedlove* case is to the effect that the bill which is now before the Congress is an effort on the part of the Congress to enact unconstitutional legislation.”⁷⁶ When Overton finished quoting the Floridian, he and Barkley verbally sparred for a few moments until Chandler, who had understandably interpreted Overton’s statements as an attack against Pepper, rose to defend his colleague. In doing so, he made clear his stance on the proposed legislation. “I do not think it is unusual for a Senator sponsoring a bill to believe in its constitutionality. I believe it is his duty to ascertain to his own satisfaction that the measure which he is seeking to have enacted is constitutional,” he declared. “If it will be of any help to the Senator from Louisiana,” he added, “I will join the Senator from Florida by saying that after listening to the discussion in the Judiciary Committee that the bill, if enacted into law, would be constitutional.”⁷⁷

Overton countered that Chandler had misunderstood his statements on Pepper: “As I interpret the testimony of the Senator from Florida, it is to the effect that in that in his judgment the Supreme Court of the United States, as presently constituted, would depart from the decision laid down by its predecessor in the *Breedlove* case.” Chandler responded that Pepper was well within his rights to point out that “there are new members on the Supreme Court, that they are

⁷⁶ Ibid., 8918.

⁷⁷ Ibid.

not bound by the decision in the *Breedlove* case, and that they may reach a different conclusion when and if they consider the question involved in the pending measure.”⁷⁸

Chandler’s decision to defend Pepper and the anti-poll tax bill is instructive. In responding to Overton’s arguments, he became only the third southern senator besides Barkley and Pepper to support the bill openly during the filibuster. Kentucky had never had a poll tax or other de jure restrictions on black suffrage, and so it may very well have been that Chandler risked nothing by speaking up. However, it would have been just as easy for him to remain silent during the debate. In so doing, he would not have necessarily lost or gained any political support in Kentucky. In fact, Chandler’s political position in the commonwealth was as strong as ever: he had just won election to a full six-year term in early November. In defending Pepper, he, in effect, butted heads with his Deep South colleagues, including his political mentor Harry F. Byrd. Chandler’s committee vote against the antilynching bill and his subsequent public statements on the measure seemed to put his views on civil rights in line with the staunch segregationists of the Senate, but his decision to support the Pepper bill revealed that the Kentuckian was more flexible on civil rights than most southern senators. It also demonstrated that Chandler did not always view civil rights measures strictly from a states’ rights perspective. He clearly considered the antilynching bill an unnecessary, if not unconstitutional, diminution of state authority, but after careful review of the testimony presented before the judiciary subcommittee, he found constitutional grounds for a federal law to outlaw state poll taxes. This is especially noteworthy because even opinion outside the South was divided on the legality of the bill. Senators Austin, Bunker, Hughes, and O’Mahoney, to name a few, all opposed the bill from a constitutional perspective.

⁷⁸ Ibid., 8919.

On November 18, Chandler found himself at the center of the debate once more. Southern supporters of the poll tax once again maintained that the Senate could not begin to consider the Pepper bill because no quorum had been present when the Committee on the Judiciary voted on the measure. In essence, they hoped to force the committee to vote on the measure again, thereby further delaying consideration of the poll tax bill before the full Senate. Senator Walter George raised a point of order on the question of the quorum. The ruling on George's request fell to Chandler, who was presiding over the Senate that day. If Chandler ruled in favor of the point of order, Pepper's bill would be remanded to the committee. If he overruled it, then Barkley's motion to consider the bill would stand. Chandler quickly left no doubt where he stood on the quorum question. Citing his own experience on two major committees, he declared, "Under the practices of the Committee on the Judiciary and the Committee on Military Affairs frequently much proposed legislation is ordered reported to the Senate when a majority of the members are not present. . . ." Chandler concluded that "the point of order should be overruled, and it is overruled by the present occupant of the chair."⁷⁹

Chandler's ruling sparked the fury of Senator Connally, who immediately appealed it. Also a member of the Judiciary Committee, the Texan argued that Chandler's ruling was "horrible" because Chandler was unfamiliar with committee rules: "The Chair says that he knows all about the customs of the committee, and that he knows what happened and so forth and so on," but "never when I have been in the Committee on the Judiciary or in any other committee when a member rose and made the point of the absence of quorum has an absent member of the committee been counted in ascertaining the presence of a quorum."⁸⁰

⁷⁹ Ibid., 8932.

⁸⁰ Ibid., 8933.

Increasingly annoyed by the intransigence of poll tax defenders, Barkley moved swiftly to table Connally's appeal. Thirty-five senators joined Barkley and Chandler in voting to table the appeal, while twenty-three senators voted against Barkley's motion.⁸¹ Although the vote was specifically on the majority leader's motion, the sizeable number of "nay" votes could not have encouraged Barkley, who was becoming increasingly convinced that the filibuster could not be broken.⁸²

At the same time Barkley despaired over the filibuster, southern opponents of the anti-poll tax bill grew confident that a filibuster was no longer necessary because it was becoming increasingly clear that supporters of the Pepper bill could not muster enough votes for cloture.⁸³ On November 19, Connally, the de facto head of Senate opposition to the poll tax bill, approached the majority leader with a proposal that southerners would drop their opposition to Barkley's motion, allowing the poll tax bill to become the pending business of the Senate and therefore subject to Rule XXII (cloture). In return, Barkley had to pledge that if cloture failed, he would immediately withdraw the bill from consideration for the remainder of the 77th Congress. The majority leader agreed to Connally's proposal, obviously believing that a cloture vote that would inevitably fail was preferable to no vote at all. Connally later went before the Senate and requested unanimous consent on the agreement.⁸⁴ Just as the unanimous consent request seemed ready to pass, Chandler objected. He believed that the Texan's proposal unfairly gagged the Senate and set an unwelcome precedent. "We are confronted with a proposal to gag the Senate," he declared. "I am not willing to have any Senator require that another Senator, in order to have his bill brought before the Senate, shall say in advance that he will surrender rights

⁸¹ Ibid.

⁸² *New York Times*, November 20, 1942.

⁸³ Ibid., November 19, 1942.

⁸⁴ Ibid., November 20, 1942.

which he has,” he continued, “and agree, whenever it suits the opposition, to have a vote on a petition for cloture, and that, if he is defeated he will withdraw the motion to take up the bill. I am not willing to establish that precedent, so I object to the request from the Senator from Texas.”⁸⁵

Chandler’s statements revealed that he supported the tradition of unlimited debate, while at the same time hoping the Senate would eventually agree to an up-or-down vote on the legislation. He was not alone in this regard. Many senators, even those who might not sympathize with the intent of a filibuster, cherished unlimited debate as a means of protecting minority rights, and as a result, they almost always opposed cloture, considering it a gag. As of 1942, the Senate had attempted cloture only thirteen times since the creation of Rule XXII, and in only four of those instances had it succeeded.⁸⁶ As the *Louisville Courier-Journal* observed, “Most Senators . . . zealously cherish their right of unlimited debate. They never know when they many want to filibuster themselves.”⁸⁷ Perhaps the clearest defense of unlimited debate came in 1949, when Senator Lyndon Johnson (D-Texas) spoke out against amending Rule XXII to allow majority cloture: “If we now, in haste and irritation, shut off this freedom [unlimited debate], we shall be cutting off the most vital safeguard which minorities possess against the tyranny of momentary majorities.”⁸⁸ Chandler later explained his rationale for his position on limiting debate: “If you vote to gag them [the opposition], they can vote to gag you. There ought to be one place in America, in this Republic, where men can press their views without being gagged.”⁸⁹

⁸⁵ *CR*, 77th Cong., 2nd sess., 8964.

⁸⁶ *Ibid.*, 97th Cong. 97th sess., 3886.

⁸⁷ *Louisville Courier-Journal*, November 28, 1942.

⁸⁸ *CR*, 81st Cong., 1st sess., 2049.

⁸⁹ A. B. Chandler, speech at Canton, GA, September 19, 1957, tape recordings, container 19, A. B. Chandler Papers..

Chandler's objection to the unanimous consent agreement annoyed Barkley, whose subsequent efforts to set a time for voting by an informal arrangement were upset by Senator McKellar, who insisted on adhering to the rules.⁹⁰ However, Chandler's action pleased the national NAACP, which sent him a congratulatory telegram that read, "Thanks very much for blocking yesterday proposal to commit Senate to abandon bill should first cloture vote fail. Indignation against filibuster growing throughout the country. If Senators who oppose poll tax will only follow your example of refusing to compromise fight can be won."⁹¹

On Friday, November 20, Barkley and Connally informed the Senate that they would again pursue cloture, but this time they would not ask for unanimous consent. They would instead enter into a gentleman's agreement to adhere to the terms to which they had agreed previously. Because the arrangement was informal, no senator could single-handedly kill it (as Chandler had done earlier). Realizing that ending the southern filibuster was impossible, Senator Pepper announced that he supported the decision because the filibuster prevented the Senate from taking up other important measures.⁹²

Chandler and Norris, however, immediately balked at Barkley and Connally's agreement. Chandler condemned the move as a "proposal made by one side and accepted by the other in order to arrange to kill the pending measure," and declared he would object to it if he could. Norris fumed that Barkley and Connally were trying to force the Senate to abide by the proposal as if they had asked for unanimous consent: "I do not like to be put in the attitude, or have the Senate put in the attitude, that such an agreement must be adhered to and must have the effect of

⁹⁰ *Louisville Courier-Journal*, November 20, 1942.

⁹¹ NAACP quoted in *Minneapolis Spokesman*, November 27(?), 1942, clipping in Poll Tax File, box 147, Civil Rights Series, Russell Collection.

⁹² *CR.*, 77th Cong., 2nd sess., 9023, 9025.

a unanimous consent agreement.”⁹³ Later, Barkley defended the agreement, insisting that he had exhausted every other conceivable option to make the Pepper bill the pending business of the Senate. He explained that the arrangement could not prevent any senator from attempting to reintroduce the poll tax bill for the remainder of the 77th Congress, although he expressed confidence that no senator would try to do so given the minimal prospect of bringing the bill to a vote. He added that the unanimous consent agreement that he had asked for earlier would likewise have technically bound no one.⁹⁴ Barkley’s statements convinced both Chandler and Norris to abandon their objections. Chandler commented that if had known earlier that a unanimous consent agreement was not necessarily binding, he would not have voted against it. He then added that “I will not undertake any steps to have the bill taken up after cloture is refused, if it shall be refused.”⁹⁵ Norris likewise pledged to allow the bill to be laid to rest if the cloture vote succeeded.⁹⁶ With that, the Senate set the cloture vote for Monday.⁹⁷

After the day’s session ended, Chandler elaborated on his actions of November 19 and 20, affirming that he had objected to the unanimous consent request because it would have established a dangerous precedent whereby the sponsor of any bill would have to agree in advance to kill it before he could arrange a cloture motion. He added that he had found the request especially objectionable because it had been advanced by Connally, one of the main opponents of the Pepper bill. Swayed by Barkley’s statements, he explained that he had not objected to Barkley’s idea for a gentleman’s agreement because he believed that the “majority leader has done everything he could to get the bill over.” Moreover, he had considered Barkley’s

⁹³ Ibid., 9025 (both quotations).

⁹⁴ Ibid., 9027-9028.

⁹⁵ Ibid., 9028.

⁹⁶ Ibid., 9032.

⁹⁷ *Louisville Courier-Journal*, November 21, 1942.

request more palatable as it had been made by a proponent of the poll tax bill. Finally, Chandler said he would vote against cloture because he knew the motion would not pass.⁹⁸

At first glance, Chandler's decision to oppose cloture under these circumstances seemingly contradicts his belief in unlimited debate. Opposing cloture under the terms that Barkley and Connally had laid out would kill the measure, but under normal circumstances, debate could have continued in theory if the cloture vote had failed. It was clear to Chandler, Barkley, Pepper and other proponents of the poll tax bill, however, that Barkley had exhausted every means at his disposal to make the bill the pending business of the Senate.⁹⁹ In short, poll tax defenders would kill the bill at any rate by continuing their filibuster until the rapidly approaching end of the 77th Congress. Moreover, no member of the opposition was forcing Barkley, Chandler, and Pepper to lay the bill aside. In short, they were voluntarily gagging themselves rather than having a gag imposed upon them, one of the reasons Chandler had opposed Connally's request for unanimous consent.

True to his word, on November 23 Chandler joined forty other senators in voting against cloture. Thirty-seven senators voted for it, far from the two-thirds majority (fifty-two votes in this instance) required to apply the procedure. As agreed, Barkley promptly shelved the measure. The forty-one who voted "nay" included thirty-one Democrats, the bulk of whom were southern, and ten Republicans. Among those voting "yea" were twenty-one Democrats, fourteen Republicans, one independent (Norris), and one Progressive (Robert M. La Follette, Jr., of Wisconsin). Barkley and Pepper were the only southern democrats to support cloture.¹⁰⁰

Chandler was the lone member of the Judiciary Committee to vote against cloture after having

⁹⁸ Ibid.

⁹⁹ The only other conceivable means of breaking the filibuster were around-the-clock quorum calls, which, theoretically, could have sapped the will of the poll tax southerners to continue their fight. But it is also possible that such a device could have worn down proponents of the Pepper bill.

¹⁰⁰ *Washington Post*, November 24, 1942.

supported it in committee, although additional committee members who had voted favorably on the tax were absent for the cloture vote. However, he was not the only Pepper bill backer to oppose cloture. Some Democrats and several Republicans who purportedly opposed the poll tax cast negative votes. Senator Scott Lucas, for example, said that while he favored outlawing the poll tax, he opposed cloture because one day senators might retaliate against his state by blocking a bill sponsored by an Illinois senator.¹⁰¹ Senate Minority Leader Charles McNary informed the NAACP that he was opposed to cloture on principle, maintaining that the minority party should never support curtailing debate because the majority party might one day retaliate by filibustering measures the minority had proposed.¹⁰²

Although he knew cloture would fail, Barkley castigated some members of the Senate who had voted against it. He declared that some of the members who said they would never support the procedure under any circumstances had in fact voted for it before. Brandishing old roll call records as evidence, he maintained, “There are Senators in the chamber who are going to vote against this rule today who have voted for it before.”¹⁰³ Pro-civil rights newspapers and magazines widely condemned the vote, with Canada’s *People’s Voice* declaring that those senators from the non-poll tax states who had opposed cloture had “lynched democracy.”¹⁰⁴

In 1943, poll tax opponents in the House again introduced a bill (H.R. 7) to outlaw the levy by federal statute, this time sponsored by Vito Marcantonio (D-New York). The bill passed

¹⁰¹ *New York Times*, November 24, 1942.

¹⁰² Memorandum, ? Perry to Walter White, November 20, 1942, Papers of the NAACP, Part 4: The Voting Rights Campaign, 1916-1950, Reel 12.

¹⁰³ *Louisville Courier-Journal*, November 24, 1942. Chandler could not have been among the senators Barkley had in mind because the November 23 cloture vote was the first to take place during Chandler’s service in the Senate. The last cloture votes were in 1938, when the Senate had twice voted down the procedure. For an exhaustive discussion of the history of the cloture rule through 1980, see Senator Robert C. Byrd’s (D-West Virginia) speech on cloture in Cong. Rec., 97th Cong., 1st sess., 3879-3888.

¹⁰⁴ *People’s Voice*, November 28, 1942.

the by an overwhelming margin, 265 to 110, on May 25, 1943.¹⁰⁵ The Subcommittee of the Judiciary then held three days of hearings on the measure beginning in late October, and on November 12, the full committee voted twelve to six to refer the bill to the full Senate, with Chandler once again joining the majority as he had done approximately one year earlier.¹⁰⁶

In the meantime, in June 1943, senators Lucas and Green introduced another Soldiers Voting Bill, hoping to increase voting participation among American servicemen. Obtaining an absentee ballot under the original bill had proved cumbersome, and as a result, only 28,000 soldiers had voted in 1942. The Green-Lucas bill would provide a simplified procedure for disseminating federal war ballots among eligible members of the armed forces who requested them. As had Public Law 712, the Green-Lucas proposal would set aside the poll tax for soldiers. Concerned that the bill would set a precedent whereby the federal government extended its authority to determine state suffrage qualifications, southerners attacked the legislation as unconstitutional and introduced their own voting bill, which let the states decide which servicemen were eligible. When the Senate voted on the substitute bill on December 3, the bill's supporters prevailed by a vote of forty-two to thirty-seven. As the *New York Times* pointed out, the "net result of the action leaves it entirely up to the States whether registration and poll-tax requirements will be waived for soldiers. . . ." Aware of these ramifications, an elated Senator James Eastland (D-Mississippi), one of the sponsors of the legislation, proclaimed, "This vote has forever put an end to enactment of anti-poll-tax legislation."¹⁰⁷

The forty-two senators who voted "yea" included twenty-four Democrats, many of whom were Deep South segregationists, and eighteen Republicans who feared that increased soldier participation in the 1944 presidential election would insure Roosevelt a fourth term, based on

¹⁰⁵ *CR.*, 78th Cong., 1st sess., 4889.

¹⁰⁶ *New York Times*, November 13, 1943.

¹⁰⁷ *Ibid.*, December 4, 1943.

early polls that showed 61 percent of soldiers favored the president.¹⁰⁸ Chandler was one of only three southerners (Barkley and Pepper were the others) to oppose the substitute bill. Alluding to the difficulty of supplying ballots to servicemen spread throughout the world, he later observed, “The States cannot provide that opportunity [the ballot for servicemen]. If I thought the States could do it, 48 of them, I would support a measure by which it could be brought about.” He continued, “The best way to accomplish this is through the bill offered by the Senator from Illinois and its cosponsor, the Senator from Rhode Island.”¹⁰⁹ Clearly, Chandler did not share the same qualms about the expansion of federal powers as his southern colleagues.

Ultimately, the Senate replaced the southern bill with a compromise version of the Green-Lucas proposal, which became Public Law 227 on April 1, 1944. This new Soldiers Voting Act banned poll taxes for servicemen but left other voting requirements for soldiers squarely in the hands of the states. Fortunately, many states, especially those where politicians feared increased federal involvement in the state electoral process, streamlined the voting process for servicemen; consequently, the number of soldiers voting proved larger than had been predicted.¹¹⁰ Chandler, absent from the Senate, did not vote on Public Law 227, but his earlier comments indicate that he did not object to more federal oversight of the voting procedure for soldiers.

Banning poll taxes in all elections once again became the main civil rights issue of the day when Senator Patrick McCarran (D-Nevada) moved on May 9, 1944, for the Senate to make the Marcantonio bill its pending business. It quickly became apparent, however, that the bill had little chance of success.¹¹¹ Southerners immediately sensed that the bill’s proponents lacked the

¹⁰⁸ Ibid., December 5, 1943.

¹⁰⁹ *CR*, 78th Cong., 2nd sess., 791.

¹¹⁰ Martin, “The Service Vote in the Election of 1944,” 731.

¹¹¹ For Senator McCarran’s motion, see *CR*, 78th Cong., 2nd sess., 4172.

willpower to battle a filibuster and also the votes for cloture. In fact, poll tax opponents appeared “lackadaisical” according to Walter White.¹¹² Poll tax southerners did launch a brief filibuster, but when Barkley announced early on that he would file a petition for cloture, which he did on May 11, none of them tried to stop him.¹¹³ According to rumors, proponents of the measure had secretly pledged to withdraw the bill from consideration if cloture failed.¹¹⁴ On May 15, the Senate defeated cloture by a vote of forty-four to thirty-six. Chandler again joined the ranks of those opposing the procedure.¹¹⁵

The vote meant that debate on the anti-poll tax bill could continue, but Bennett C. Clark (D-Missouri) asked the Senate to displace the measure in order to consider veterans’ bills. Clark informed his colleagues that “I am not willing to have the business of the Congress indefinitely held up by a filibuster on a bill which I regard as much less important than some of these veterans’ bills.”¹¹⁶ Barkley immediately threw his support behind Clark, maintaining that breaking the filibuster and securing a Senate vote on the anti-poll tax was impossible. “I have felt,” he declared, “that it would be a futile waste of time to debate the matter any longer in the hope to get cloture and obtain a vote on the bill. I know we cannot, I am unwilling to deceive anybody into the belief that we can.” Continuing the debate on the anti-poll tax bill would, according to Barkley, delay important wartime legislation, including funding Lend-Lease.¹¹⁷ Clark then moved that the Senate consider H.R. 3176, a bill to regulate supplying artificial limbs to retired officers and enlisted men. The Senate approved Clark’s motion forty-one to thirty-five, thereby setting aside the motion to consider the poll tax bill. Joining Barkley and many senators

¹¹² *Washington Post*, May 16, 1944.

¹¹³ *New York Times*, May 12, 1944.

¹¹⁴ *Ibid.*, May 13, 1944.

¹¹⁵ *CR*, 78th Cong., 2nd sess., 4470

¹¹⁶ *Ibid.*, 4473.

¹¹⁷ *Ibid.* 4474.

concerned about the effects of prolonged debate on wartime initiatives, Chandler voted in favor of taking up H.R. 3176.¹¹⁸

Marcantonio reintroduced the anti-poll tax bill in the next Congress, and on June 12, 1945, the House once again approved the measure by a substantial margin, 251 to 105.¹¹⁹ The Committee on the Judiciary referred the bill to the full Senate on October 1 but declined to disclose how individual members had voted.¹²⁰ The bill died the next year on the Senate floor when its supporters could not muster enough votes to cut off debate.¹²¹ Although three states (Georgia, Tennessee, and South Carolina) would go on to abolish the poll tax before 1960, the poll tax would not be outlawed in the United States until the ratification of the 24th Amendment in January 1964.¹²²

Chandler's vote in 1944 to set aside the anti-poll tax bill is reminiscent of his vote in November 1942. He had long proclaimed that he was against cloture in principle, as were many other senators. Some of those who opposed cloture did in fact believe in the tradition of unlimited debate, but Chandler's votes in 1942 and 1944 cut off debate and delayed consideration of an anti-poll tax bill until another session of Congress. Therefore, he was obviously not voting to continue discussion on the poll tax; rather, he was voting against the principle of cloture. In both cases he joined another opponent of the levy, fellow Kentuckian Alben Barkley, in voting to lay aside the anti-poll tax measure. Despite his determined efforts, Barkley could never arrange a yea-or-nay vote on any anti-poll tax bill. He knew in 1942 that the battle was lost because poll tax defenders could filibuster until the end of congressional

¹¹⁸ Ibid., 4470, 4479.

¹¹⁹ *New York Times*, June 13, 1945.

¹²⁰ *Washington Post*, October 3, 1945.

¹²¹ Ibid., August 1, 1946.

¹²² For a discussion on Georgia's repeal of the poll tax, see *New York Times*, February 7, 1945. South Carolina's and Tennessee's poll tax repeals are put in their historical context in Lawson, *Black Ballots*, 84.

session on January 3, and he believed in 1944 that the southerners would filibuster for months if necessary, thereby delaying passage of important wartime legislation. In 1942, Chandler had clearly accepted Barkley's assessment of the situation. Two years later, he undoubtedly did as well. He had seen firsthand the power of the southern filibuster, and as someone who put the war effort above other political concerns, he saw no reason to continue debate on a bill that would never come to a vote. Chandler's decision to reject cloture in both cases, then, was due to his conviction that defeating cloture allowed a minority to check the potential abuses of a majority. He was clearly not alone in this regard, as Senators Charles McNary, Lyndon Johnson, and Mike Mansfield (D-Montana) all argued the same point at one time or another.¹²³

The poll tax debates of 1944 took place concurrently with a southern drive to slash appropriations for the FEPC. Many southerners feared that the FEPC, empowered to investigate discriminatory hiring practices in defense industries, posed a threat to the South's racial status quo. Spearheading the effort was Senator Richard Russell, who would emerge from the fray as one of the South's most powerful senators. In early 1944, in a meeting of the Subcommittee of the Senate Appropriations Committee, Russell received unanimous consent to attach a rider (another provision) to the Independent Offices Appropriations Bill. The rider prohibited the president from funding agencies that had existed for less than one year without the approval of Congress. Previously, Congress had appropriated a lump sum for all independent agencies such as the FEPC, and the president then determined how much each agency would receive. If Russell's rider became law, Congress would have direct financial control over the FEPC.¹²⁴

With southerners stubbornly opposed to the intent of the FEPC, and with a growing number of

¹²³ For Johnson's and McCarran's opposition to cloture see notes 88 and 102, respectively. For Mansfield's position, see *CR*, 92nd Cong., 1st sess., 5486.

¹²⁴ Louis Ruchames, *Race, Jobs, and Politics: The Story of FEPC* (NY: Columbia University Press, 1953; reprint, Westport, CT: Negro University Press, 1971), 88 (page references are to the reprint edition).

senators of both parties concerned that the president had assumed too much power by creating numerous government agencies by executive decree, there existed a real possibility that the FEPC would see its budget cut so drastically that it would cease to function as a viable agency.

Russell's amendment did not pass Congress without a struggle, however. On March 24, 1944, Senator C. Douglass Buck (R-Delaware) proposed to amend the appropriations bill by specifically exempting the FEPC from the funding restrictions. Buck's amendment prevailed by a thirty-six to twenty-two vote margin. Chandler and most other southern democrats opposed the measure, as did some conservative Republicans, who were concerned about the growing power of the executive. When the Senate moved to consider the now-weakened Russell amendment, the Georgian rose in opposition to his own bill: "I wish to say, Mr. President, that before I should be party to any such proceeding as this, that I am now placed in the position where I shall vote against my own amendment." He also asked Republicans to rethink their position on the Buck amendment, noting that they had long decried bureaucracies and the president's "usurpation of constitutional powers."¹²⁵

Russell's efforts soon paid off. Senator Edwin C. Johnson (D-Colorado) moved that the Senate reconsider the Buck amendment because he had mistakenly voted for it. The Senate approved this motion by a vote of thirty to twenty-eight, with Chandler joining several other southerners and a handful of northern senators in voting to reconsider. When the chamber voted again on the Buck amendment, several Republicans switched their votes, contributing to the amendment's defeat in a vote of thirty-three to twenty-six. Once again, Chandler opposed it.¹²⁶ The Senate then approved Russell's amendment in the form he had desired. However, the House

¹²⁵ *CR*, 78th Cong., 2nd sess., 3062.

¹²⁶ *Ibid.*, 3064-3065.

revised the amendment to have it take effect on January 1, 1945, rather than July 1, 1944. It was this version that was passed when both houses approved the bill.¹²⁷

Before the bill had received final approval, however, Russell had sought in June 1944 to strip the FEPC of all funding. His effort came in the form of another amendment to an appropriations bill. His amendment failed by a vote of thirty-nine to twenty-one, thus guaranteeing the FEPC's existence for one more year. Away on business, Chandler did not vote or send word on how he would have voted if he had been present.¹²⁸

Unfortunately, it is impossible to determine Chandler's exact motivations for supporting Russell's original amendment. He did not discuss the amendment on the Senate floor or with the press. Most southerners had supported Russell because they viewed the FEPC as a federal intrusion that threatened to crack the foundations of segregation. In their mind, the FEPC was a harbinger of increased federal involvement in southern race relations if they did not stand fast against it. There were other senators, however, who were genuinely concerned about the growth of bureaucracy and Roosevelt's control over the budget of several independent agencies, and Chandler was probably one of them. Given his conservative economic leanings and his antipathy toward the president in general and the expansion of executive power in particular, it seems likely Chandler supported the Russell amendment to curb the president's powers while restoring fiscal responsibility.

A review of Chandler's votes on the various civil rights measures that came before the Senate in the early to mid-1940s reveals that he did not share the hard-line views of his southern colleagues. Nearly every southern senator from the old Confederacy attacked any federal statute that threatened to erode the region's entrenched system of segregation. Bilbo, Eastland, George,

¹²⁷ Ruchames, *Race, Jobs, and Politics*, 90.

¹²⁸ *CR*, 78th Cong., 2nd sess., 6264.

Russell, and others viewed any federal guarantee of civil rights as a precursor to broader federal initiatives to dismantle Jim Crow in Dixie. They worried, for example, that a successful anti-poll tax drive would lay the groundwork for a federal ban on literacy tests and other legal chicanery used to restrict black suffrage. These southerners found some segregationist allies in the border states, most notably Millard Tydings (D-Maryland), as they repeatedly opposed antilynching and anti-poll tax measures and attempted to render the FEPC powerless, if not end the agency's existence altogether.

Chandler joined his southern colleagues in resisting the antilynching bill, citing states' rights reasons (among others) for his position, but he broke with them over the poll tax. Admittedly, Chandler's declaration that the anti-poll tax statute was constitutional was not politically risky. Kentucky had never had the tax, and as a result, Chandler no doubt did not stand to lose support in the commonwealth for backing the Pepper bill. At the same time, he does deserve credit for speaking out. He could easily have dodged the issue by declaring his personal support for the bill while maintaining that the states, and not the federal government, should abolish the levy. In not doing so, he demonstrated that he believed states' rights did not always supersede federal authority, a rare opinion for a southerner. He broke with his fellow southerners again over the Soldiers Voting bills. He approved waived the poll tax for servicemen and announced on the Senate floor that he judged the federal government better equipped to disseminate war ballots than the states. In speaking out on the Senate floor about these issues, he became one of only a smattering of southerners willing to confront the southern bloc over some of their most dearly-held, deep-rooted positions. He allied himself with southerners and other conservatives in attempting to curb the power of the FEPC, but he most

likely did so because of his interpretation of executive authority rather than due to any fears he might have had about the FEPC's threat to Jim Crow.

Chandler and several other senators who opposed the poll tax voted against cloture in 1942 and 1944. Their vote against cloture, the NCAPT and other civil rights organizations argued, helped to sustain the poll tax because in both cases the failure to invoke cloture resulted in an anti-poll tax bill's death. If cloture had passed in either instance, the bill most likely would have passed. Chandler and other senators opposed cloture (thereby guaranteeing the poll tax's continuation) due to their conviction that the rule impinged upon a minority's right to debate, thereby protecting the minority from an impatient or heavy-handed majority. These senators always held true to principle even when it was obvious that an obstructionist minority was exploiting their sentiments to defeat civil rights legislation. In the late 1950s and 1960s, segregationist southerners repeatedly used the filibuster to postpone or kill civil rights legislation. In an attempt to preserve minority rights but reduce instances of obstructionism, in March 1975 the Senate reduced the number of senators required to break a filibuster to 60 percent of its members (not members present for the vote).¹²⁹ Even if this rule had been present in the 1940s, however, those who wished to invoke cloture would not have had the votes to do so.

Civil rights legislation, therefore, was not Chandler's primary concern during his time in the U.S. Senate. His first priority was the war, and he was unwilling to put his principles aside and vote for cloture on the poll tax bills, and he voted with the majority to put the poll tax measure aside in 1944 to consider war legislation. However, he boldly announced on the Senate floor during the course of the southern filibuster that the Pepper bill was constitutional, and he supported those versions of the soldiers' voting bill that waived the poll tax for servicemen from

¹²⁹ *New York Times*, March 8, 1975.

the eight poll tax states. The evidence suggests that he took these stands out of sincerity rather than political expediency. Also, although he did not always take daring positions on civil rights, he displayed a flexible mind on an issue that for most southern politicians was not even open to debate.

Chandler's Senate career wound down in 1945 as he took a position outside of government, one that helped him achieve name recognition on national level. In this post, he would be forced to confront civil rights more directly than he ever had as a senator. The drama that was about to unfold would wipe out decades of de facto segregation and change the face of one of America's most cherished institutions forever.

CHAPTER 3

FACILITATOR OR ORIGINATOR? HAPPY CHANDLER AND THE INTEGRATION OF MAJOR LEAGUE BASEBALL, 1945-1951

On April 24, 1945, after a long day in the United States Senate, Happy Chandler learned that he had been elected the second commissioner of Major League Baseball. Chandler's six-year tenure in this post would prove to be a momentous period in the history of the national pastime. Attendance surged due to the postwar economic boom, the major leagues established the first pension plan for players, and the game beat back the Mexican League's vigorous efforts to lure away top talent. Yet by far the most significant development of Chandler's term occurred in 1947 when Jackie Robinson became the first black player in the major leagues in more than sixty years. Although Robinson's debut did not end discrimination in organized baseball, it gradually opened the door to hundreds of athletes who had long been excluded due to their race, and it served as a rallying point for millions of blacks across America—especially those living in the segregated South—who sought an end to racial injustice.

The extent of Chandler's role in the demise of baseball's color barrier is a matter of dispute among baseball observers. In later years, Chandler himself often declared that Robinson "couldn't have played" without his intervention.¹ He also maintained that his endorsement of integration cost him his job because it angered the owners, who were strongly pro-segregation. Siding with Chandler, noted Negro League scholar John Holway has argued that Chandler's leadership was indispensable to integration's success.² Longtime Brooklyn Dodgers announcer

¹ *New York Times*, March 14, 1982.

² *Ibid.*, March 1, 1981.

Walter “Red” Barber believed that Chandler’s support was “absolutely pivotal.”³ William J. Marshall, author of *Baseball’s Pivotal Era, 1945-1951*, maintains that Chandler was not a central figure in the integration of the sport, but he nevertheless contends that “without the commissioner’s support the integration of baseball might not have occurred until well into the 1950s.”⁴ Historian Jules Tygiel, by contrast, has written that Chandler was a “bit player” in the demise of Jim Crow baseball.⁵ Frank Slocum, who worked in the National League front office in 1946 and served as an executive with the Dodgers in 1947 and 1948, made a similar assertion in a 1991 interview: “It was Branch Rickey that [*sic*] got Robinson into organized baseball. Whatever Chandler did was forced on him.”⁶

Holway, Barber, and other pro-Chandler advocates overstate the commissioner’s involvement in the Robinson saga. Tygiel, Slocum, and others, meanwhile, dismiss Chandler too quickly. A close examination of the record reveals that although Chandler played a smaller role than he and his supporters maintained, his actions promoted the success of baseball’s “great experiment.”

At the time of Chandler’s election, professional baseball’s color barrier was more than a half-century old. After the first recorded game in 1846, the sport became so popular that by the late 1860s communities nationwide were organizing teams and leagues. These teams and leagues usually divided along racial lines, but a few rural teams, lacking an adequate population base from which to recruit sufficient white talent, occasionally fielded a black player or two. Prejudice toward black players was strong, however. In 1867, the National Association of Base

³ *Lexington Herald-Leader*, April 19, 1988.

⁴ William J. Marshall, *Baseball’s Pivotal Era, 1945-1951* (Lexington: University Press of Kentucky, 1999), 150.

⁵ Jules Tygiel, *Baseball’s Great Experiment: Jackie Robinson and His Legacy*, expanded ed. (New York: Oxford University Press, 1997), 82.

⁶ *New York Times*, June 29, 1991.

Ball Players (NABBP), the governing body of the amateur leagues, officially banned blacks.⁷

The professional leagues, which date to 1871, at first permitted interracial play, but few blacks entered their ranks. Fewer than thirty played for professional teams during the 1880s and 1890s, and just two appeared in the majors.⁸

In the mid-1880s, white players and fans' persistent hostility toward black players convinced the baseball establishment that African Americans must be forced out of the professional leagues. Fans in Richmond, Virginia, threatened to lynch a black player if he appeared in a game, and some all-white teams refused to play integrated squads if their black players took the field. Fearful that this racial unrest would jeopardize their business interests, team owners and league officials systematically terminated blacks' employment. At the conclusion of the 1884 season, the major leagues became entirely white when the American Association's Toledo Blue Stockings refused to renew the contract of Moses Fleetwood Walker. The minors quickly followed suit. In July 1887, officials of the International League resolved never to sign another black athlete. The heads of the other minor leagues soon did likewise. One by one, blacks still under contract with minor league teams either left on their own accord or received their release. By 1892 no blacks remained in any significant minor league.⁹ Professional baseball's curtain of segregation had been drawn.

As the twentieth century unfolded, professional teams continued to exclude blacks. Unlike the NABBP, however, they never codified the ban; instead, they preserved the game's racial purity through a "gentleman's agreement." Baseball's first commissioner, Judge Kenesaw Mountain Landis, who served from 1920 to 1944, fully supported the owners' stance on race.

⁷ Michael E. Lomax, *Black Baseball Entrepreneurs, 1860-1891: Operating by Any Means Necessary* (Syracuse, New York: Syracuse University Press, 2003), 24.

⁸ Tygiel, *Baseball's Great Experiment*, 13.

⁹ *Ibid.*, 14-15; Lomax *Black Baseball Entrepreneurs*, 41-46, 79-85.

Like the owners, Landis publicly maintained that there was no color line, despite the obvious racial divide. “There is no rule, formal or informal, or any understanding—unwritten, subterranean, or sub-anything—against the hiring of black players,” he declared in 1942.¹⁰ Privately, however, he steadfastly defended the whites-only policy. In 1943, he permitted a group of black leaders to plead their case for integration before a major league meeting. After they left, Landis quickly changed the subject. “The gentlemen asked for an opportunity to address the meeting. They were given the opportunity,” he announced. “What’s next on the agenda?”¹¹

The ban on interracial competition had gone virtually unchallenged until the 1930s and 1940s, when developments both at home and abroad heightened the public’s awareness of baseball’s racial inequities. Emboldened by the success of black athletes in sports such as boxing and track and field during the Depression era, black sportswriters such as Sam Lacy of the *Baltimore Afro-American*, Wendell Smith of the *Pittsburgh Courier*, and Joe Bostic of the *People’s Voice* challenged the baseball establishment to provide tryouts to blacks. Members of the white press, including Jimmy Powers of the *New York Daily News* and Shirley Povich of the *Washington Post*, also spoke out from time to time. During World War II, as thousands of blacks served their country, millions of African Americans endorsed the “Double-V” campaign: victory over Nazism abroad and racial discrimination at home. As a result, blacks began to challenge more boldly all types of discrimination, including baseball’s unwritten policy of segregation. The dramatic population shifts triggered by the war also helped the integration campaign. In search of work in northern defense plants, blacks by the thousands began to leave the South. Because no major league franchises were based in the South, the exodus meant that

¹⁰ *Sporting News*, July 23, 1942, 11.

¹¹ Landis quoted in Tygiel, *Baseball’s Great Experiment*, 31.

large numbers of blacks were now living near major league teams for the first time. Noting the changing demographics, critics of the color line appealed to baseball's pocketbook by maintaining that integration would swell black patronage.¹²

Landis succumbed to illness on November 25, 1944. Despite the intensifying assault on the color barrier, race apparently did not factor into the owners' search for a new commissioner. Instead, the owners' selection process reflected their preoccupation with the threats that World War II posed to their business interests. Although President Franklin Roosevelt had written in his famous "green light letter" of 1942 that baseball should continue during the war, the majors struggled along. Teams were drained of talent as some 500 major leaguers, including such stars as Joe DiMaggio and Ted Williams, fought for their country.¹³ To compensate, owners filled their rosters with players either too young or too old to serve and with players rejected as physically unfit for the military. Then, in December 1944, the owners faced the prospect of losing more players when James F. Byrnes, head of the Office of War Mobilization, ordered a reevaluation of the draft status of athletes who had failed their physicals. With the military facing a possible manpower shortage, Byrnes contended that anyone physically capable of playing sports was sufficiently healthy to serve in the Armed Forces. Baseball officials later received assurances from Washington that the game could continue in 1945, but the owners' wartime experiences convinced them that the new commissioner had to be capable of defending the game's interests in the nation's capital.¹⁴

National League President Ford Frick emerged as the early favorite for commissioner, but two owners, Warren Giles of the Cincinnati Reds and Philip K. Wrigley of the Chicago

¹² Tygiel, *Baseball's Great Experiment*, 34-38.

¹³ In 1943 alone, for example, 219 major leaguers saw military duty. Bill Gilbert, *They Also Served: Baseball and the Home Front, 1941-1945* (New York: Crown Publishers, Inc., 1992), 83.

¹⁴ Marshall, *Baseball's Pivotal Era*, 16-17.

Cubs, raised enough objections to weaken his candidacy.¹⁵ Other candidates mentioned frequently were National Democratic Committee Chairman Robert Hannegan, former postmaster general James A. Farley, former Ohio governor John W. Bricker, FBI Director J. Edgar Hoover, and Senator Happy Chandler.¹⁶

Chandler emerged as a leading candidate for several reasons. Foremost, he was one the game's most ardent defenders in Washington. In 1942, for example, Chandler had told the *Sporting News*: "Baseball . . . should be preserved even during wartime. . . . We won't win the war by losing our morale. Baseball is a morale-builder, a necessary, helpful, enjoyable athletic competition. We need it. We must have it."¹⁷ A year later, he used his political contacts to arrange a meeting between representatives of organized baseball and President Roosevelt to discuss the wartime status of the game.¹⁸ Chandler also vigorously opposed Byrnes' initiative. "The manpower shortage really is more or less a myth," he declared. "I happen to have figures that show production in the United States to be nothing short of an industrial miracle as we wage the greatest war in history."¹⁹

Chandler's background in law and sports also appealed to the owners.²⁰ As the *Sporting News* observed, "In the minds of the magnates . . . a law background was an indispensable for any candidate hoping to become the commissioner."²¹ The owners feared lawsuits that might weaken or overturn Major League Baseball's antitrust exemption, sanctioned by a 1922 Supreme Court case, and nullify the reserve clause, which empowered owners to keep a player for his entire career unless they decided to release the player or to trade or sell him to another club. The

¹⁵ *Sporting News*, January 18, 1945, 1; *ibid.*, February 15, 1945, 2.

¹⁶ *Ibid.*, February 15, 1945, 2.

¹⁷ *Ibid.*, May 7, 1942, 1.

¹⁸ *Ibid.*, February 1, 1945, 1.

¹⁹ *Ibid.*, March 22, 1945, 10.

²⁰ *Ibid.*, May 3, 1945, 10; *ibid.*, March 26, 1946, 5.

²¹ *Ibid.*, May 3, 1945.

owners believed someone with a legal background could steer the game away from the courts. In addition to his knowledge of the law, Chandler had an extensive sports background that he could draw upon when making decisions for the national pastime. He had lettered in three sports at Transylvania College, and had gone on to play semiprofessional baseball and serve as an assistant football coach at nearby Centre College.²²

Chandler continued to receive mention as a possible candidate, but when the sixteen owners gathered in Cleveland to discuss a list of potential candidates on April 24, 1945, his name was not on their short list. The choices were Frick, Farley, Hannegan, former federal judge and future Chief Justice of the United States Frederick Vinson, Governor Frank Lausche of Ohio, and Undersecretary of War Robert Patterson. Because none of these candidates apparently enjoyed the two-thirds majority support needed for election, most owners were ready to postpone choosing a commissioner. A vocal minority led by New York Giants owner Horace Stoneham and New York Yankees part owner Leland S. “Larry” MacPhail insisted, however, that due to the potential impact of the war on baseball, they should hold an election immediately if at all possible. The owners then decided to hold an unofficial election to determine whether someone could in fact be elected without delay. Before the informal vote took place, however, MacPhail campaigned for the addition of Chandler’s name to the ballot.²³ Unimpressed by the other candidates, the Yankees chief believed Chandler’s legal background, renowned oratorical abilities, and likeability were ideal qualities for a commissioner.²⁴ He also knew from a recent one-on-one meeting with the senator that he would accept the position if offered, whereas it was

²² Ibid., March 21, 1946, 4; *ibid.*; March 28, 1946, 5.

²³ Ibid., May 3, 1945, 4.

²⁴ *New York World-Telegram*, c. April 25, 1945, newspaper clipping, box 575, A. B. Chandler Papers, Special Collections and Archives, Margaret I. King Library, University of Kentucky, Lexington, Kentucky (hereafter cited as Chandler Papers).

not known if any of the other candidates would take the post, a point that MacPhail emphasized to his fellow owners.²⁵

MacPhail's impassioned plea on Chandler's behalf won over the owners. They added Chandler's name to the list of candidates, and when the votes were tabulated, he emerged a top three choice on all sixteen ballots. Convinced that a commissioner could now be elected, the owners then decided to hold an official vote. After two formal ballots, Chandler received the necessary twelve votes for election. A third ballot made him the unanimous choice.²⁶

Chandler readily accepted the job. An avid baseball fan, he had stated on at least one occasion that he would rather serve as commissioner than as president.²⁷ "There's no doubt about my love for the game," he said. "I've loved it all my life, and this job is the one I've wanted above all others."²⁸ After struggling for six years to maintain two residences and to provide adequately for his family on his \$10,000 yearly Senate pay, Chandler also welcomed the position's \$50,000 annual salary. "I talked it [the commissionership] over with my family," Chandler later recounted, "and I said I don't know anybody who's going to pay my debts and educate my children but me. . . ."²⁹ The status of the war in Europe also facilitated Chandler's decision. When first mentioned as a possible replacement for Landis, the Kentuckian had openly admitted that he coveted the commissionership but had added that he felt duty bound to the Senate while fighting raged abroad.³⁰ As the war in Europe neared its end, however, he began to

²⁵ *Sporting News*, May 3, 1945, 4-5; *Washington Evening Star*, April 25, 1945.

²⁶ *Sporting News*, May 3, 1945, 5. According to the *New York Daily Mirror*, Chandler's availability was the deciding factor in his election. *New York Daily Mirror*, April 25, 1945.

²⁷ *Sporting News*, May 3, 1945, 4.

²⁸ *New York Sun*, April 25, 1945.

²⁹ *Louisville Courier-Journal*, July 6, 1975.

³⁰ *Sporting News*, February 22, 1945, 2.

rethink his position. By the time he and MacPhail met, Chandler had concluded that he could “conscientiously leave” the Senate.³¹

Although most journalists welcomed news of Chandler’s election, others, both black and white, speculated that the owners had chosen Chandler to perpetuate segregated play. The new commissioner’s record on race was at best moderate. Alluding to Chandler’s mixed civil rights record as governor and as a U.S. senator, Sam Lacy asserted, “It appears that his choice was the most logical one to suit the purposes of the bigoted major league operators. . . .”³² Writing for the *Brooklyn PM*, white journalist Joe Cummisky argued that the owners picked a “Southerner because the ever-darkening shadow of democracy (as worn by the Negro ballplayer) is indeed threatening to make a right out of a palpable and obvious wrong. . . .”³³

The evidence does not support these conclusions. The owners’ desire to establish closer contacts with federal officials governed their selection of candidates for the commissionership. Six of the seven final candidates were veteran politicians, and the lone exception, Frick, had gained experience in Washington by working with the Office of Defense Transportation to coordinate each team’s 1945 travel schedule.³⁴ Furthermore, the owners made no effort to ascertain where the candidates stood on the racial issue. In fact, none of them was thoroughly vetted before the Cleveland meeting. Before the owners decided to proceed with a vote, several sought delay to gather additional background information on the candidates.³⁵

It is conceivable that Larry MacPhail, a stalwart defender of segregated baseball, promoted Chandler’s candidacy because he believed the Kentuckian would uphold the color line. MacPhail first became acquainted with Chandler in the mid-1930s when Chandler served as

³¹ *New York Daily Mirror*, April 25, 1945.

³² *Philadelphia Afro-American*, May 5, 1945.

³³ *Brooklyn PM*, April 26, 1945.

³⁴ Marshall, *Baseball’s Pivotal Era*, 17.

³⁵ *Sporting News*, May 3, 1945, 4.

lieutenant governor and then governor and MacPhail worked as vice president and general manager of the Cincinnati Reds.³⁶ Thus, he may have been familiar with Chandler's views on civil rights. His first choice for the commissionership, however, had been Frick, whose devotion to the color line was uncertain.³⁷ (Frick had once stated that he did not understand why baseball objected to qualified black players.)³⁸ MacPhail switched to Chandler only after he became convinced that Giles and Wrigley's objections had undermined Frick's candidacy. Moreover, the minutes from the Cleveland meeting reveal that MacPhail made no mention of Chandler's views on race while advocating his candidacy.³⁹ In short, Chandler's record on race appeared to have no direct bearing on his election as commissioner.

Although the owners apparently did not care at the time where Chandler stood on integration, the same cannot be said of most observers of the game. With opposition to segregation growing, reporters actively sought the new commissioner's position on integration. Chandler's initial statements on the matter gave supporters of integration little hope that he was any more receptive to their cause than his predecessor had been.

Chandler's statements on integration lacked consistency and changed to suit his audience. Speaking to a mostly white gathering at a Chicago news conference on May 3, Chandler announced that blacks "should have a chance like everybody else," but then added that he had "no knowledge of discrimination in fact."⁴⁰ After commenting later in the same conference that "I'm sure there is room for colored players in the big leagues," he intimated that blacks might not favor integration: "They may want to play in their own leagues and then meet

³⁶ Marshall, *Baseball's Pivotal Era*, 24.

³⁷ *Sporting News*, April 19, 1945, 2.

³⁸ *Philadelphia Afro-American*, May 5, 1945.

³⁹ Branch Rickey, memorandum, April 25, 1945, box 27, Branch Rickey Papers, Library of Congress, Washington, DC.

⁴⁰ *Brooklyn PM*, May 5, 1945, and *Daily Worker*, May 5, 1945 (first quotation); *Chicago Sun*, May 4, 1945, and *Newsweek*, May 7, 1945, 92 (second quotation).

the major league champion in a playoff game. Many Negro players make more money playing in their own leagues than major league players do.”⁴¹ Chandler concluded by promising to call a meeting of both sides in the integration debate “to find the answer that is best for American baseball and for the Negroes.”⁴²

When the *Pittsburgh Courier*, one of the country’s leading black newspapers, interviewed him about integration that same week, Chandler changed his tone. While falling short of promising to integrate, he seemed especially receptive to the idea. “If it’s discrimination you’re afraid of,” he informed reporter Ric Roberts, “you have nothing to fear from me.”⁴³ According to Chandler, the heroic service of blacks in the war had proved that they were fit for major league play: “If a black boy can make it on Okinawa and Guadalcanal, hell, he can make it in baseball.”⁴⁴ He closed by stating that he agreed with a statement that Brooklyn Dodgers president Branch Rickey had recently made on blacks in baseball: “My attitude toward Negro ballplayers is the same as toward any ballplayer. I am in there to win ball games and I like winning ballplayers, whatever their origin or race.”⁴⁵

In a June 4 speech before the New York Athletic Club, however, Chandler again took an equivocal stance on race and baseball. Borrowing an argument often used by supporters of segregated baseball, he implied that a lack of consensus among blacks on integration hampered efforts to reach a solution. “Among Negroes themselves, there is no agreement. Some don’t want to be in the big leagues because they make more money in their own leagues,” he maintained. “Others want to play in the white leagues. Still others think an all-Negro league

⁴¹ *Brooklyn PM*, May 4, 1945.

⁴² *Chicago Sun*, May 4, 1945.

⁴³ *Pittsburgh Courier*, May 5, 1945.

⁴⁴ Ric Roberts, quoting Chandler, in John Holway, *Voices from the Great Negro Baseball Leagues* (New York: Dodd, Mead, 1975), 14. Roberts did not include this quotation in his May 1945 *Pittsburgh Courier* article, but it is obvious from context that Chandler made the statement at the same meeting described in the *Courier*.

⁴⁵ *Pittsburgh Courier*, May 5, 1945.

within the structure of organized baseball would be the solution.”⁴⁶ Chandler’s tortuous reasoning led sportswriter Milton Gross to observe that “Happy seemed to be trying to be all things to all people. . . .”⁴⁷

For a time, a rapid falling out between Chandler and the owners overshadowed the integration debate. Only a few weeks into his term, Chandler had already angered many of the magnates. The main point of disagreement concerned the extent of the commissioner’s authority. The owners believed that Landis had often ruled arbitrarily; therefore, after his death, they rewrote the rules of Major League Baseball to reduce the commissioner’s powers.⁴⁸ Chandler, however, balked at the rule change and insisted that he would not sign his contract unless the owners granted him the same powers as Landis.⁴⁹ Another contentious issue was Chandler’s failure to resign from the Senate in a timely way. When he had accepted the commissionership, he had promised to relinquish his Senate seat in thirty to sixty days.⁵⁰ On May 15, however, he indicated that he might hold both positions indefinitely. “I have talked this matter over with many of my constituents in Kentucky,” he said, “and they agree that I shouldn’t relinquish the senatorship because I have accepted the honor of the baseball commissionership.”⁵¹ An unidentified owner informed the press that Chandler would not have been elected if the owners had known that he would postpone his Senate resignation indefinitely.⁵²

⁴⁶ Chandler quoted in Milton Gross, “The Truth about Happy Chandler,” *Sport*, April 1949, 58.

⁴⁷ *Ibid.*

⁴⁸ *Sporting News*, February 8, 1945, 4.

⁴⁹ *Ibid.*, July 26, 1945, 6. Chandler’s conflict with the owners over his powers is additional proof that the owners did not conduct a thorough background investigation of the candidates. If the owners had known that Chandler would make such a demand, it is doubtful that they would have elected him commissioner.

⁵⁰ *New York Sun*, April 25, 1945.

⁵¹ *Washington Evening Star*, May 16, 1945.

⁵² Unidentified newspaper clipping dated June 1945, box 576, Chandler Papers.

These issues still unresolved, Chandler met with the owners in Chicago on October 9. At the conference, he bowed to the owners' wishes. He agreed to "run the commissioner's office by written rule and not by edict" and to set a definite date for his Senate departure (he chose October 29).⁵³ Chandler's acquiescence, however, only temporarily healed the rift between him and the owners. Future decisions by Chandler would rekindle the acrimony, leading to another fateful showdown between the two parties in 1951.

In the meantime, the issue of race came dramatically to the fore. On October 23, Branch Rickey stunned the baseball world when he announced that he had signed a black man, Jackie Roosevelt Robinson, to play shortstop for the Montreal Royals, the Dodgers' top farm affiliate. The announcement caught nearly everyone, including Chandler, by surprise. Although he had begun scouting black talent as early as 1943, Rickey had concealed his intention to sign a black player from all but a handful of his closest associates. Fearing that the owners might discover his plan and attempt to undermine his efforts, Rickey informed his scouts that they were searching for players for a team he alternately called the Brown Dodgers or Brown Bombers. The team would be the Brooklyn affiliate of a new Negro League that Rickey supposedly had planned. Rickey had decided to integrate because he believed that segregated baseball was morally wrong and that the addition of black talent would quickly elevate the Dodgers to contender status.⁵⁴

When reporters sought Chandler's response to Robinson's signing, his office announced that he was officially unavailable for comment.⁵⁵ Although such reticence was unusual for the gregarious Chandler, guarded reactions were the norm among major league executives. Like Chandler, both Frick and William Harridge, president of the American League, refused

⁵³ *Atlanta Journal*, October 10, 1945. Although Chandler gave his Senate farewell address on October 29, his resignation did not become official until November 1. *Washington Post*, October 30, 1945, and A. B. Chandler to Governor Simeon D. Willis, October 30, 1945, box 162, Chandler Papers.

⁵⁴ Tygiel, *Baseball's Great Experiment*, 47-71.

⁵⁵ *Washington Post*, October 25, 1945.

comment.⁵⁶ William Benswanger, president of the Pittsburgh Pirates, stated, “It is the business of the Brooklyn and Montreal clubs—whether it’s a white or a Negro.” Eddie Collins, general manager of the Red Sox, wished Robinson well but denied that the signing was anything extraordinary. Ignoring the color barrier, he maintained: “Of course, they [blacks] always have the chance to prove themselves in the minors.” Cleveland Indians president Alva Bradley remarked, “That’s the only way colored boys will ever get into the major leagues—by breaking in with minor league clubs and proving they have the ability to play major league ball.” Only New York Giants owner Horace Stoneham offered criticism. In his estimation, Rickey’s timing was poor: “The primary responsibility we have is finding places for our returning servicemen, numbering in the hundreds, and only if they prove incapable will new players be placed on our clubs.”⁵⁷

Chandler did not record his private feelings about the Robinson signing, and he continued his public silence on the issue until a visit to spring training camps in March 1946.⁵⁸ On March 22, Chandler visited Daytona Beach to watch the Montreal Royals play Brooklyn and met Robinson for apparently the first time. Before the game, Chandler asked *Pittsburgh Courier* reporter Wendell Smith how Robinson was doing. Smith responded that Robinson was progressing well, to which Chandler replied, “Well, I am glad to hear that. Yes, sir, it’s nice to know that everything is working out okay and that they’re getting a fair chance. That’s the way it should be. That’s the American way. . . .” When Robinson approached Chandler and Smith a few moments later, the commissioner asked him, “How are you getting along?” Robinson

⁵⁶ Tygiel, *Baseball’s Great Experiment*, 80.

⁵⁷ *Sporting News*, November 1, 1945, 5.

⁵⁸ It might seem remarkable that the talkative Chandler could maintain his silence on such an important topic for so long, but Chandler was speaking to the media infrequently by the end of 1945. Early in his commissionership, Chandler had liberally granted interviews, but he became wary of the press after sportswriters harshly criticized some of his early decisions and statements. For an account of Chandler’s clash with the media, see Marshall, *Baseball’s Pivotal Era*, 376, 378.

replied: “Just fine. But they’ve got so many good players trying out for the Montreal team, I’m a little worried.” Chandler closed the conversation with words of encouragement: “Don’t worry about the other players. All you have to do is get in there and play hard. You’ll find good ballplayers wherever you go.”⁵⁹

In December 1946, a writer for the *Pittsburgh Courier* again asked Chandler about his feelings on baseball integration. The *Courier* did not include Chandler’s full response, quoting only his statements on Jackie Robinson while answering the question. “From what I’ve heard since I have been here,” he remarked, “Robinson is perhaps the greatest all-around athlete this country has ever produced.” Chandler added that he sympathized not only with the plight of African Americans but also with the problems faced by all the “little shots” of the nation.⁶⁰

Chandler’s statements, though personally polite and complimentary of Robinson, did not necessarily indicate that he wished to see a black player in the organized ranks. Nevertheless, his words earned him the longstanding esteem of the *Pittsburgh Courier*. Chandler’s statements also marked the beginning of Chandler’s role in the integration drama. The extent and importance of his role are disputed, however. Those who assert that Chandler’s leadership was vital to the fall of Jim Crow baseball rest their claim on the belief that, at a pivotal moment, Chandler sided with Branch Rickey and Jackie Robinson. If Chandler had not interceded for them, integration, by implication, would have failed.

The first component of the pro-Chandler argument is a speech that Rickey delivered in February 1948 at Wilberforce University, a black college in Ohio. In the address, he alleged that representatives from the other fifteen major league teams had condemned the Robinson signing in a secret report. According to Rickey, the owners circulated a document criticizing his efforts

⁵⁹ *Pittsburgh Courier*, March 23, 1946.

⁶⁰ *Ibid.*, December 21, 1946.

following a meeting of major league officials on August 28, 1946, at Chicago's Blackstone Hotel. "Each copy bore the name of the man to whom it was handed," Rickey recalled. "After we read them they were collected. [National League President] Frick checked off the names to see that he had all the copies." Rickey claimed the report read, "However well intentioned, the use of Negro players would hazard all physical properties of baseball." Rickey maintained that he was the lone official to vote against the document.⁶¹

Chandler lent credence to Rickey's story, but only decades after the fact. In a 1972 interview, he insisted that he once presided over a meeting at which the owners voted fifteen to one against integration. "You wouldn't believe some of the things the owners said at that meeting," Chandler stated. "One of them flat out said if we let Robinson play they'd burn down the Polo Grounds the first time the Dodgers came in here for a series." Chandler said that he ignored the vote because he "didn't consider [it] an order, only an expression of sentiment."⁶²

Chandler's version of what followed is the crux of the argument that he was central to the collapse of baseball's color barrier. According to Chandler, the owners' sentiments made Rickey anxious, prompting him to arrange a meeting with the commissioner. Rickey traveled to Kentucky and informed Chandler that he would not proceed with integration unless assured of Chandler's full support. At this point, Chandler insisted, he made the decision that ended segregation in the major leagues. "I looked the old gent right in the eye and said, 'Bring him in. He'll play if he's got the capacity to play.'"⁶³ Chandler said that he then explained his rationale to Rickey: "I've made up my mind that I'm going to have to meet my maker some day. If he

⁶¹ *New York Times*, February 18, 1948.

⁶² *Washington Evening Star*, October 27, 1972.

⁶³ *Ibid.*

asks me why I didn't let this boy play and I say because he's black, that might not be a satisfactory answer. So you bring him in and I'll approve the transfer [of his contract]."⁶⁴

In later years, Chandler often retold the story of the meeting and boasted of his decision to support Rickey's endeavors. He also asserted that his pivotal contribution to baseball's integration was overlooked and that Rickey had received undue credit for ending the color barrier. In March 1982, Chandler wrote in the *New York Times*, "I don't understand—I never understood why Branch Rickey took full credit for breaking the color line with Jackie Robinson. If I hadn't approved the contract transfer from Montreal . . . to Brooklyn, Robinson couldn't have played. No chance."⁶⁵ In his own piece for the *Times*, historian John Holway concurred: "The credit for opening baseball's doors to all races has been denied him and given to Rickey. Yet if it had not been for Chandler, Rickey could not have signed Robinson to the historic Brooklyn contract."⁶⁶ Over the years, Bowie Kuhn, baseball commissioner from 1969 to 1983, and sportswriters Bob Addie of the *Washington Post* and Billy Reed of the *Louisville Courier-Journal* voiced similar sentiments.⁶⁷

The claims made by Chandler and his backers do not stand up to scrutiny. Except for Chandler's assertions, there is no evidence that the 1947 meeting between Chandler and Rickey even occurred. Rickey never mentioned the meeting, and Chandler never discussed it while he was commissioner. In fact, he did not make his first direct reference to the meeting until 1965, fourteen years after he left baseball, and he mentioned the event only rarely until the early 1980s.⁶⁸ At that point, his friends and associates launched a campaign to secure his

⁶⁴ Chandler quoted in Jeffery Marx, "Happy's Vote of Confidence," *Sports Heritage*, May 1987, 24. Over the years, Chandler gave slightly different versions of this quotation, but the substance remained unchanged.

⁶⁵ *New York Times*, March 14, 1982.

⁶⁶ *Ibid.*, March 1, 1981.

⁶⁷ *Atlanta Journal*, June 19, 1991; *Washington Post*, *Times Herald*, January 23, 1965; *Louisville Courier-Journal*, August 14, 1982.

⁶⁸ *Sporting News*, February 6, 1965, 22.

enshrinement in the National Baseball Hall of Fame, and Chandler began regularly speaking of his encounter with Rickey. Chandler seems to have embellished his role in integrating baseball not only to secure a place in the Hall, but also in American history. After his election to the Hall in 1982, Chandler, who believed his contributions were still undervalued, reminisced about the meeting and the fifteen-to-one vote on several occasions.⁶⁹

Moreover, the meeting as described by Chandler would not have fit Rickey's behavior pattern. In signing Robinson, Rickey had acted virtually unilaterally. He asked only the Dodgers' board of trustees and the Brooklyn Trust Company, which heavily subsidized the club, for permission to scout black talent.⁷⁰ He informed neither Chandler nor minor league head William G. Bramham about his decision to sign Robinson to his Montreal contract, and he did not ask for help from Chandler when Robinson was hazed during the 1946 season. An astute baseball man, Rickey also knew that the owners, despite their entrenched opposition, had no authority to stop integration. Thus, even if Rickey had been inclined to visit Chandler, he had no reason to ask for his help.

Finally, there are problems with Chandler's implication that only he held the authority to approve Robinson's contract. While it is true that Chandler as commissioner ultimately had the right to review and void a contract, all contracts went first to the appropriate league president for his signature and approval. Ford Frick approved and affixed his signature to Robinson's Brooklyn contract in April 1947.⁷¹ It is difficult to conceive how Chandler could have justified negating Frick's decision. Robinson's season with Montreal had been stellar. He had led the International League in hitting, with a .349 average, and in runs scored, with 113. If Chandler

⁶⁹ See, for example, *Louisville Courier-Journal Magazine*, June 12, 1988, 21.

⁷⁰ Tygiel, *Baseball's Great Experiment*, 55-56.

⁷¹ A facsimile of Robinson's contract can be found in the *New York Times*, October 26, 1972.

had invalidated Robinson's contract, he would have confirmed the charge that baseball discriminated against blacks—a charge the baseball establishment had long denied.

Although Chandler was not a catalyst for tearing down baseball's racial barrier, he did take several stands that helped Robinson. Soon after Robinson's signing, Chandler resolved that he would receive "the same fair treatment as any other player."⁷² This decision did not represent a change in Chandler's political or personal philosophies; rather, it typified them. Although he held many southern preconceptions about blacks and race relations, he was not a bigot. And while he always clung firmly to his states' rights convictions, he nonetheless believed it wrong to deny anyone economic or political rights on account of race.

The first test of Chandler's determination to ensure equal treatment for Robinson came at the end of the 1946 minor league season. In October, Robinson's Montreal Royals, who captured the International League pennant, were set to face the American Association champions, the Louisville Colonels, in the Little World Series. During the regular season, Robinson had endured a torrent of verbal abuse from fans and opposing players in Syracuse and Baltimore, the league's southernmost city. Officials worried that a similar, or worse, reaction would greet Robinson when the Royals traveled farther south to segregated Louisville. Although he could do little to control the fans, Chandler dispatched an official from his office to warn the Colonels about race-baiting Robinson. Chandler's efforts paid off. The Colonels remained silent, even while the crowd greeted Robinson with a chorus of boos.⁷³

Chandler's resolve was tested again early in the 1947 season, Robinson's first with the Dodgers. This time, the matter was far more serious. On April 22, the Dodgers began a three-

⁷² *Sporting News*, April 4, 1951, 22.

⁷³ The hostile crowd unnerved Robinson, who played poorly during the three games in Louisville. However, Robinson excelled after the series switched to the more welcoming environs of Montreal. Aided by Robinson's improved performance, the Royals captured the world title four games to two. Tygiel, *Baseball's Great Experiment*, 141.

game home stand against the Philadelphia Phillies, managed by Ben Chapman of Alabama. Chapman ordered his players to mock and deride Robinson at every opportunity “to see if he can take it.”⁷⁴ From the moment Robinson appeared on the field until the final pitch of the series, the Phillies, with Chapman leading the way, unleashed perhaps the most vicious verbal assault ever visited upon an athlete. “At no time in my life have I heard racial venom and dugout abuse to match the abuse that Ben sprayed on Robinson that night,” wrote Dodgers secretary Harold Parrott. “Chapman mentioned everything from thick lips to the supposedly extra-thick Negro skull . . . [and] the repulsive sores and diseases Robinson’s teammates would become infected with if they touched the towels or combs he used.”⁷⁵

Upon learning of the Phillies’ verbal onslaught, Chandler reacted swiftly and decisively. Although bench jockeying was an accepted practice of the sport, the commissioner believed that Chapman and the Phillies had crossed the bounds of propriety by attacking Robinson on the basis of his race. He contacted Phillies general manager Herb Pennock and threatened disciplinary measures against the team if the “vicious un-American racial remarks” continued.⁷⁶ To avoid favoritism, Chandler emphasized that nonracial bench jockeying of Robinson was permissible.⁷⁷ When told of Chandler’s decree, Chapman declared that the Phillies were merely putting Robinson “through the same paces they put everyone else through in the big leagues,” but he honored it nevertheless.⁷⁸ When the Dodgers traveled to Philadelphia in May, the Phillies shied away from emphasizing Robinson’s race as they jockeyed him from the bench.

⁷⁴ Chapman quoted in *ibid.*, 182.

⁷⁵ Harold Parrott, *The Lords of Baseball: A Wry Look at a Side of the Game the Fan Never Sees—The Front Office* (New York: Praeger Publishers, Inc., 1976), 194.

⁷⁶ *Pittsburgh Courier*, May 10, 1947.

⁷⁷ *Ibid.*

⁷⁸ *Sporting News*, May 7, 1947, 6.

Chandler's quick, decisive action sent an unmistakable message to the baseball community: he was willing to intercede personally to prevent players from subjecting Robinson to verbal racial harassment. In doing so, Chandler stripped those who wished to force Robinson out of baseball of a powerful weapon of psychological warfare. Robinson was already under tremendous psychological strain. As the first black to play in the major leagues in the twentieth century, Robinson felt intense pressure to meet the expectations of the millions of black Americans who counted on him to succeed. Had Chandler ignored Chapman's antics, other players and teams would have been emboldened to taunt Robinson racially. As it was, only two overt racial incidents occurred on the playing field in 1947 following Chandler's edict.⁷⁹ If the racial slurs had continued unabated, Robinson might have walked away from the game. In his autobiography, *I Never Had It Made*, Robinson wrote that the Phillies' race-baiting nearly pushed him to the breaking point: "For one wild and rage-crazed minute I thought, 'To hell with Mr. Rickey's "noble experiment."'" Robinson resisted the temptation "to stride over to that Phillies dugout, grab one of those white sons of bitches and smash his teeth with my despised black fist."⁸⁰

Soon after the episode with the Phillies, another daunting incident challenged Chandler's commitment to Robinson. In May, a rumor that several members of the St. Louis Cardinals hoped to instigate a players' strike against integrated baseball reached team owner Sam Beardon. Alarmed, Beardon informed Ford Frick about what he had heard. Frick instructed Beardon to tell the Cardinals that the National League would defend Robinson's right to play and that it

⁷⁹ On June 22, Dodgers second baseman Eddie Stanky broke up a no-hit bid by Cincinnati pitcher Ewell Blackwell. Angered, Blackwell let loose a string of racial epithets at Robinson, the next batter. On September 11, Cardinals catcher Joe Garagiola spiked Robinson on the heel early in the second inning. When Robinson came to bat in the next inning, he said something to Garagiola, whereupon Garagiola responded with a racial slur. Tygiel, *Baseball's Great Experiment*, 192, 204. Robinson was spiked several times in 1947, but it is impossible to determine whether those spikings were deliberate and if deliberate, whether they were motivated by racial animosity.

⁸⁰ Jackie Robinson with Alfred Duckett, *I Never Had It Made* (Hopewell, New Jersey: The Ecco Press, 1995), 60.

would indefinitely suspend players who participated in a work stoppage. Frick's warning, which Beardon relayed to Cardinals players representatives Terry Moore and Marty Marion, effectively quelled the Cardinals' incipient uprising. When the Dodgers traveled to St. Louis on May 6, the Cardinals took the field as scheduled.⁸¹

Frick did not inform Chandler of the strike rumor because he considered it a league matter over which he held jurisdiction. By the time Chandler learned of the matter, the strike was no longer a threat, and he refused to discuss the strike specifically. Still, he left no doubt that he supported Frick's actions. "Baseball is an American game," he announced. "It is open to all Americans regardless of race, creed, or color, with equal opportunity for all."⁸²

Frick's prompt, decisive handling of the strike and Chandler's subsequent public statement were crucial to Robinson's early success. As Jules Tygiel has pointed out, their actions established beyond doubt that two of the most powerful men in baseball were in Robinson's corner.⁸³ Although Robinson's acceptance would still not come easily, the support that he received from these influential allies should not be underestimated. As the *Sporting News* observed, "What player feeling there may be is expected to be kept well repressed and officials of the game will see that he gets a square deal on his merits."⁸⁴

Chandler's actions during the spring of 1947 marked the peak of his involvement in the integration drama. Chandler never interceded directly in the careers of those black players who immediately followed Robinson—Larry Doby of the Cleveland Indians; Hank Thompson and Willard Brown of the St. Louis Browns; and Don Bankhead, Roy Campanella, and Don Newcombe of the Brooklyn Dodgers, to name only a few. In truth, he did not have to extend to

⁸¹ *Sporting News*, May 21, 1947, 4.

⁸² *Ibid.*

⁸³ Tygiel, *Baseball's Great Experiment*, 188.

⁸⁴ *Sporting News*, May 21, 1947, 4.

those players the help that he provided Robinson. Chandler's edict against racial bench taunting and Robinson's own success laid the groundwork for the acceptance, albeit grudging in some instances, of additional black players.

Nevertheless, Chandler remained concerned about the possibility of racial strife on the field. Events during spring training in 1949 aroused his fears. In an interview about the upcoming season, Robinson stated that opposing players "better be prepared to be tough on me, because I'm going to be rough on them."⁸⁵ A day or two later, Robinson and Chris Van Cuyk, a pitcher in the Dodgers camp, engaged in a highly publicized altercation. During an intrasquad game, the opposition chided Robinson when he misplayed a routine ground ball. In his next at bat, Robinson lined a hit off Van Cuyk, and as he ran toward first, he attempted to even the verbal score. "You'll be a twenty-year man in Class D," he yelled at the young left-hander. Although such banter was common in intrasquad competition, Van Cuyk took umbrage and threw at Robinson twice during his next plate appearance. After the game, Robinson bluntly informed Van Cuyk that he would have physically retaliated if a pitch had hit him.⁸⁶

Upon learning of Robinson's statement to the press and tiff with Van Cuyk, Chandler summoned Robinson to a meeting and asked him to explain himself. Robinson maintained that the episodes were not related and that the press had inflated the seriousness of his row with Van Cuyk. The commissioner accepted Robinson's explanation but warned him against further outbursts.⁸⁷ Robinson departed believing that Chandler had unfairly singled him out.⁸⁸

Chandler's reprimand of Robinson violated his own dictum that Robinson should not be treated differently. Van Cuyk did not have to appear before the commissioner, despite his

⁸⁵ Robinson quoted in *ibid.*, March 23, 1949, 2.

⁸⁶ *Ibid.*

⁸⁷ *Ibid.*

⁸⁸ Arnold Rampersand, *Jackie Robinson: A Biography* (New York: Alfred A. Knopf, 1997), 206.

central role in the episode. At the same time, Chandler undoubtedly believed that Robinson's actions posed a greater risk than Van Cuyk's behavior did. If Robinson had adopted a new, belligerent persona—as some newspapers mistakenly implied following the Van Cuyk incident—then there was a distinct possibility of renewed racial strife. Chandler and the newspapers failed to understand, however, that Robinson did not intend to create problems; he was simply asserting that he could now defend himself like any other ballplayer. Branch Rickey had originally instructed Robinson to retreat from all confrontations out of concern that Robinson's reaction would encourage his tormentors and thereby possibly doom integration. Rickey had lifted the restriction before the 1949 season because he believed that integration was firmly established.⁸⁹

Although Rickey, Robinson, and the Brooklyn Dodgers had indeed proved by 1949 that integration could work, only three other teams (the Cleveland Indians, the St. Louis Browns, and the New York Giants) had fielded black players by the end of that year. The slow pace of integration resulted from continuing racism among the owners. Despite clear evidence to the contrary, owners insisted that few blacks were qualified.⁹⁰ Chandler and league presidents Frick and Harridge lacked the power to force owners to sign anyone, let alone blacks. As a result, only half the teams had integrated by the end of the 1953 campaign. The last National League team to integrate was the Philadelphia Phillies, whose first black player debuted in April 1957, and it would be another two years and two months before the last all-white American League team, the Boston Red Sox, invited a black athlete onto its roster.

By the time the majority of teams were integrated, Chandler had been out of baseball for nearly three years. Although Chandler's seven-year contract was not due to expire until April

⁸⁹ Marshall, *Baseball's Pivotal Era*, 127, 283, 285.

⁹⁰ Tygiel, *Baseball's Great Experiment*, 286.

1952, he asked for an early contract extension in December 1949.⁹¹ The owners voted against granting him a new contract at that time but agreed to consider a contract renewal again the following December. Chandler needed the backing of two-thirds of the sixteen owners to retain his position, but he received only nine out of the necessary twelve votes at the 1950 meeting.⁹² Undeterred, Chandler successfully sought to have his name reentered as a candidate for commissioner when the owners met in Miami on March 12, 1951. The results were the same: nine votes for Chandler and seven against.⁹³ His hope for a second term dashed, Chandler left baseball on July 15, 1951, after accepting \$65,000 in severance pay.⁹⁴

Upon Jackie Robinson's death in October 1972, Chandler suggested that the owners had driven him out of baseball because they had resented his support of integration: "I think my decision [to let Jackie Robinson play] might have cost me the commissioner's job. . . ."⁹⁵ In 1982, he reiterated the claim. "It was a monumental decision [approving Robinson's contract]," he declared, "but that decision hurt me badly. That helped to get me out as commissioner in 1951. It had its effect—and not a good effect, as far as I am concerned."⁹⁶ Historian John Holway essentially supported Chandler's version of events. In his *New York Times* piece, Holway wrote, "He so offended the barons of the sport with his green light to Jackie Robinson . . . that in 1951 he was drummed out of the commissioner's office."⁹⁷

Again, the evidence does not support the claims of Chandler and his supporters. Chandler's stance had little, if any, bearing on the owners' decision to deny him another term. No writer at the time mentioned Chandler's position on integration as a reason for his dismissal.

⁹¹ Shirley Povich, "Happy Chandler Stumps for Re-election," *Sport*, July 1950, 11, 84.

⁹² *Sporting News*, December 20, 1950, 1-3.

⁹³ *Ibid.*, March 21, 1951, 5-6.

⁹⁴ *Ibid.* July 25, 1951, 7.

⁹⁵ *New York Times*, October 25, 1972.

⁹⁶ *Ibid.*, March 14, 1982.

⁹⁷ *Ibid.*, March 1, 1981.

Moreover, two of Chandler's staunchest supporters among the owners, Connie Mack of the Philadelphia Athletics and Walter Briggs of the Detroit Tigers, adamantly opposed integration, while the second American League executive to integrate, William DeWitt of the St. Louis Browns, voted against Chandler.

In truth, Chandler failed to win a second term due to strong personal animosities between Chandler and a core group of influential owners. Chandler's chief antagonists were Fred Saigh of the St. Louis Cardinals and Del Webb of the New York Yankees. Saigh's dissatisfaction with Chandler dated to Chandler's handling of a 1949 lawsuit against baseball. Hoping to spare the sport potentially bad publicity, Chandler had asked Saigh, a lawyer, to approach the litigant about settling out of court. According to Saigh, a pale, distraught Chandler "reached up and grasped me by the lapels and said, 'I can't go into court with this thing. You've got to get that fellow and stop him.'" From that moment, Saigh recalled, "I began to have doubts about him. I had imagined him as a strong man who would give dignity to the commissioner's office, but I found him weak when faced with a problem he was being well paid to solve."⁹⁸ Saigh's displeasure with the commissioner turned into disdain after he learned that the commissioner's office had investigated his personal and financial activities following allegations that he had underworld connections.⁹⁹ The ill will between Webb and Chandler began after the commissioner learned that Webb's construction company had built the Flamingo Hotel in Las Vegas. Chandler ordered Webb's background scrutinized "to make sure that Webb's involvement with the gambling center ended there."¹⁰⁰ When Webb learned of the investigation, he informed the commissioner that he was as entitled as any building contractor to undertake legitimate work for gamblers. Chandler retorted that he did not want "gangland money" (as

⁹⁸ Unidentified newspaper clipping, c. March 1951, box 577, Chandler Papers.

⁹⁹ Marshall, *Baseball's Pivotal Era*, 379; John Lardner, "The Lowering Boom," *Newsweek*, February 26, 1951, 76.

¹⁰⁰ A. B. Chandler with John Underwood, "Gunned Down by the Heavies," *Sports Illustrated*, May 3, 1971, 57.

sportswriter Vincent X. Flaherty put it) in baseball, regardless of how it was earned.¹⁰¹ Webb never forgave Chandler.

After Chandler's bid failed in 1949, Saigh and Webb sensed his vulnerability. During 1950, they mounted a vigorous campaign to ensure that Chandler would not receive the necessary twelve votes for re-election when the owners met to determine his fate in December. They needed only three additional owners to vote against Chandler to rebuff his attempts for a second term. They quickly received the necessary support because Chandler's standing with many of the other owners was shaky at best. Several believed that Chandler had ruled as arbitrarily as Landis had. As John Drebing of the *New York Times* observed, "[T]he owners . . . seemingly had tired of having a keen baseball referee impartially calling the shots as he saw them. Privately, the iron rule of Landis had long irked them and what they wanted now was just some window dressing."¹⁰² Lou Perini of the Boston Braves, William DeWitt of the St. Louis Browns, and Bob Carpenter of the Philadelphia Phillies joined the anti-Chandler cabal because the commissioner had ruled against each of them on an important matter. Red Sox owner Tom Yawkey, who later joined the opposition, complained to his fellow owners that Chandler is "the players' commissioner, the fans' commissioner, the press and radio commissioner—everybody's commissioner but the men who pay him."¹⁰³

Events of 1950 strengthened the owners' resolve. Early in the season, Chandler angered Webb again when he voided a transaction between the Yankees and White Sox in the Dick Wakefield case. Webb had sold Wakefield to the Chicago White Sox in April 1950. When the outfielder refused to report due to a salary dispute, New York and Chicago executives clashed

¹⁰¹ *Los Angeles Examiner*, February 15, 1951.

¹⁰² *New York Times*, July 30, 1950.

¹⁰³ *Boston Globe*, March 13, 1951. The identity of the seventh owner to oppose Chandler is not firmly established; however, William Marshall makes a strong case that it was Charles Comiskey of the Chicago White Sox. Marshall, *Baseball Pivotal Era*, 382, 387.

over which club was responsible for his contract. Chandler voided the deal and declared that Wakefield was still property of the Yankees.¹⁰⁴ In July, Chandler and Saigh quarreled over Saigh's intention to make up a rained-out game on a Sunday evening. Chandler objected and ordered Saigh to cancel the contest, which would have been the first Sunday night game in major league history. Chandler maintained that the game "would cause us to forfeit the support and good will of thousands of religious people in the country."¹⁰⁵ The St. Louis executive relented and rescheduled the game but only after National League President Ford Frick backed Chandler.¹⁰⁶ Also in July, Chandler rankled owners when he failed to confer with them before selecting a publicity director for baseball's grand jubilee of 1951. The owners believed their input was warranted given the position's importance and substantial salary (\$150,000).¹⁰⁷ Finally, Chandler startled baseball's magnates late in the year when he commented that, in the event of total mobilization in Korea, baseball would perhaps have to suspend play. The owners, who had hired Chandler in part on account of his vigorous defense of the game's continuation during World War II, were shocked that he would even consider the possibility of a shutdown. As Shirley Povich of the *Washington Post* wrote, "The owners didn't want him to say anything like that. They wanted business as usual, peace or no."¹⁰⁸

It is possible that some owners who opposed Chandler did privately resent his support of integration, but his position on that issue, unlike his rulings on other matters, did not affect them directly. Chandler could not require any owner to integrate. Moreover, if the owners who voted against Chandler were motivated by a desire to punish him for backing integration, their selection of Ford Frick as his successor makes little sense. The owners had just as much reason,

¹⁰⁴ *Newsweek*, May 22, 1950, 80-81.

¹⁰⁵ *Sporting News*, June 14, 1950, 1, 8.

¹⁰⁶ John Lardner, "The Lowering Boom," *Newsweek*, February 26, 1951, 76.

¹⁰⁷ *New York Times*, July 30, 1950.

¹⁰⁸ *Sporting News*, December 27, 1950, 4.

if not more, to be displeased with Frick's stance on interracial competition. Frick's swift, decisive response to the rumored St. Louis Cardinals mutiny was perhaps the boldest defense of integrated play by a baseball executive. Yet the owners unanimously voted Frick the third commissioner of baseball on September 20, 1951.¹⁰⁹

Perhaps the clearest indications that Chandler's defense of integration had negligible effect on the owners' decision are statements that Chandler made before he began taking credit for the demise of the color barrier. In August 1951, Chandler told the *Sporting News*, "I would still be commissioner if I had not ruled against the Yankees in the Dick Wakefield case in 1950. I would make the decision all over again. But after that ruling, the Yankees went out to get my job, and I guess they did."¹¹⁰ Twenty years later, he again placed the blame on Yankee ownership: "But there is no doubt in my mind that Del Webb deserves credit for my undermining." After Chandler's investigation of the Webb's construction company, "Webb was furious, and he and [Yankees co-owner] Don Topping and Fred Saigh led the palace revolution."¹¹¹

Chandler's contribution to the fall of Jim Crow baseball was not as substantial as Chandler and his supporters liked to maintain. Branch Rickey and Jackie Robinson deserve the lion's share of the credit for making baseball's "great experiment" a success. Despite the longstanding gentleman's agreement banning interracial competition, Rickey took the bold initial step to integrate the game, and he provided continuous encouragement to Robinson. Robinson excelled despite tremendous pressures on and off the field. Sportswriters, both black and white, also deserve credit for exposing baseball's hypocrisy on race and repeatedly pressuring representatives of the game to make the sport live up to its reputation as the national pastime.

¹⁰⁹ *Washington Post*, September 22, 1951.

¹¹⁰ *Ibid.*, August 15, 1951, 7.

¹¹¹ Chandler and Underwood, "Gunned Down by the Heavies," 57.

In addition, if Chandler had somehow blocked Robinson's signing, it is doubtful that integration would have been delayed until the late 1950s, as baseball historian William J. Marshall has maintained. The color line did not have to fall in 1945 as it did, but it would have probably fallen by 1950 in any event. The "Double-V" campaign had energized the civil rights movement, and black and white journalists who denounced Jim Crow baseball were becoming more vocal in their demands for tryouts for blacks. Moreover, once Branch Rickey announced his intention to integrate, he had broad public sympathy on his side, especially in New York. Therefore, if Chandler had tried to delay integration, he would have brought Major League Baseball nightmarish criticism and placed the sport on the wrong side of a moral issue. For the same reason, the Negro Leagues did not defend their domain vigorously when the major league teams began signing their talent away. If the commissioner had wanted to spare the sport the bad publicity a lawsuit would have engendered, he almost certainly would have wanted to avoid the intense criticism that would have followed an attempt to stop Robinson's signing. Even if Rickey had not acted, it seems likely that Bill Veeck, the second major league owner to integrate, would have moved to sign a black player after he took over in Cleveland before the 1947 season. The integration of the Armed Forces in 1948 would have exerted more pressure still on the major leagues to end Jim Crow baseball.

Nonetheless, Chandler's role in integrating baseball was far from inconsequential. Jackie Robinson himself twice acknowledged the Kentuckian's contributions to his career and to the demise of the color line. In October 1956, Chandler wrote Robinson to congratulate him on his superb play in the recently completed World Series.¹¹² In his reply, the baseball star thanked Chandler for the letter and informed him, "I will never forget your part in the so called [*sic*]

¹¹² A.B. Chandler to Jackie Robinson, October 11, 1956, box 314, Chandler Papers. Although Robinson collected six hits (including a double and a home run), scored five runs, and walked five times during the series, the Dodgers fell to the New York Yankees in seven games.

Rickey experiment. . . .”¹¹³ In May 1965, while attending a dinner in his honor sponsored by the Rochester Red Wings of the International League, Robinson spoke about his baseball experiences. “I had everybody in high places on my side in the middle ‘40s—Mr. Rickey, Ford Frick, Happy Chandler, everybody,” he observed. “In today’s South, the Negro has to overcome authority in order to gain the respect he desires—a governor here, a mayor there. My road was much, much easier.”¹¹⁴

Chandler’s actions also speak for themselves. In the belief that Robinson deserved the same treatment and opportunities as white players, Chandler warned both the Louisville Colonels and Philadelphia Phillies not to engage in racial hazing. In the latter instance, he effectively served notice to all ballplayers that they were subject to disciplinary measures if they harassed Robinson on the basis of his race. This warning limited the number of overtly racial on-field incidents and spared Robinson the abuse that might have driven him to quit. Chandler also publicly supported National League President Ford Frick when Frick responded forcefully to rumors of a racially motivated players’ strike. Using his authority as commissioner, Happy Chandler took practical, meaningful steps to ensure that Robinson—and, by extension, integration—had a full and fair opportunity to succeed.

¹¹³ Jackie Robinson to A.B. Chandler, n.d. [November 1956], box 314, Chandler Papers.

¹¹⁴ *Sporting News*, May 22, 1965.

CHAPTER 4

BROWN AND BEYOND: HAPPY CHANDLER AND PUBLIC SCHOOL INTEGRATION IN KENTUCKY, 1954-1959

During his tenure as commissioner of baseball, “Happy” Chandler’s political power in Kentucky had waned, while that of another famous Kentucky Democrat, Earle C. Clements, had grown. Formerly close friends, Clements and Chandler had experienced a long falling out, beginning in 1935 when Clements chaired Thomas S. Rhea’s political campaign. The architect of one of the most powerful political machines in state history, Clements had captured the governorship in 1947 and won election to the United States Senate in 1950, whereupon Clements’ lieutenant governor and staunch ally Lawrence W. Wetherby became governor.¹ In 1951, Wetherby won a full gubernatorial term in his own right. Given Clements’ hegemony over the Kentucky Democratic Party, the odds favored the election of a candidate loyal to Clements in the 1955 gubernatorial primary, but Chandler had other plans.

Determined to win back the office that had first propelled him onto the national stage, Chandler began plotting a political comeback immediately after returning to Kentucky following the end of his stint as baseball commissioner in July 1951. On July 25, 1953, a full two years before the Democratic gubernatorial primary, he declared his intention to seek the nomination.² In a campaign reminiscent of his challenge to Thomas S. Rhea twenty years before, Chandler barnstormed the state, emphasizing that he would balance the budget and keep taxes low and launching sharp, if sometimes humorous, attacks on his opponents. Dubbing them “Clementine”

¹ For an in-depth examination of Clements’ political career, see Thomas H. Syvertsen, “Earle Chester Clements and the Democratic Party, 1920-1950 (Ph. D. diss., University of Kentucky, 1982).

² *Louisville Courier-Journal*, July 26, 1953.

and “Wetherbine,” he denounced Clements and Wetherby as political dictators who had wasted taxpayers’ money and would increase taxes if allowed to perpetuate their machine.³ After a grueling, hard-fought primary campaign, he defeated Clements and Wetherby’s handpicked successor, eastern Kentucky Judge Bert T. Combs, who could not overcome a lack of name recognition and his frank admission in his campaign’s opening address that he would raise taxes.⁴ Although ill-will lingered briefly among Democrats after the primary, almost all prominent party members united behind Chandler during the fall campaign, and as a result, he proceeded to win the general election by the largest margin in state history up to that time.⁵ He took the oath of office in December 1955 and would serve until December 1959.

Chandler’s second administration lacked the reformist zeal of the first. In 1935, he had swept many allies into office with him, but in 1955, his coattails were short. The Clements faction still held a significant number of seats in the General Assembly, and it proved aloof to his agenda. As a result, Chandler found himself forced to ally openly with Republicans in exchange for legislative support. Complicating matters, his campaign pledges on taxes reduced his options for funding the state’s financial needs. According to historians Lowell Harrison and James C. Klotter, the Chandler coalition lacked economic consistency, as it “first lowered racetrack taxes and later raised them, broadened the income tax base and then reduced it, and finally expanded the truck, corporate, and liquor levies.”⁶ Chandler’s second administration did see some successes, however. Chandler spearheaded the construction of the University of Kentucky

³ Apparently, Chandler first referred to Clements “Clementine” and Wetherby “Wetherbine” in a speech in late April. *Ibid.*, April 30, 1955.

⁴ *Ibid.*, June 3, 1955.

⁵ Lowell H. Harrison and James C. Klotter, *A New History of Kentucky* (Lexington: University Press of Kentucky, 1997), 403.

⁶ *Ibid.*, 405.

Medical Center, and he increased funding for federal and state highways, the public schools, and the teachers' retirement program.⁷

Although his second term might have achieved little of significance from a legislative standpoint, it was noteworthy nevertheless because it unfolded—as had Chandler's two-year long campaign for governor—during an especially pivotal period in civil rights history. In May 1954, the U.S. Supreme Court declared in *Brown v. Board of Education* that segregation in public schools was unconstitutional. One year later, the court ruled in *Brown II* that schools must desegregate with “all deliberate speed.” Although most white Kentuckians would not follow the Deep South's lead and join a campaign of “massive resistance,” there were pockets of fierce opposition to school integration. The most notable instances occurred in western Kentucky in September 1956. In two of the nation's first integration crises, the white residents of two small towns, Clay and Sturgis, violently protested the enrollment of black students in local schools. A year later, Sturgis again witnessed an angry protest of school integration.

As a candidate and then as governor, Chandler adopted a moderate position on school integration. He called the Supreme Court's decrees “precipitous and not well thought out,” and he indicated privately that white Kentuckians were unprepared for integration due to ingrained prejudices and social customs.⁸ Furthermore, Chandler believed violence could ensue if school boards failed to take into account “local conditions . . . when implementing the Supreme Court's ruling.”⁹ Nevertheless, he maintained that school integration was inevitable, declaring that the South “might as well prepare for it,” and he pledged that Kentucky would abide by the Supreme

⁷ Charles P. Roland, “Albert Benjamin Chandler,” in *Kentucky's Governors*, updated ed., ed. Lowell H. Harrison (Lexington: University Press of Kentucky, 2004), 174.

⁸ *Atlanta Constitution*, September 20, 1957.

⁹ A. B. Chandler to Myrtice C. Long, September 13, 1956, box 320, A. B. Chandler Papers, Special Collections and Archives, University of Kentucky Libraries (hereafter cited as Chandler Papers); A. B. Chandler to Dean Boggs, October 14, 1957, box 320, Chandler Papers.

Court's decision.¹⁰ Despite his strongly held states' rights beliefs, Chandler explained that opposing school integration would violate his gubernatorial oath of office, which swore him to uphold the laws of both the state and the nation.¹¹

The first *Brown* decision elicited a mostly positive response among Kentucky's state and federal officials. Governor Lawrence W. Wetherby and Wendell P. Butler, state superintendent of public instruction, both immediately announced that the commonwealth would comply, and all but one congressman urged acceptance of the verdict. Officials decided, however, that all school systems would continue operating on a segregated basis until the court rendered its verdict in *Brown II*.¹² After the court's ruling in that case, Wetherby announced that Kentucky would "exert every effort" to integrate rapidly.¹³ After meeting on June 23, 1955, the State Board of Education urged all districts to make constructive preparations for integration.¹⁴

Chandler, however, did not initially comment publicly on the first *Brown* decision. Instead, he expressed his views through the *Woodford Sun*, a weekly newspaper that he owned and managed. In an unsigned June 3 column, the paper lambasted the verdict as a "needless blow to all of the people of the South, both black and white, who, in mutual understanding and respect, have made rapid and inspiring progress in solving their difficult problem." The column, however, predicted compliance, contending that white southerners would accept the court's decree out of loyalty to their country. The paper maintained that Louisiana Senator Russell Long's reaction to *Brown* undoubtedly typified the viewpoint of most white southerners: "My oath of office requires me to accept the law. Every citizen is likewise bound by his oath of

¹⁰ *Atlanta Journal*, September 20, 1957.

¹¹ A. B. Chandler to R. D. Blanding, September 19, 1956, box 320, Chandler Papers.

¹² *Louisville Courier-Journal*, February 12, 1955.

¹³ *Owensboro Messenger*, June 1, 1955.

¹⁴ Kentucky Department of Education, *Racial Integration in the Public Schools of Kentucky* (Frankfort: Department of Education, 1968), 8 (hereafter cited as KDOE, *Racial Integration*).

allegiance to his country.” The writer also quoted Chandler’s longtime friend and former U.S. Senate colleague Harry F. Byrd, maintaining that his stance on the decision was the “most penetrating and scholarly.” Byrd had called *Brown* “the most serious blow that has yet been struck against the right of the states in a matter vitally affecting their authority and welfare.”¹⁵ Both Long’s and Byrd’s reasoning, but especially the former’s, would form the basis of Chandler’s later statements on school integration.

The *Brown* decisions propelled the issue of race into the political spotlight in the 1955 Kentucky gubernatorial campaign. In February, Chandler announced publicly for the first time that, if elected, he would abide by the Supreme Court’s ruling. “I will administer the law,” he stated. “The Supreme Court declared the law of the land and whatever the law is we will do it.”¹⁶ Despite this pledge, Chandler’s commitment to civil rights did not go unchallenged during the campaign. The *Louisville Defender*, the state’s leading black newspaper, led the charge. While ignoring instances in which Chandler had supported civil rights during his career, the paper repeatedly denounced him for opposing such civil rights initiatives as antilynching legislation and for refusing to vote for cloture when the U.S. Senate had debated anti-poll tax bills in the early 1940s.¹⁷ The paper also alleged that Chandler had supported J. Strom Thurmond, of the pro-segregation States’ Rights (Dixiecrat) Party, for president in 1948. The *Defender* noted several pieces of evidence that strongly suggested that this had been the case: the *Woodford Sun* had endorsed Thurmond. Chandler had appeared with Thurmond at a University of Kentucky football game following a Thurmond campaign stop in the state, and after the game, Chandler had entertained the Dixiecrat at his home. Finally, the paper revealed that Chandler’s

¹⁵ *Woodford (County, KY) Sun*, June 3, 1954.

¹⁶ *Louisville Defender*, February 24, 1955.

¹⁷ *Ibid.*, July 28, 1955.

wife had been one of the thousand people to sign the petition placing Thurmond's name on the Kentucky ballot.¹⁸

Chandler denied any involvement with the Dixiecrats. He admitted that his paper had endorsed Thurmond, but he insisted that the endorsement did not reflect his personal political beliefs. He contended that the views presented were instead those of the paper's then-editor, Orval W. Baylor, who had headed the Dixiecrat campaign in Kentucky. Because he was busy as commissioner of baseball at the time, Chandler argued, he was unable to read and approve everything Baylor wrote for publication. "I was away at the time and my editor Orval Baylor wrote those editorials without my knowledge," he insisted.¹⁹ Insinuating that he had fired Baylor over political differences, Chandler stated, "After I came back [from serving as commissioner], I kicked him out. . . ."²⁰ Chandler also admitted that he had joined Thurmond for the football game, but he maintained that the appearance did not indicate support for Thurmond. He claimed that the meeting had been convened as a favor to his friend and former U.S. senator James F. Byrnes of South Carolina. Finally, Chandler declared that, if elected governor, he would resign if proof was found that he had "uttered a sound" on Thurmond's behalf.²¹

Chandler's denials failed to satisfy the *Defender*. The weight of the evidence clearly indicated that Chandler had at least tacitly supported Thurmond, and the paper continued to denounce Chandler as a Dixiecrat supporter. Worsening matters for Chandler, Baylor countered his former employer's claims in convincing fashion. Baylor insisted that he had run "Chandler's newspaper . . . the way he [Chandler] wanted it run." As evidence, he argued that the *Woodford*

¹⁸ Ibid., July 28, 1955, and August 4, 1955.

¹⁹ Ibid., July 14, 1955.

²⁰ Ibid., February 24, 1955.

²¹ Ibid.

Sun's endorsement of Thurmond fit a larger pattern. In the 1943 gubernatorial campaign and in U.S. Senate races in 1946 and 1948, the paper had "bolted" the Democratic Party at Chandler's behest and gave its endorsement to other candidates. Baylor confessed to chairing the Dixiecrat campaign in Kentucky. He maintained, however, that Chandler had secured the position for him: "He placed my name before the Dixiecrat leaders and suggested that they place me in charge of the campaign in Kentucky." Having never organized a political campaign, Baylor argued that he "had to lean heavily upon someone with experience. . . . And that man was Albert B. Chandler!" Baylor also contradicted Chandler's version of his departure from the paper. He insisted that Chandler could not possibly have fired him after his term as commissioner ended in July 1951 because, he maintained, he had left the paper voluntarily in November 1949.²²

The ongoing questions about his civil rights record concerned Chandler. The Democratic primary campaign for governor was exceedingly close according to most political observers, and Chandler's main rival, Bert T. Combs, enjoyed the backing of powerful allies.²³ Besides the assistance he received from Earle C. Clements and Lawrence W. Wetherby, Combs had the help of Lieutenant Governor Emerson "Doc" Beauchamp, who had succeeded Rhea as the head of Rhea's powerful western Kentucky machine, and former congressman John Y. Brown.²⁴ Combs, who had almost no track record on race but had pledged to comply with *Brown*, also gained the *Defender's* support. In a close race, a large black turnout for Combs could swing the election in his favor. To offset that possibility, Chandler campaign officials tried to exploit his role in integrating baseball by asking Jackie Robinson to endorse Chandler or make a statement on behalf of his candidacy. They believed that a favorable response from one of the more esteemed figures in black America would bolster Chandler's standing among Kentucky's blacks.

²² *Ibid.*, March 10, 1955.

²³ *New York Times*, July 17, 1955.

²⁴ *Louisville Courier-Journal*, February 27, 1955, and June 21, 1955.

Robinson responded with a letter that read in part: “Had Mr. Chandler not been the man I believe he is my baseball career would have been much more difficult. His stand when there was to have been a strike against me was indication enough to me that he regarded me as another ball player. If I were from Kentucky I would give him my vote because I believe Mr. Chandler is fair and honest.”²⁵ Pleased by this statement, Chandler began touting Robinson’s words as full-fledged endorsement in an effort to win the black vote.²⁶

The *Defender* greeted Robinson’s statement with skepticism. When Robinson appeared in Louisville in July for Brotherhood Week, an annual event sponsored by the Kentucky chapter of the National Conference of Christians and Jews, the paper’s reporters questioned him about the statement’s authenticity. Unwilling to be drawn deeper into the political fray, Robinson refused comment.²⁷ However, in a 1978 interview, William E. Crutcher, a newspaper publisher who had served as Chandler’s press agent in 1955, revealed that Robinson had further written that he believed that Combs would also make a good governor. Aware that this statement would temper Robinson’s words about him, Chandler never provided anyone outside the campaign with a complete copy of the letter.²⁸ The *Defender* interpreted Robinson’s silence in 1955 as proof that the letter was bogus, and later in the campaign, it gave its formal endorsement to Combs.²⁹

In late July, the newsmagazine the *Nation* joined the *Defender* in denouncing Chandler for his flirtation with Thurmond. In an article entitled “‘Happy’ Chandler and the Dixiecrats,” journalist Richard Harwood repeated the evidence that the *Defender* had cited as proof that Chandler had supported Thurmond for president in 1948. Dismissing Chandler’s denials that he

²⁵ *Louisville Defender*, July 7, 1955.

²⁶ “Happy Paws the Public,” *Life*, August 8, 1955, 37.

²⁷ *Louisville Defender*, July 7, 1955.

²⁸ William E. Crutcher, interview by Terry Birdwhistell, July 11, 1978, A. B. Chandler Oral History Collection, Louie B. Nunn Center for Oral History, Special Collections and Archives, Margaret I. King Library, University of Kentucky, Lexington, Kentucky.

²⁹ *Louisville Defender*, July 7, 1955, and July 28, 1955.

avored the Dixiecrats' position on civil rights, Harwood also argued that Chandler had never been "spiritually antagonistic to the Thurmonds and [Fielding L.] Wrights," and he observed that *Baltimore Sun* reporter Dewey Fleming had visited Kentucky before the 1948 presidential election and had written that Chandler was the "spiritual leader" of the Dixiecrats in the commonwealth. Harwood closed by endorsing Combs, maintaining, incorrectly, that Combs had declared the "rightness" of the *Brown* decision while claiming Chandler had not.³⁰

Such difficulties notwithstanding, Chandler defeated Combs by a close but comfortable margin, receiving 259,875 votes (51.4 percent) to Combs' 241,754 (47.8 percent). Perennial candidate Jesse N. R. Cecil garnered 3,965 votes (0.8 percent).³¹ In its election analysis, the *Defender* argued that Louisville's black voters had overwhelmingly favored Combs, but the evidence does not support this conclusion. The paper noted that Combs easily won those wards (the fourth through twelfth) with the heaviest black populations, receiving 17,052 (64.3 percent) votes to Chandler's 9,472 (35.7 percent).³² The paper, however, did not report Cecil's totals, meaning that both Combs' and Chandler's percentages were slightly inflated. Cecil captured 2 percent of the vote in Jefferson County, and if he received a similar percentage of the vote in the black wards, it is probable that the *Defender* overstated both Combs' and Chandler's percentages by approximately one percentage point. A comparison of these new figures—63.3 percent for Combs and 34.7 percent for Chandler—with the candidates' percentages in the whole of Jefferson County, demonstrates that the differences in their totals are not so drastic as to suggest widespread anti-Chandler sentiment within Louisville's African-American community. In

³⁰ Richard Harwood, "'Happy' Chandler and the Dixiecrats," *The Nation*, July 23, 1955, 64.

³¹ Malcolm E. Jewell, *Kentucky Votes*, vol. 2, *Gubernatorial Primary and General Elections, 1923-1959* (Lexington: University of Kentucky Press, 1963), 42-43.

³² *Louisville Defender*, August 11, 1955.

Jefferson County, Combs prevailed by 34,045 votes (59.6 percent) to 21,941 (38.4 percent).³³ In short, although race was a conspicuous issue during the primary campaign, it seems to have had relatively little influence on actual voting patterns.

Race remained an issue in the general campaign, although it was not a central concern. The main story was whether the Republican nominee, Lexington attorney Edwin R. Denney, could exploit the ill will among Democrats that lingered after the primary. Although Republican candidates usually exceeded 40 percent of the vote in Kentucky gubernatorial elections, they had captured the governor's seat only twice in the last twenty-eight years and that was when the Democratic Party had remained split after a contentious primary (1927 and 1943). Unfortunately for the GOP, all prominent members of the Kentucky Democratic Party with the exception of Governor Wetherby, still furious over Chandler's attacks in the primary, soon rallied behind Chandler.³⁴ As a result, he surged to the lead. The *Defender*, perhaps resigned to Chandler's victory, rarely mentioned the campaign. It did, however, give Denney its endorsement, noting that "as a former judge, he holds court decisions in high respect and will seek full compliance with Supreme Court school mandates."³⁵ On election day, Chandler defeated Denney and two minor candidates easily, receiving 451,657 votes (58.0 percent) to the Republican's 322,671 (41.4) and capturing 86 of the state's 120 counties.³⁶

Chandler had repeatedly pledged during the campaign that he would serve out his term if elected. He had made this promise to quiet speculation that he would again try to use the office as a political stepping-stone, as he had done in 1938 when he ran unsuccessfully for the U.S.

³³ Jewell, *Kentucky Votes*, vol. 2, 42.

³⁴ On September 24, Clements, Combs, and U.S. Senator Alben W. Barkley, who had opposed Chandler in the primary, announced their support for Chandler publicly at a "harmony rally" at the state fairgrounds in Louisville. Approximately 20,000 people attended. *Lexington Leader*, September 25, 1955.

³⁵ *Louisville Defender*, November 3, 1955.

³⁶ Jewell, *Kentucky Votes*, vol. 2, 47.

Senate against Barkley. In June 1956, only a few months after taking his gubernatorial oath, he announced his candidacy for the presidency, however. Chandler's bid grew out of his old ambition, dating to the late 1930s, of capturing the nation's highest office. After losing to Barkley in 1938 and gaining a spot in the U.S. Senate the following year, Chandler had worked to rebuild his reputation and power base. By 1944, he believed he enjoyed enough support within the party to capture the vice presidential nomination at the Democratic National Convention. President Franklin Roosevelt had never seriously considered putting him on the ticket, but Chandler believed, nevertheless, that he had missed out on the vice presidency, and subsequently the presidency following the death of Roosevelt in April 1945, because the Kentucky delegation had endorsed Barkley instead of him for the vice presidency. Chandler later claimed that if the delegation had backed him, "I'd be President instead of Harry Truman because I would have got the vice presidency."³⁷ Chandler knew in 1956 that he was not a top-tier presidential candidate, but he believed that the convention might turn to him in case of a deadlock. "If a deadlock occurs," he declared, "this may be our time."³⁸ He also indicated that he might be willing to trade his delegates to presidential candidate and New York Governor Averell Harriman, whom he considered a stronger opponent for President Dwight D. Eisenhower than Democratic frontrunner Adlai Stevenson, in exchange for the number two spot on the ticket.³⁹

Despite Chandler's hopes for a deadlock at the convention, the Democratic Party had quickly turned again to Adlai Stevenson, who had lost to Eisenhower in 1952. The former Illinois governor received 905.5 delegates, easily exceeding the required 686.5 for the nomination and far outpacing second-place finisher Harriman, who captured 210. Chandler

³⁷ Robert L. Riggs, "Happy Chandler Rides Again," *The Saturday Evening Post*, October 15, 1955, 19.

³⁸ "Happy's Days Are Here Again," *Time*, July 16, 1955, 20.

³⁹ *New York Times*, June 26, 1956.

received 36.5 votes, including all thirty of the votes of the Kentucky delegation, who were bound to the governor under the state's old unit rule, which mandated that all delegates had to vote for the candidate preferred by the majority. Chandler's delegate count placed him fifth among nine candidates.⁴⁰

Notwithstanding Chandler's abortive showing at the convention, his short-lived presidential candidacy was significant because it brought his views on civil rights, in particular school desegregation, before a national audience. To promote his candidacy, on July 8 Chandler had appeared on the NBC network's weekly Sunday morning news program *Meet the Press*. When May Craig of the *Portland (ME) Press Herald* asked Chandler about his position on school integration, he took an ambiguous stance, maintaining that the Supreme Court must be obeyed while stressing that "local conditions" had to be considered in implementing school integration. "I think ever [*sic*] American must come to the realization sooner or later that we must bring about an end of segregation, taking into account local conditions, at the earliest practical moment," he declared. Without giving specific reasons, he then avowed that integration plans that did not consider local racial attitudes were doomed to failure: "[I] think any realistic program that doesn't take that [community attitudes] into account is wrong. I think it's wrong fundamentally, and in the long run it will not succeed." When Craig later asked him whether the Democratic Party should include a civil rights plank in its 1956 party platform, Chandler said the party did not need a civil rights plank "except to affirm the decisions of the Supreme Court of the United States or affirm our willingness to be bound by them."⁴¹ During

⁴⁰ The complete delegate count was as follows: Adlai Stevenson, 905.5; Averell Harriman, 210; Senate Majority Leader Lyndon Johnson, 80; Missouri Senator Stuart Symington, 45.5; Chandler, 36.5; Georgia Congressman James C. Davis, 33; former Virginia governor John S. Battle, 32.5; South Carolina Governor George Bell Timmerman, 23.5; Ohio Governor Frank J. Lausche, 5.5. Richard C. Bain and Judith H. Parris, *Convention Decisions and Voting Records*, 2nd ed. (Washington, DC: The Brookings Institute, 1973), appendix C.

⁴¹ Audio Recording, NBC's *Meet the Press*, July 8, 1956, possession of the author.

the convention itself, Chandler continued to communicate a seemingly unclear position on civil rights. In speaking with the California and Minnesota delegations, he pledged to enforce integration, but when discussing *Brown* with the Alabama delegates, he “toss[ed] out hints that maybe he would appoint some Supreme Court justices who would do things better.”⁴²

Chandler’s assertions on *Meet the Press* and at the convention complemented some of his earlier comments on school integration, but they left other questions unanswered. The *Woodford Sun*’s 1954 editorial on *Brown* and Chandler’s statements to the Alabama delegation plainly demonstrated that the governor believed that the Supreme Court had needlessly meddled in the affairs of the states. At the same time, he believed the states were duty-bound to comply with the *Brown* decisions. In spite of this belief, Chandler’s position on how *Brown* should be implemented was underdeveloped at best and ill-conceived at worst. In his *Meet the Press* interview and in subsequent statements on integration, he would emphasize that “local conditions” should be considered when designing plans for integration. The term “local conditions,” however, was an often-used code for perpetual delay. As of 1956, the hardened racial prejudices in many areas of the Deep South had cast doubt on whether these local conditions would ever allow integration. Intractable segregationists had begun mounting a campaign of massive resistance to stop school integration, and such diehard states’ right politicians as Georgia Governor Marvin Griffin predicted that integration would never occur. “They’ll never get to us,” he proclaimed.⁴³ All the evidence indicates, however, that Chandler cautioned that “local conditions” should be considered out of genuine concern that rapid integration would precipitate violence rather than out of a desire to forestall school desegregation. He believed that white southerners would “accept social changes and reversal of

⁴² *Washington Post and Times Herald*, September 4, 1956.

⁴³ *Atlanta Journal*, May 8, 1957.

their traditional viewpoints” only with time.⁴⁴ But in this regard Chandler gravely underestimated the extent of southern racial intransigence. As of 1956 voices of moderation were rare indeed in the white South, as most southern whites were determined to maintain the racial status quo. Finally, he did not explain what should be done if white citizens did violently resist school integration. However, a dramatic set of circumstances would soon force Chandler’s hand on that last issue.

Chandler had taken the gubernatorial oath of office in December 1955, as the first semester of the 1955-1956 school year was nearing its end. At the beginning of the school year, 30 of the state’s 184 interracial school districts had voluntarily initiated some form of desegregation. Mostly located in the southeastern portion of the state, these school districts were home to small minority populations. As a result, only 359 black students attended integrated schools.⁴⁵ Desegregation had occurred without incident, a fact that pleased Robert Martin, state superintendent of public instruction, who believed that the absence of violence boded well for the rest of the state. In an April 1956 address to the Kentucky Teachers’ Association, he voiced satisfaction that “integration . . . has progressed without incident and without the mouthings of demagogues,” and urged the remaining districts to begin integration as soon as possible.⁴⁶

Although dozens of additional school districts—including Louisville, the state’s largest—announced their intention to integrate in the fall of 1956, violent opposition to *Brown* in western Kentucky soon dashed Martin’s hopes of peaceful desegregation. The triggering event came on Friday, August 31, when nine black students enrolled in the previously all-white Sturgis High School in Union County. The county board of education had not adopted a formal plan for integration, but School Superintendent Carlos Oakley had instructed school principals to enroll

⁴⁴ A. B. Chandler to Marilyn Miles, November 6, 1957, box 320, Chandler Papers.

⁴⁵ KDOE, *Racial Integration*, 22.

⁴⁶ *Louisville Courier-Journal*, April 14, 1956.

any black student seeking to register in a white school.⁴⁷ The nine students had previously attended the area's black school, Dunbar High, some ten miles from Sturgis, and they sought to transfer because Sturgis High School was closer to their homes and had better facilities than Dunbar.⁴⁸

News of the black students' enrollment spread rapidly and infuriated many in the white community. This reaction was not entirely surprising. In terms of history, custom, and race relations, portions of western Kentucky, including Union County, resembled the Deep South more closely than the rest of Kentucky. In 1860, slaves had constituted approximately 24 percent of Union County's population, one of the highest percentages in western Kentucky.⁴⁹ With its widespread slave ownership, the county was strongly pro-Confederate during the Civil War.⁵⁰ By the mid-twentieth century, the percentage of blacks in Union County's population had declined to 9.3 percent, but this percentage still placed the county above the state's average of 6.9 percent. Moreover, some portions of the county remained heavily black, and one of these areas was Sturgis. As of 1950, blacks constituted 16 percent (355) of the town's 2,222 inhabitants.⁵¹ As was the case elsewhere in the South, segregated racial patterns predominated in Sturgis. All blacks lived in a section of the city called Boxtown.⁵²

On the first day of school, Tuesday, September 4, approximately 500 citizens gathered at Sturgis High School in anticipation of the black pupils' arrival. Approaching the school on foot and without protection, the black students returned home upon seeing the mob. As they left,

⁴⁷ Burns, "The Sturgis Incident," 38.

⁴⁸ *Louisville Courier-Journal*, September 7, 1956.

⁴⁹ U.S. Bureau of the Census, *Eighth Census of the United States, Population of the United States in 1860* (Washington, DC: Government Printing Office, 1864), 181.

⁵⁰ Bonnie J. Burns, "The Sturgis Incident—Desegregation of Public Schools in Union County, Kentucky" (M.A. thesis, Murray State University, 1969), 36.

⁵¹ U.S. Bureau of the Census, *Seventeenth Census of the United States: 1950*, vol. 2, *Characteristics of the Population*, part 17, *Kentucky* (Washington, DC: United States Government Printing Office, 1952), 26, 66, 93.

⁵² *New York Times*, September 8, 1956.

Superintendent Oakley arrived on the scene and tried to defuse the situation. Addressing the crowd, he stated that he had given the students permission to enroll at Sturgis High, and he reminded everyone that Chandler had pledged to uphold the Supreme Court's decision. The crowd then quietly dispersed. Suggesting that he believed that the situation was well in hand, Oakley commented that he would not request police protection for Wednesday, when the black students were generally expected to return.⁵³

Reports of the tumult in Sturgis quickly reached Chandler's desk in Frankfort. Chandler did not share Oakley's confidence in the situation and feared violence if the black students reappeared. Unwilling to allow Sturgis to descend into lawlessness, on Wednesday he dispatched state police to the area and ordered the state's adjutant general, John Jacob Bethuram Williams, to survey the situation. Williams alerted the 240th tank battalion of the Kentucky National Guard to be prepared for immediate duty. According to Williams, Chandler was determined that "no citizen will be molested by any other citizen." Williams vowed that law enforcement would stay in Sturgis "as long as necessary" to guarantee the black pupils' enrollment.⁵⁴

No black student appeared at Sturgis High School on Wednesday. Despite Oakley's statements to the crowd that had gathered in front of the school earlier in the day, Oakley, Sturgis Mayor J. B. Holeman, and other local officials had conferred with the parents of the black students Tuesday evening and asked them to send their children to Dunbar for another year. In exchange, the officials pledged that "an effort would be made to work out an integration program

⁵³ *Henderson Gleaner and Journal*, September 5, 1956.

⁵⁴ *Ibid.*, September 6, 1956.

for next year.” The black parents agreed, and Oakley and Holeman announced that an understanding had been reached “to the satisfaction of both the white and Negro population.”⁵⁵

After the agreement with the parents, city and county officials informed General Williams that the situation had been resolved and that the National Guard would therefore be unnecessary. Williams, under Chandler’s direct orders to handle the situation as he saw fit, disregarded the suggestion. He ordered 200 National Guardsmen with tanks into Sturgis and announced that the troops would provide protection to any black child who appeared at Sturgis High on Thursday.⁵⁶ With protection assured, the black parents rescinded their pledge to send their children to Dunbar.⁵⁷ Their children would return to Sturgis High.

The stage was thus set for a violent showdown between law enforcement officials and angry segregationists on Thursday, September 6. With the National Guard looking on, a belligerent mob of between 500 and 800 persons congregated near the school before the start of classes at 8:00 AM.⁵⁸ As most of the soldiers stood ready on the school grounds, a contingent of guardsmen and twenty state police met the black students three blocks from school and escorted them on foot toward campus. Chanting “don’t let those niggers in our school,” the mob surged forward and tried to block the advance of the students and law enforcement officials as they neared the school.⁵⁹ When the guardsmen stationed on the grounds rushed in to stop them, fighting broke out and seven people were arrested. After clearing a path to the school for the black students, the National Guard and state police, with the help of two M-47 tanks, forced the crowd across the street.⁶⁰

⁵⁵ *Louisville Courier-Journal*, September 8, 1956.

⁵⁶ *Ibid.*, September 6, 1956.

⁵⁷ *Ibid.*, September 9, 1956.

⁵⁸ *Ibid.*, September 7, 1956; *Henderson Gleaner and Journal*, September 7, 1956

⁵⁹ *St. Louis Post-Dispatch*, September 6, 1956.

⁶⁰ *Ibid.*; *Louisville Courier-Journal*, September 7, 1956; *Henderson Gleaner and Journal*, September 7, 1956; *New York Times*, September 7, 1956.

With the black students now safely inside the building, the crowd began loudly chanting for the white students to leave the school. Heeding the call, many students streamed out at once, and others departed during the day. Several students who did not leave voluntarily were removed by their parents. The crowd roared its approval each time a student came out, and it derided the white pupils who remained inside as “nigger-lovers.”⁶¹ By noon, only 125 of 275 high school students remained. By the final bell, the crowd, which had reformed after dwindling during the day, was ready for another confrontation. As the black students left by a side door, members of the mob, left unchecked momentarily, ran over and tried to block them from reaching their awaiting rides. Guardsmen raised their bayonets and cleared a path once more for the black students. A police escort followed the black students as they were driven home to Boxtown.⁶²

While these events unfolded, Chandler issued a formal statement on the situation. For the first time since the Court rendered its decision in *Brown*, he described school integration as not only a law and order issue but also a rights-based concern. “We regret it is necessary to use this means [force] of guaranteeing equal rights to our citizens, but that we must do,” he declared. “They [the segregationists of Sturgis] should think for a moment that the Constitution guarantees life, liberty, and the pursuit of happiness to all people, and they ought not to interfere.” Yet he still saw integration as a law and order matter at its core: “We in Kentucky always have prided ourselves on our ability to keep law and order. When the time comes that Kentucky can’t do this, then it is time to turn in our charter,” he declared. Chandler reiterated that he would keep “the troops at Sturgis as long as necessary.”⁶³

⁶¹ *New York Times*, September 7, 1956.

⁶² *Henderson Gleaner and Journal*, September 7, 1956; *Louisville Courier-Journal*, September 7, 1956.

⁶³ *Louisville Courier-Journal*, September 7, 1956.

On Friday, none of the black children attended Sturgis after receiving telephone calls threatening the students' fathers with the loss of their jobs at a local coal mine if their children continued to attend the school.⁶⁴ Later on Friday, an undeterred Chandler repeated his determination to quell the unrest. "If they [the mob] think they can wait us out, they're wrong," he informed a reporter. "The agitators are still in the first inning and I'm in the seventh." He also announced that he would declare martial law in Sturgis at any point the adjutant general requested it. According to Don Sturgill, acting state commissioner of public safety, the governor had stated that he was "ashamed of the way the people of Sturgis [had] acted. This is a government of law, not a government of men. . . ."⁶⁵ Sturgill also commented that Chandler hoped that a strong show of force in Sturgis would deter possible anti-integration protests in other communities. The governor's goal, he declared, "was to nip this thing in the bud."⁶⁶

Initial reactions to Chandler's decision to dispatch the National Guard to Sturgis ranged from effusive praise to outright condemnation. His old nemesis the *Louisville Defender* applauded his actions: "But for the timely action of Governor A. B. Chandler and the stand he has taken for law and order . . . some of these children or their parents may have been physically harmed or annihilated."⁶⁷ The *Louisville Courier-Journal* also endorsed his decision enthusiastically: "[W]e entirely agree with the action of Governor Chandler in ordering the National Guard to Sturgis, and commend his statement thereon to every citizen of Sturgis."⁶⁸ The Kentucky Federation of Labor lauded the governor for his "prompt" decision to activate the National Guard.⁶⁹ The Louisville branch of the National Association for the Advancement of

⁶⁴ Ibid., September 8, 1956.

⁶⁵ *St. Louis Post Dispatch*, September 7, 1956.

⁶⁶ *New York Times*, September 8, 1956.

⁶⁷ *Louisville Defender*, September 13, 1956.

⁶⁸ *Louisville Courier-Journal*, September 8, 1956.

⁶⁹ Ibid., September 7, 1956.

Colored People (NAACP) telegraphed, “We hereby commend you for your democratic approach to the lawlessness exemplified by the mob at Sturgis KY,” while the Los Angeles chapter praised Chandler for “preserving law and order.”⁷⁰ B. C. Coleman, president of the Chicago-based Negro Alliance of America, was likewise especially supportive: “[I] want to congratulate you for your stand on human’s [sic] rights and the rights of every citizen, regardless of race, creed or National origin.”⁷¹

By contrast, many white Sturgis residents and other observers vilified the governor. After the confrontations on Thursday, 1,000 area residents assembled in a Sturgis park for a rally sponsored by the White Citizens Council. The crowd cheered as Millard Grubbs, state head of the Council, denounced Chandler for not allowing city and county officials to handle the situation.⁷² In its first column after Chandler’s action, the *Sturgis News* argued that the deployment of the National Guard had been totally unwarranted. The editor insisted that Sturgis residents had protested peacefully before the arrival of the Guard: “They [local citizens] were not prepared for it [integration], so some gathered—and we say again, peacefully—to protest it.” But after Chandler dispatched troops, “reason went out” and “anger came in.”⁷³ An article in *Newsweek* also held the governor responsible for the violence. Referring to the black parents’ agreement to send their children back to Dunbar, the writer argued that the situation had already been settled, concluding that “the rioting at Sturgis . . . was a perfect case study of how, in a potentially explosive situation, a wrong move at the wrong time can lead close to disaster.”⁷⁴ The *Charleston (SC) News and Courier* maintained that Chandler should have dispatched the

⁷⁰ Louisville Branch of the NAACP to A. B. Chandler, September 11, 1956, box 296, A. B. Chandler Papers.

⁷¹ B. C. Coleman to A. B. Chandler, n. d. [September 1956], box 296, A. B. Chandler Papers.

⁷² *Louisville Courier-Journal*, September 7, 1956.

⁷³ *Sturgis (KY) News*, September 13, 1956.

⁷⁴ “Integration: Between Riot and Reason,” *Newsweek*, September 17, 1956, 35.

National Guard but for different reasons. The paper argued that the black school children had incited the riot and therefore should have been removed from the scene by the Guard.⁷⁵

Chandler could not be distracted by the criticisms, for another potentially violent integration showdown was brewing only ten miles from Sturgis. On Thursday, September 6, Louise Gordon, a young African American mother of two, had driven from nearby Wheatcroft to visit the consolidated school in Clay in Webster County and informed principal Irene Powell that she wanted to enroll her two children, Theresa and James, aged eight and ten, respectively, in the all-white facility. Powell expressed concern that the school was already overcrowded, but she did not discourage Gordon from enrolling her children, observing that the school could put extra chairs in the rooms for them if necessary. Gordon left the school intent on registering her children the next day.⁷⁶

News of Gordon's intentions spread quickly and angered many in the close-knit, all-white community of 1,400. With the blessings of Clay's segregationist mayor, Herman Z. Clark, anti-integration agitators virtually controlled the city on Friday, determined to preserve the racial purity of their "good white town."⁷⁷ When Gordon and her children approached the school in their car that morning, a crowd of 100 persons turned them away by blocking the hillside road leading up to the school. Members of the mob denied reporters and photographers access to the school grounds, threatening them with bodily harm if they moved closer or took pictures. One protestor warned a reporter, "If you try to get up that hill to see what is going on, you may not get back."⁷⁸ When a journalist ignored the warning and drove his car into the school parking lot, a crowd surrounded his car and violently rocked it back and forth, forcing him to drive away.

⁷⁵ *Charleston (SC) News and Courier*, September 12, 1956.

⁷⁶ *Henderson Journal and Gleaner*, September 8, 1956.

⁷⁷ *Ibid.*, September 8, 1956.

⁷⁸ *New York Herald Tribune*, September 8, 1956.

Later that day, after tensions subsided, fifteen townspeople met with a journalist to discuss the situation. They said that they were determined to block integration and expressed concern that the governor would deploy troops in Clay as he had in Sturgis, a move that had left them “very bitter toward Chandler.”⁷⁹

Over the weekend, Chandler, General Williams, and Don Sturgill prepared for the possibility of two integration showdowns on Monday. Everyone expected Gordon to try again to enroll her children, and the black students planned to return to Sturgis High after learning that the threats to their fathers’ jobs were unfounded.⁸⁰ After deliberations, Chandler and Williams agreed to activate three additional units of the National Guard. None of the troops were sent to Clay, however, because Chandler and Williams first wanted to see what developed there on Monday before dispatching troops to the area. Sensitive to the charge that they had been hasty in sending troops to Sturgis, they sought to give the citizens of Clay every opportunity to accept integration voluntarily, but they wanted a National Guard contingent in the vicinity in case they did not.⁸¹

On Monday, September 10, seven black students returned to Sturgis High under armed guard. As hundreds of segregationists gathered to protest across from the school, all but forty-five white students stayed home. Described as “orderly” and generally “quiet” by one newspaper, the mob did not attempt to prevent the black students from entering the school, although it sporadically shouted racial epithets.⁸² Ten miles away, the citizens of Clay continued their defiance. Expecting Gordon and her children, a mob formed a roadblock near the school that morning. When the Gordons’ car approached, the crowd surrounded it and shook it and beat

⁷⁹ *St. Louis Post-Dispatch*, September 8, 1956.

⁸⁰ *New York Times*, September 10, 1956.

⁸¹ The *New York Herald Tribune* reported that Williams was “very sensitive about the ‘trigger happy’ description. . .” *New York Herald Tribune*, September 12, 1956.

⁸² *St. Louis Post Dispatch*, September 10 and 11, 1956.

on the windows, as Mayor Clark and town policeman Elbert Page stood by watching. Page eventually approached the car and told Gordon that she should leave, whereupon she turned her car around and drove home.⁸³

The incident prompted Williams to warn Clay's residents that they had twenty-four hours to settle down. Later that day, Williams and Sturgill flew to Frankfort to confer with Chandler. They agreed that the situation in Sturgis had improved, but due to the continuing unrest in Clay, they decided to dispatch even more National Guard units to the region. The move brought the number of troops in the area to over 800.⁸⁴

While Chandler and Williams bided their time on Clay, the pro-segregation citizens of Sturgis continued seething over the presence of the National Guard. On Monday, September 10, 500 people packed the Union County courthouse in Morganfield for an anti-Chandler rally.⁸⁵ Hundreds more assembled on the courthouse grounds and listened to the proceedings by loudspeaker. Jack Kershaw, a staunch white supremacist and an impassioned states' rights advocate from Tennessee, was the featured orator. He called Chandler "cowardly" for dispatching the National Guard and introduced to enthusiastic cheering a resolution demanding Chandler's impeachment for allegedly assuming dictatorial powers. Later, he implored his listeners to keep their children out of Sturgis High, declaring, "No court in the land can tell you to send your children to school. You can keep them at home—this is peaceful resistance."⁸⁶

On Tuesday, Gordon announced that she was abandoning her efforts to send her children to Clay Consolidated School and would instead enroll them in the all-black Rosenwald School in nearby Providence. Clay's anti-integration residents believed that they had won the struggle, but

⁸³ *New York Times*, September 11, 1956.

⁸⁴ *Henderson Gleaner and Journal*, September 11, 1956.

⁸⁵ *Louisville Courier-Journal*, September 11, 1956.

⁸⁶ *St. Louis Post Dispatch*, September 11, 1956.

they were soon surprised. Gordon's announcement was part of an elaborate plan devised by General Williams to integrate Clay Consolidated School while minimizing the risk of violence. Williams had secretly visited Gordon and promised her that the National Guard would escort Theresa and James to Clay if she would first enroll them at the all-black school and then announce the news to the press. Williams vowed to return with the National Guard when he believed the opportunity was right. Gordon complied with William's request to perfection. After taking her children to Providence, she sobbingly told journalists, "I can't keep my children out of school any more." Williams informed reporters and townspeople that Gordon's decision had resolved the situation. Williams and Gordon were so convincing that many reporters left the area, and the citizens of Clay resumed their normal routines.⁸⁷

That same day, Chandler telephoned Herman Z. Clark. Apparently trying to gauge the potential for violence, Chandler asked if the white citizens of Clay would accept integration. Clark responded, "I'm not going to lie to you, governor. I don't think so." The conversation grew increasingly tense. When Chandler informed Clark that he had heard that there were "hooligans" in Clay, the mayor rejoined, "If you consider the best people of Clay hooligans, then there were."⁸⁸ Clark angered the governor by telling him that there would be no integration as long as he was mayor. According to Chandler's account of the conversation, he bluntly reminded the mayor that he was not the final authority on school integration in Clay: "You got certain powers that you can exercise, but I'm going to take charge."⁸⁹

The next morning, the citizens of Clay awoke to find their streets filled with 500 National Guardsmen and sixty state police officers. The troops and police had arrived under the cover of darkness in the early predawn hours. Two hundred citizens—some of them armed--quickly

⁸⁷ *New York Herald Tribune*, September 13, 1956.

⁸⁸ *St. Louis Post-Dispatch*, September 12, 1956.

⁸⁹ A. B. Chandler with Vance Trimble, *Heroes, Plain Folks, and Skunks* (Chicago: Bonus Books, Inc., 1989), 257.

gathered at the school to protest as the National Guard escorted the Gordon children into the facility. Many parents, upon seeing the troops, kept their children home. In fact, only fifty of the nearly six hundred enrolled white students went to school, and all of them had left by 11:30.⁹⁰ Mayor Clark urged all parents to boycott the school as long as the black children remained, declaring, “The white children will stay out of school as long as there are niggers there. We’re going to prevent this forced integration by passive resistance. . . .”⁹¹

In Frankfort, Chandler held a news conference on the events in Clay. He explained that he would “take full responsibility for the decision” for moving troops into the area.⁹² As he had done in the case of Sturgis, Chandler stressed that he sent the troops to preserve “law and order, not to integrate the schools.” He singled out two events in particular as evidence of Clay’s lawlessness. First, he noted the mob’s attack on the Gordons’ car. Second, he said that a British journalist had alleged in a letter to him that he and other newspapermen had been threatened while in Clay.⁹³

As the events in Clay and Sturgis unfolded, letters from around the country poured into Chandler’s office. Chandler’s responses provide yet further insight into his thinking on integration. In each letter, he maintained that his decision to deploy the National Guard was not motivated by any personal crusade to enforce integration: “The issue which confronted me when the trouble began was not whether or not white and colored children should attend school together. . . .” Instead, the dilemma was “whether or not mob rule should be allowed to prevail.”⁹⁴ To Chandler, the correct choice was “obvious.” “When I . . . took the oath of my office . . . I swore to uphold the law and to protect the rights of every citizen,” he wrote. In his

⁹⁰ *St. Louis Post-Dispatch*, September 12, 1956; *New York Times*, September 13, 1956.

⁹¹ *New York Herald Tribune*, September 13, 1956

⁹² *Henderson Gleaner and Journal*, September 13, 1956.

⁹³ *New York Herald-Tribune*, September 13, 1956.

⁹⁴ A. B. Chandler to R. D. Blanding, September 19, 1956, box 320, Chandler Papers.

opinion, “any Chief Executive bound by such an oath who would allow a mob to deprive any citizen of any of the rights to which he is entitled under the law would have only one honorable course open to him, and that would be to resign his office.”⁹⁵

In perhaps the most enlightening correspondence, Chandler answered a questionnaire on school integration sent to him by a Southwest Missouri State College student who was conducting research on the topic. In response to a question about the causes of school violence in Kentucky, Chandler maintained that *Brown* had provoked widespread condemnation among southerners because school integration threatened to upset the South’s entire racial caste system:

In certain areas of Kentucky there is a long established and deeply felt tradition against social mixing between negroes and whites. I think the trouble arising from integration of schools has its essential origin in this tradition, for many people think that the relationships between school children are largely social, and that social attitudes are formed during school years. Therefore they see the integration of schools as the first step of a process which will eventually break down that tradition. I think that the above applies to the South in general.

Responding to question on whether a majority of blacks favored school integration, Chandler stated that he had not seen any surveys on the matter, but he personally believed the answer was “‘yes,’ although not unanimously so.” He also maintained that he believed that the Supreme Court in *Brown II* had purposely avoided setting a strict timetable for integration “to eliminate the possible causes of violence,” and he once again pledged to uphold the law so that “every citizen is allowed to exercise those rights and privileges to which he is entitled. . . .”⁹⁶

Chandler’s firm stand for law and order soon began to pay off in Sturgis. With the National Guard still providing protection to the black children, white citizens had seemingly resigned themselves to integration. Student attendance, at one point approximately 15 percent of

⁹⁵ A. B. Chandler to the Louisville Branch of the NAACP, September 14, 1956, box 296, Chandler Papers.

⁹⁶ A. B. Chandler to Myrtice C. Long, September 18, 1956, box 320, Chandler Papers.

normal, gradually increased until it reached 90 percent on Friday, September 14.⁹⁷ At the same time, the number of protestors had declined each day.⁹⁸

Clay's segregationists, on the other hand, remained intransigent, as only one white student, a third grade boy, attended classes on Thursday, September 13. That same day, Webster County School Superintendent Wilbur Collins asked state Attorney General Jo M. Ferguson to rule whether the Gordon children were legally entitled to attend Clay without the county board of education first formally approving a plan for integration, which it had not. In a move that would have far-reaching consequences, Ferguson ruled that the students were illegally enrolled:

It is apparent that the Supreme Court desired to establish an orderly process for accomplishing its purposes. It logically places the responsibility upon the local agency in charge of the schools.

The corollary of this principle is that an individual parent has no right to enroll his child in a school without some action having been taken by the school board. If he had such right, the orderly process would be completely destroyed.

If the school board has failed in its responsibility under the Supreme Court decision, a parent or group of parents may make application to a court having jurisdiction to compel action by the school board.

It is plain, however, as we say again, that action toward integration must be taken by the board itself, either voluntarily or upon orders of a court, before integration begins.⁹⁹

Events proceeded rapidly after Ferguson's ruling. A spokesperson for Chandler stated that the governor would not respond to the ruling until he had read it.¹⁰⁰ In the interim, the National Guard remained stationed in both Clay and Sturgis. In Clay, a third black student, Bobbie Carl Copeland, enrolled in school on Friday.¹⁰¹ Later that day, the Webster County

⁹⁷ *St. Louis Post-Dispatch*, September 17, 1956.

⁹⁸ Roscoe Giffin, *Sturgis, Kentucky: A Tentative Description and Analysis of the School Desegregation Crisis*, Field Reports on Desegregation in the South (New York: B'nai B'rith, c. 1957), 12.

⁹⁹ *Henderson Gleaner and Journal*, September 14, 1956.

¹⁰⁰ *Ibid.*

¹⁰¹ *Ibid.*, September 15, 1956.

Board of Education ruled that, in view of the attorney general's decision, Copeland and the Gordons must return to Rosenwald until the county approved a procedure for integration. The board instructed Clay's principal to announce its decision to the black children on Monday, September 17.¹⁰²

The principal complied with the request. As the Gordon children, Bobbie Copeland, Copeland's brother, Samuel (who was seeking to enroll), and their parents approached the school building that morning, the principal met them out front and read a short letter announcing the school board's decision. Louise Gordon and the mother of the Copelands stated that they would respect the decision and enroll their children in Rosenwald. Whites who had congregated near the school in anticipation of the announcement cheered wildly as the black students and parents left. Mayor Clark was especially enthusiastic: "There will be no integration here this year, next year, or ever."¹⁰³

While maintaining his silence on the attorney general's opinion, Chandler kept the National Guard in Clay for the time being to see what type of legal action would be taken. James C. Crumlin, an attorney and head of the Kentucky NAACP, had announced after the Gordon and Copeland children had been turned away that he would file an injunction against the Webster County school board in federal district court.¹⁰⁴ Crumlin was noncommittal as to the type of injunction that he would seek. A temporary injunction would allow the children to return to school until trial or other court action. The National Guard would, therefore, need to remain on hand. If Crumlin filed a permanent injunction, by contrast, the children's fate would rest on the outcome of the lawsuit, which could take months. A permanent injunction would thus allow Chandler to send the National Guard home without the possibility of immediate redeployment.

¹⁰² Ibid., September 16, 1956.

¹⁰³ *New York Times*, September 18, 1956.

¹⁰⁴ *Henderson Gleaner and Journal*, September 18, 1956.

While Chandler was awaiting Crumlin's move, the protests in Sturgis quickly regained their vigor. Emboldened by the perceived success of the school boycott in Clay, Wright W. Waller, head of the Union County White Citizens Council, called a meeting for Saturday night at Morganfield, the county seat. More than 200 people gathered on short notice to hear Waller urge white parents to withdraw their children from Sturgis.¹⁰⁵ News of Waller's proposal spread rapidly and received widespread backing; on Monday, attendance at the school declined precipitously to seventy-three. That evening, only hours after the black students had been turned away from Clay, Waller staged another, larger rally at Morganfield. Approximately 2,500 people heard speeches by Waller, Mayor Clark of Clay, and other local officials. Clark exhorted the crowd to follow Clay's lead by staging a total boycott of Sturgis High. He energized his listeners by excoriating Chandler. Clark, a Chandler supporter in 1955, announced that his vote had been a mistake: "A smart man changes his mind and a damn fool never did. And I changed mine."¹⁰⁶ Only Sturgis Mayor J. B. Holeman urged the crowd to accept integration, insisting that nothing was "to be gained by keeping the kids out of school," a statement that triggered widespread jeering and heckling.¹⁰⁷

Sturgis saw two important developments on Tuesday, September 18. First, in response to the rally, attendance at Sturgis High School dropped further, to fifty-seven. The boycott also began to affect attendance in the rest of the building; for the first time during the crisis, attendance at the junior high and elementary levels dropped below normal.¹⁰⁸ Second, the Union County Board of Education asked Attorney General Ferguson whether his opinion in the Clay case also applied to the situation in Sturgis. The attorney general replied that it did. With this

¹⁰⁵ *Evansville Courier*, September 17, 1956.

¹⁰⁶ *Louisville Courier-Journal*, September 18, 1956.

¹⁰⁷ *St. Louis Post-Dispatch*, September 18, 1956.

¹⁰⁸ *Louisville Courier-Journal.*, September 19, 1956.

ruling in hand, the school board voted to bar the black students from Sturgis on the grounds that they had been enrolled illegally.¹⁰⁹ “It is hereby ordered,” School Superintendent Carlos Oakley declared, “that the Negro children should attend the Dunbar school.”¹¹⁰

The next morning, in a scene startlingly reminiscent of the one in Clay two days before, the principal of Sturgis High met the black students outside the building before school began and read the decision of the school board. With no recourse immediately available, the black students departed. Several hundred whites who were on hand for the announcement enthusiastically celebrated the outcome. “This is the happiest moment of my life,” one person announced. “Don’t ever try to come back no more,” another shouted.¹¹¹ As the car with the black students slowly exited the school parking lot, an elderly white woman ran behind it and beat furiously on the trunk, an action that prompted an onlooker to praise her for her “guts.”¹¹² With the black students barred, the boycott was called off, and white students began returning to classes.¹¹³

On September 21, Crumlin announced that he would seek permanent injunctions against both the Union County and Webster County school boards.¹¹⁴ The day after Crumlin’s announcement, Chandler granted General Williams’ request to withdraw the National Guard from Clay and Sturgis. “Governor Chandler has reviewed the situation and has approved my recommendation that troops be withdrawn. . . . The National Guard is now on its way home.”¹¹⁵ For the time being, the integration showdown would be waged in the courts.

¹⁰⁹ *New York Times*, September 19, 1956.

¹¹⁰ *Henderson Gleaner and Journal*, September 19, 1956.

¹¹¹ *New York Times*, September 20, 1956.

¹¹² *St. Louis Post-Dispatch*, September 19, 1956.

¹¹³ *New York Times*, September 20, 1956; *Henderson Gleaner and Journal*, September 20, 1956.

¹¹⁴ *New York Times*, September 22, 1956.

¹¹⁵ *Louisville Courier-Journal*, September 23, 1956.

Chandler apparently never commented on the attorney general's rulings. Considering his other statements on law and order, however, he undoubtedly viewed the rulings in the same light as he did the *Brown* verdict. The rulings were the law until a court ruled otherwise, and whether he supported the reasoning behind the verdicts or not, Chandler believed that he was duty bound by his oath to follow the attorney general's decision. Given his deeply rooted respect for the law, it would have been out of character for him to pass public moral judgment on the attorney general's decrees.

Crumlin filed the injunctions concurrently at the United States District Court in Owensboro. After the opening round of testimony on December 12, Judge Henry L. Brooks ordered the school districts to devise desegregation plans before the start of the February term of the court.¹¹⁶ Both Union and Webster counties complied. Union County officials designed a plan for gradual desegregation that would culminate in the integration of the eleventh and twelfth grades in September 1959. Webster County's plan, meanwhile, called for "voluntary" integration to begin in September, meaning that the county's all-black high school would remain open and black students could attend either the black or white high schools. When the court reconvened, Brooks held Webster County in compliance with *Brown II*. He ruled, however, that Union County's proposal failed to meet the standard of "all deliberate speed." He ordered the county to begin desegregating at the high school level by fall, an order to which the county consented, although it, too, ultimately adopted a "voluntary" integration plan.¹¹⁷

Crumlin objected to the inclusion of the word "voluntary" in the judgments announced in the Webster and Union county cases (*Gordon v. Collins* and *Garnett v. Oakley*, respectively), arguing that the school districts could potentially exploit the wording to delay full integration for

¹¹⁶ *New York Times*, December 13, 1956.

¹¹⁷ *New York Times*, February 9, 1957; "Courts Orders 4 Kentucky Counties to Desegregate," *Southern School News*, March 1957, 12.

years to come, but Judge Brooks bluntly informed Crumlin that his fears were unwarranted: “I don’t think you should be looking out and grasping for something that doesn’t exist.” Brooks also refused even to consider the discussion of the possibility of desegregating the counties’ elementary schools, noting that grade school integration had not been mentioned in the lawsuits as originally filed.¹¹⁸

As Crumlin feared, integration would still not come quickly or occur without incident in either county. No Webster County black student chose to attend a white school in the fall of 1957. After submitting its plan for immediate “voluntary” desegregation, the school board did not encourage desegregation; in fact, it actively discouraged it by offering to pay black students’ tuition if they remained at Rosenwald.¹¹⁹ As a result, no black student entered a white school in Webster County until the fall of 1963.¹²⁰ In Union County, by contrast, seventeen black students prepared to enroll in Sturgis High School as the 1957-1958 school year approached.¹²¹ News of their impending enrollment brought Sturgis to the brink once again.

Expecting trouble, Chandler dispatched General Williams and the state police to the area. On the first day of classes, Tuesday, September 3, a crowd of 300 rowdy segregationists assembled outside the school. The black students arrived via a five-car cavalcade. Eight state troopers held back the crowd, but they were powerless to halt the barrage of rocks and soft drink cans that the mob hurled at the cars carrying the black students.¹²² Despite the bombardment, Williams concluded after a careful survey of Sturgis that the situation did not warrant

¹¹⁸ “Courts Order 4 Kentucky Counties to Desegregate,” *Southern School News*, March 1957, 12.

¹¹⁹ *New York Times*, September 3, 1957.

¹²⁰ KDOE, 152. Segregation ended when two black students enrolled in Webster County High School in the fall of 1963. The county’s elementary schools were integrated the following school year.

¹²¹ *Louisville Courier-Journal*, September 4, 1957.

¹²² *New York Times*, September 4, 1957; *Louisville Courier-Journal*, September 4, 1957.

mobilization of the National Guard. He did, however, request additional state troopers.

Chandler agreed, and the next day, twenty-two more police officers were on the scene.¹²³

The increased law enforcement presence quickly brought order to Sturgis. The police arrested four protestors on Wednesday, and State Safety Commissioner Don Sturgill, mindful of the instrumental role the local White Citizens Council had played in the boycott of Sturgis High School in 1956, ordered his state troopers to arrest the council's chairman, Wright W. Waller, if he said anything that in their judgment could incite a riot.¹²⁴ Later that day, Waller appeared at a meeting sponsored by the council, urging his 500 listeners to keep their children out of Sturgis High School. However, Sturgill's threat of arrest had obviously mitigated Waller's usually inflammatory rhetoric; as the *New York Times* reported, "Waller said he wished to do nothing that might be construed as incitement to riot or conspiracy to violate state laws. . . ."¹²⁵ Seventy students heeded Waller's call and stayed home on Thursday, but after the school announced that missed work could not be made up, only twenty-one students were absent on Friday.¹²⁶ On Thursday, some white students attempted to prevent the black students from entering the school by blocking the front door, but they offered no resistance when the state police ordered them aside.¹²⁷ The number of protestors declined each day until none was present on Friday.¹²⁸

On Saturday, September 7, the White Citizens Council attempted to revive the flagging protest by staging a rally at the Union County fairgrounds. Waller pleaded with his listeners to pull their children from the school. W. M. Caskey, a Mississippi College political science professor and a frequent speaker at segregationist rallies, implored the crowd of 600 to demand

¹²³ *Louisville Courier-Journal*, September 5, 1957.

¹²⁴ *Ibid.*

¹²⁵ *New York Times*, September 5, 1957.

¹²⁶ *Louisville Courier-Journal*, September 5 and 6, 1957.

¹²⁷ *Ibid.*, September 6, 1957.

¹²⁸ *Ibid.*, September 7, 1957

that Chandler follow the lead of other southern governors and adopt the policy of interposition—the doctrine that a state has the right to interpose its sovereign powers against encroachment by the federal government. Caskey cited Arkansas governor Orval Faubus’s use of the National Guard to block integration at Little Rock Central High as the example that Chandler should follow.¹²⁹

The White Citizens Council meeting, ignored by Chandler, failed to spur Sturgis’ segregationists into action. A few protestors did arrive for the start of school on Monday, and fifteen white students left the building when the black students entered, but overall the situation continued to improve.¹³⁰ The next day, law enforcement could report for the first time that “it was very quiet when school opened today, with no incidents, and no problems.”¹³¹ On Wednesday tensions had eased to the point that the blacks students, who had been driven to school each day, felt comfortable enough to walk to the school without protection. On Friday, September 13, with the situation near normal, Chandler and Williams decided to withdraw all police.¹³² Sturgis High School had been desegregated.

The remainder of Union County schools remained segregated. Either out of fear or by choice, blacks living outside of Sturgis continued to attend Dunbar High School, which the school board kept open. When the new consolidated Union County High School was completed in 1964, the school board closed Dunbar High School, ending segregation in Union County in grades ten through twelve.¹³³ Dunbar continued to operate as a grade and middle school through the 1964-65 school year. In May 1965, however, Union County School Superintendent Lewis Baker announced that Dunbar would close in response to Title VI of the Civil Rights Act of

¹²⁹ *New York Times*, September 8, 1957.

¹³⁰ *Louisville Courier-Journal*, September 10, 1957.

¹³¹ *Ibid.*, September 12, 1957.

¹³² *Ibid.*, September 14, 1957.

¹³³ KDOE, *Racial Integration*, 174.

1964, which empowered the federal government to deny federal aid to southern schools that refused to desegregate.¹³⁴ The 1965-1966 school year was therefore the first to see countywide integration.

The slow pace of integration in Webster and Union counties was not uncommon in Kentucky, especially in the western portion of the state. About half of all school districts with biracial populations had integrated by the beginning of the 1956-1957 school year, but then the pace of integration slowed considerably. By the 1958-1959 school year, the last full school term of Chandler's governorship, only a handful of additional biracial districts (58 percent total) had integrated, and only approximately 35 percent of districts in western Kentucky with black and white students operated on an integrated basis.¹³⁵ The rate of integration did not begin to quicken considerably until the early 1960s, and even then some recalcitrant districts remained segregated until the Civil Rights Act of 1964.

Less than a week after the police had left Sturgis in September 1957, Chandler had journeyed to Atlanta for the Georgia Tech-University of Kentucky football game on Saturday, September 21. Arriving two days early to deliver speeches at three functions sponsored by civic clubs in Atlanta and Canton, he found reporters more interested in his views on integration than in his attendance at the football game or the content of his speeches. In interviews with the press, Chandler confronted the issue straight on. He announced that he was a "moderate" on school integration, and he declared that the South must prepare for integration. "This is the law and we've got to keep it," he maintained. "The alternative is violence and a breakdown of law and order and we can't tolerate that." He warned that southern school districts would invite

¹³⁴ *Sturgis News*, May 13, 1965.

¹³⁵ KDOE, *Racial Integration*, 12. For the estimates on the number of integrated public school districts in western Kentucky, see David L. Wolfford, "Resistance on the Border: School Desegregation in Western Kentucky, 1954-1964," *Ohio Valley History* 4, no. 2 (Summer 2004): 56.

violence if they did not consider “local conditions” when devising plans for integration but expressed confidence that the South would grant blacks “freedom of [educational] opportunity.” Admitting that his statements might infuriate many residents of Dixie, he declared that his positions were “something they can live with although they won’t like the outcome.”¹³⁶

Chandler’s former U.S. Senate colleague Richard Russell introduced him to his Canton audience on Thursday night. Russell, who vehemently opposed the Supreme Court’s ruling in *Brown*, avoided any direct reference to school integration in Kentucky. Russell called Chandler his “old and valued friend” and asserted that the Kentucky governor had a “genius for government.” The Georgian noted, however, that “our views on some issues are as far apart as the poles”—an apparent allusion to their divergent positions on civil rights. Chandler, for his part, praised Russell, insisting that he would have made a fine president. During his speech, he spoke mostly about foreign policy, in particular U.S.-Soviet relations, essentially in general terms. Toward the end of the address, he briefly discussed, in rambling fashion, civil rights in the context of the Cold War, implying that the USSR seized upon violent resistance to school integration within the United States to discredit democracy and capitalism:

It makes no difference what the problem is. At some time or another, we have to agree on a solution for it. . . . [T]he Soviet Union that now does the best it can to make capital of ever [*sic*] incident that happens in this country that they can magnify I said today, and I will repeat now, I wasn’t present . . . when they gave out the colors. I don’t know what caused the Lord to make us into so many colors I am a law-abiding citizen. . . . I bow to the decisions of our judges. . . . The other side is anarchy and mob rule, and that we cannot have.”

Presumably referring to violent opposition to *Brown*, Chandler later explained that he believed everyone has the right to protest anything he chooses but added that a government “not wishing to be destroyed” had an equal right to quell disturbances. He concluded his speech with a brief discussion of what he perceived to be the growing influence of the federal government at the

¹³⁶ *Atlanta Constitution*, September 20, 1957.

expense of states' rights, although he did not mention civil rights in that context. Chandler's audience, polite throughout, warmly applauded him at the end.¹³⁷

Chandler left Georgia before the start of the Southern Governors Conference at Sea Island on Sunday, leading some political observers to speculate that he wished to avoid a confrontation on integration. Chandler, however, insisted that he had a prior engagement—the inauguration of the University of Kentucky's new president on Tuesday—that prevented him from attending the conference, scheduled to end on Wednesday. "I don't hide from anything," he insisted.¹³⁸ Georgia Governor Marvin Griffin maintained that Chandler was welcome at the meeting but conceded, "I do not agree with him" on integration.¹³⁹

After September 1957, as the integration crisis in Kentucky waned, Chandler rarely discussed integration, but he did give two important addresses on the subject in the spring of 1958. The speeches were notable because they were apparently the first and only instances in which he expressed his views before large black gatherings. On April 27, he spoke at Kentucky State College at the state conference of the NAACP. Referring to the organization's banishment from some southern states, Chandler expressed hope that NAACP meetings could one day take place throughout the nation, and he declared that it was his duty as governor to protect all the people. In a moment of bravado not atypical for Chandler, he also praised himself for how he had managed integration, noting that Louisville School Superintendent Omer Carmichael had recently commended his handling of school integration.¹⁴⁰

On May 13, he spoke before a meeting of the National Newspaper Publishers Association (NNPA), a federation of black-owned newspapers, in Washington, DC, at the

¹³⁷ A. B. Chandler, Speech at Canton, GA, September 19, 1957, tape recordings, container 19, A. B. Chandler Papers.

¹³⁸ *Atlanta Journal*, September 19, 1957.

¹³⁹ *Ibid.*, September 21, 1957.

¹⁴⁰ *Louisville Defender*, May 1, 1958.

invitation of Frank Stanley of the *Louisville Defender*.¹⁴¹ Once one of the chief critics of Chandler's record on race, Stanley now viewed the governor as a civil rights proponent due to his stance in Clay and Sturgis. Indeed, the *Defender* had recently observed that "Chandler has scored significant firsts in race relations that has [*sic*] earned him the reputation among many as being the South's most liberal governor."¹⁴² In his address, Chandler argued that integration was both legally and morally correct. Recounting an overseas trip in 1957, he stated, "Last year, I had the privilege of visiting the Holy Land. I stood near the spot where the Savior delivered the Sermon on the Mount. . . . I was close to the place where He multiplied the loaves and the fishes. . . ." The moral righteousness of integration was, he asserted, "settled 2,000 years ago at Calvary," when Jesus Christ "died on the cross for the sins of the whole world." He also related how he had been asked about the integration crisis in Little Rock, Arkansas, when he had visited Europe during the same trip abroad: "No answer. I can't answer. I can't legally make a good answer in God's name. I can't morally make a good answer . . . and when I cannot answer either legally or morally, God knows that I have no ground—no solid ground on which to stand."¹⁴³

Chandler's words were at variance with most of his previous comments on integration. Chandler had claimed in only one previous instance that integration was both a moral and legal issue. In an October 1957 letter to a segregationist who had condemned his position on integration, he had declared, "I do not think it is Christian, and I know it is not lawful, to deny our citizens equality of opportunity and protection under our laws."¹⁴⁴ During the Sturgis and Clay crises, however, he had repeatedly couched his decision to dispatch the National Guard in

¹⁴¹ William O. Walker, President of the National Newspaper Publishers Association, to A. B. Chandler, April 10, 1958, box 590, Chandler Papers.

¹⁴² *Louisville Defender*, April 17, 1958.

¹⁴³ A. B. Chandler, Speech at National Newspaper Publishers Association Conference, Washington, DC, May 13, 1958, tape recordings, container 14, A. B. Chandler Papers.

¹⁴⁴ A. B. Chandler to Dean Boggs, October 14, 1957, box 320, Chandler Papers.

terms of law and order. Even when writing civil rights organizations about the events in Clay and Sturgis, he had stressed that he had sent the National Guard to maintain order rather than to enforce integration. On occasion, he had written that it was morally wrong to deny black children their legal right to attend the school of their choice, but he had never pronounced integration correct in strictly moral terms. Perhaps by May 1958, when the furor over integration was dying down in the commonwealth, he felt comfortable enough to speak his mind fully for the first time. Perhaps Chandler might have believed that taking such a courageous public stance would better position him for another run at the White House. Already contemplating a second presidential bid in 1960, he knew from Richard Russell's failure to gain appreciable support outside the South during his 1952 presidential candidacy that a southerner had to broaden his political base to have a chance of capturing the Democratic nomination. By publicly proclaiming the moral correctness of integration, he increased his chances of winning some support from northern Democrats who rejected segregationist positions. If Chandler did have a presidential bid in mind when he addressed the NNPA, however, it is curious that he apparently never again declared integration morally correct in a public setting, nor did he encourage school districts in Kentucky to desegregate. Whatever his reasons for declaring integration morally correct when he did, he surely deserves some credit for making such a bold public statement on integration at a time when few white southerners, even those who might have shared Chandler's beliefs, would have spoken before a black organization, not to mention declare integration morally right in front of that same audience.

Chandler was not the only southern governor to enforce school integration in the mid-1950s. In September 1956, concurrently with the events in Sturgis and Clay, Tennessee Governor Frank G. Clement dispatched the National Guard to Clinton in east Tennessee to quell

uprisings that had erupted there when twelve black students had tried to enroll at the local all-white high school.¹⁴⁵ Like Chandler, Clement stressed that he had deployed the Guard to maintain order rather than to promote desegregation.¹⁴⁶ Unfortunately, in the years immediately following *Brown*, no other southern governor followed Chandler and Clement's lead and used state law enforcement to enforce compliance with *Brown*; instead, they mobilized law enforcement to preserve the racial status quo. In the first such instance, Governor Allan Shivers of Texas moved to obstruct the desegregation of Mansfield High School in August 1956 after courts had ruled that the district must permit black students to enroll. With mobs gathering in anticipation of the black students' enrollment, Shivers ordered Texas Rangers to the east Texas school and instructed them "to arrest anyone, white or colored, whose actions are such as to represent a threat to the peace at Mansfield." Notably, he did not order the Texas Rangers to escort or protect any black students who came to the school. In another ploy, he instructed the school board to transfer out of the district any student, regardless of race, whose attendance might incite violence. Although his decrees ostensibly applied to both races, Shivers clearly intended that they pertain only to blacks, whose mere presence at the school would have elicited verbal protests and perhaps even physical violence among members of the white mob. Faced with an intransigent governor and a hostile local populace, no black student attempted to enroll in 1956. In fact, Mansfield High would remain all white until 1965.¹⁴⁷ Shivers' machinations foreshadowed the actions of another southern governor who was willing to place the preservation of segregation above the responsibilities of executive authority.

¹⁴⁵ For a contemporary account of the Clinton desegregation crisis, see Anna Holden and others, "Clinton, Tennessee: A Tentative Description and Analysis of the School Desegregation Crisis," (New York: Anti-Defamation League, c. 1957).

¹⁴⁶ *St. Louis Post-Dispatch*, September 17, 1956.

¹⁴⁷ Robyn D. Ladino, *Desegregating Texas Schools: Eisenhower, Shivers, and the Crisis at Mansfield High* (Austin: University of Texas Press, 1996), 93-122, 142 (Shivers quotation on 102).

In that instance, Arkansas Governor Orval Faubus used the National Guard to try to prevent the enrollment of nine black students at Little Rock's Central High School in 1957. Although the Little Rock School Board had made plans for school desegregation, racial extremists within the community had vowed to preserve the racial purity of the school. With segregationists continuing to seethe as the first day of school approached, the prospects of peaceful desegregation seemed remote. Faubus dispatched the National Guard to the school on September 2 to preserve law and order. In so doing, he claimed that he was neither opposing integration nor defending segregation, but, in reality, he had, as historian Numan Bartley has observed, "committed himself to a segregationist course of action." The easiest—and politically most popular—means to prevent violence was to bow to the wishes of the mob and uphold segregation. On September 3, a federal court ordered the school to admit the black students the next day. Nevertheless, when the nine black students approached the school on September 4, the National Guard, with Faubus' blessing, defied the court order and turned the black students away as a howling mob looked on and cheered its approval. For the next sixteen days, the Guard continued to defy the ruling of the court and maintain segregation.¹⁴⁸

After a federal judge on September 20 enjoined Faubus and the National Guard commanders from further obstructing desegregation, the governor immediately removed the National Guard, and in so doing, he largely left the Little Rock crisis in the hands of city officials who were largely powerless to protect the black students. City police and a limited number of state police did escort the students into the building on Monday, September 23, but the mob outside the school was so large and hostile that law enforcement officials could not ensure their safety, forcing them to remove the black students before the end of classes. After receiving

¹⁴⁸ Numan Bartley, *The Rise of Massive Resistance: Race and Politics in the South During the 1950's* (Baton Rouge: Louisiana State University Press, 1969), 263-266 (quotation on 265).

several pleas for federal assistance from the mayor of Little Rock, the Eisenhower administration belatedly federalized the National Guard and sent in units of the 101st Airborne Division into Little Rock. On September 25, the federal troops cleared the streets of the mob and escorted the black students to school.¹⁴⁹ Although he had thwarted desegregation only temporarily, Faubus' public defiance of federal authority galvanized the segregationists of Arkansas and invigorated the massive resistance movement throughout the South.

Like Shivers and Faubus, Chandler emphasized that he had dispatched law enforcement to maintain law and order, but, in contrast to the other governors, he intended to preserve the peace while enforcing integration rather than maintaining segregation. As result of Chandler's fealty to the rule of law, no additional large-scale anti-integration protests took place in Kentucky after September 1957. His quick reaction to those early disturbances and his early and repeated emphasis on preserving the peace sent an unmistakable message that violent opposition to the *Brown* decisions would not be tolerated in the commonwealth. If Chandler had not insisted on protecting black children, their parents would have hesitated to send their children to schools where the situation was racially charged, and the rate of integration in the commonwealth would have been slower still. Although he overestimated white southerners' ability to overcome "local conditions"—as it turned out, many school districts would not integrate until forced to do so by the courts—he genuinely feared violence if school boards failed to consider community views on race when designing plans for desegregation. He must also be given credit for his frankness during his 1957 visit to Georgia. He could have easily pandered to segregationists by attacking the court's decision from a states' rights perspective, and he could have tried to dodge the topic, but Chandler boldly proclaimed that the South must eventually desegregate.

¹⁴⁹ Ibid., 267-269.

To be sure, Chandler had serious qualms about the *Brown* decisions, and his leadership on school desegregation was sometimes far from bold. He believed, naively, that the South had already made significant progress in race relations before the first *Brown* decision and that the Supreme Court had unnecessarily meddled in the affairs of the states. Moreover, he never confronted the issue of school integration proactively. In both Sturgis and Clay, citizens had forced his hand by breaching the peace. He also did not intervene in districts that resisted *Brown* through nonviolent means, and he never urged school districts that were slow to integrate to expedite the process. For example, Chandler said nothing when the citizens of Henderson peacefully boycotted integration at Weaverton Elementary School in the fall of 1956.¹⁵⁰

The belatedness of Chandler's announcement that desegregation was morally correct raises questions about his motivations. However, his true feelings on the morality of school desegregation are immaterial. His decision to dispatch the National Guard would have had the same result regardless of his moral interpretation of the Supreme Court's mandate in *Brown*—desegregation of the public schools in Sturgis. Furthering his legacy as a civil rights moderate, Albert Benjamin "Happy" Chandler set his states' rights convictions aside temporarily and upheld the law even as other southern governors were flouting it.

¹⁵⁰ *Louisville Defender*, September 27, 1956.

CHAPTER 5

THE MINDSET OF A MODERATE? HAPPY CHANDLER, GEORGE C. WALLACE, AND THE 1960S

The 1960s, one of the most tumultuous decades in American history, brought several ups and downs in the political career of Happy Chandler. In December 1959, Chandler's gubernatorial term expired, and Chandler's opponent from 1955, Bert T. Combs, who had won the Democratic primary after a heated race against Chandler's lieutenant governor, Harry Lee Waterfield, took the oath of office as governor. Although Chandler had been unable to run because he could not succeed himself under Kentucky's constitution at that time, the primary had been a referendum on his leadership, with Combs maintaining that Chandler, and, by extension, the members of his administration, were untrustworthy because he had reneged on his 1955 campaign pledge not to raise taxes.¹

In 1963, Chandler made a bid for an unprecedented third term as governor, denouncing the tax increases of the Combs administration. Most observers initially believed that he would prevail, but Chandler had failed to adopt his campaign tactics to the television age, instead running an old-style campaign that relied heavily on his old strengths: rhetoric laced with shape attacks on his opponents, stump singing, and one-on-one, back-slapping appeals to voters. Chandler's age (he was almost sixty-five) made his style seem even more outdated. As a result, he won few supporters among younger voters, who gravitated toward Chandler's chief rival, Edward T. "Ned" Breathitt, a thirty-eight-year-old former legislator who enjoyed Combs'

¹ George W. Robinson, ed., *Bert T. Combs, the Politician: An Oral History* (Lexington: University Press of Kentucky, 1991), 65, 73, 83.

backing and who used television effectively.² Chandler lost to Breathitt by over 60,000 votes, 309,377 to 247,661, leaving him embittered toward his Democratic rivals. In 1964, however, he joined ranks with his party to support President Lyndon Johnson's bid for a full four-year term. Three years later, Chandler again ran for governor. Splitting the anti-administration vote with Lieutenant Governor Harry Lee Waterfield (who had also served as lieutenant governor under Chandler from 1955 to 1959), he lost to Breathitt's handpicked successor, State Highway Commissioner Henry Ward, in the Democratic primary by a substantial margin. Afterwards, Chandler, increasingly angry at what he believed were repeated snubs by the state Democratic Party and what he perceived to be the party's reckless spending, endorsed the Republican gubernatorial candidate, Louie B. Nunn, and campaigned on his behalf. Although his political power had declined in Kentucky, the sixty-nine-year-old Chandler still enjoyed considerable support, especially in central Kentucky; consequently, his endorsement of Nunn arguably proved decisive in the Republican's narrow 29,000-vote victory.³

All these events occurred against the backdrop of the Civil Rights Movement, but the most noteworthy development in Chandler's life during the 1960s from the standpoint of national politics was his short-lived role in the 1968 presidential campaign of George C. Wallace, the segregationist former governor of Alabama who was running as an independent. Chandler's innate conservatism, his dissatisfaction with the two major parties, and the social upheavals of the period—especially protests against the Vietnam War—made him sympathetic to much of Wallace's message. Eschewing overtly racist rhetoric in 1968, Wallace based his campaign on "law and order," a loaded term that some people (including, apparently, Chandler) interpreted as a call for a government crackdown on antiwar protestors and the drug culture,

² *New York Times*, May 19, 1963.

³ Charles Roland, "Happy Chandler," *Register of the Kentucky Historical Society* 85, no. 2 (Spring 1987): 159.

while others saw in it an anti-minority agenda, and still others believed it implied both. In August, the Wallace campaign team, unaware of Chandler's pro-Wallace sentiments, approached the Kentuckian about becoming the former governor's running mate. They believed that Chandler's moderate record would broaden the Alabamian's appeal. After three meetings with the Wallace campaign, including a head-to-head conference with Wallace himself, Chandler agreed to join the ticket. However, many Wallace supporters objected to Chandler's moderate record on civil rights, including his role in the integration of Major League Baseball, prompting the presidential candidate to drop him as his running mate. In discussing his brief candidacy, Chandler gave conflicting explanations for his departure from the ticket.

Chandler's flirtation with the Wallace campaign and his inconsistent explanations for Wallace's decision to seek another running mate reveal much about his state of mind, political leanings, and commitment to civil rights. Moreover, the Wallace camp's decision to approach and then abandon Chandler provides critical insights into how others viewed his positions on civil rights.

Chandler's civil rights track record up to the 1960s and his statements on civil rights during the early to middle part of that decade gave little indication of his willingness to align himself with an arch segregationist. To be sure, Chandler made economic issues the centerpiece of his 1963 run for governor, mirroring his efforts in his two previous campaigns for the state's highest office. Chandler vowed that if elected he would exempt food, clothing, and medicine from the 3 percent sales tax that had been instituted by the Combs administration. "When you hear that I'm in Frankfort," he told one campaign stop, "just tell the fellow, 'It's over—I'm not paying that tax any more.'"⁴ Yet he also once again made direct appeals to black voters. In an April 19 campaign rally before a black audience in Louisville, for example, he wooed support by

⁴ *New York Times*, May 19, 1963.

recalling his actions in Clay and Sturgis, reminding those present that state parks had been desegregated during his second term as governor and noting that his second administration had hired more than 500 African Americans. He promised that “as governor it shall be my responsibility in the next four years to guarantee the right of every Kentucky citizen to be born, to live, and to die in a free state as free men.”⁵ Two weeks before the rally, Chandler had denounced the state of Mississippi for disrupting black residents’ recent attempts to register to vote: “Mississippi is as wrong as two left shoes when they inhumanly work to keep Negroes from voting. Every American must obey the laws of the land and the 15th Amendment to the Constitution guarantees the right of every citizen to vote.”⁶

Approximately a year after Chandler’s unsuccessful bid for a third term, President Lyndon B. Johnson shepherded through Congress the Civil Rights Act of 1964, the most sweeping federal civil rights measure since Reconstruction. Virtually destroying Jim Crow, the act outlawed discrimination in hotels, motels, restaurants, theaters, and all other public accommodations engaged in interstate commerce, and it guaranteed equal employment opportunities. Aware that the act threatened the region’s racial caste system, southern senators had filibustered the measure—as they had countless times before when civil rights legislation appeared before the Senate—but for the first time in history, the chamber invoked cloture against a filibuster of a civil rights measure.⁷ Chandler had always considered cloture a “gag”—and there is no evidence that he thought otherwise in this instance—but his opinion of the Civil Rights Act itself is unclear. However, he did believe that the measure was unpopular enough to cost President Johnson substantial support and possibly the presidency in the 1964 election,

⁵ *Louisville Defender*, April 25, 1963.

⁶ *Ibid.*, April 14, 1963.

⁷ Robert D. Loevy, ed., *The Civil Rights Act of 1964: The Passage of the Law that Ended Racial Segregation* (Albany: State University of New York Press, 1997), 360.

especially if the Republican nomination went to Arizona Senator Barry Goldwater, perhaps the bill's best-known opponent.⁸ Whatever his personal feelings on the act, Chandler pledged loyalty to Johnson and campaigned on his behalf during the closing weeks of the canvass.⁹ Describing one of his speeches for the president, the *Louisville Courier-Journal* reported that Chandler "said he has known Johnson since 1935 and that Johnson is the best man for the job."¹⁰

Continuing to take a middle-of-the-road approach on civil rights, Chandler opposed the Kentucky Civil Rights Act of 1966 but took a more flexible stance on an open housing law in Louisville when the city's black residents sought its passage in 1967. The first significant piece of civil rights legislation passed by a southern state, the Kentucky Civil Rights Act provided, in some aspects, greater protection against discrimination than the Civil Rights Act of 1964. Both contained equal employment provisions, for instance, but the federal law applied only to interstate commerce and originally only to firms with one hundred or more employees, whereas the Kentucky act outlawed racial discrimination in all businesses with eight or more workers. Governor Breathitt had first tried to orchestrate the act's passage in 1964, but President Johnson's signing of the federal bill delayed the Kentucky bill's approval because many lawmakers apparently believed that the state law was now unnecessary. Chandler shared these sentiments, declaring in July 1964 that "I think we have passed the time to get a bill enacted" and then adding that the federal bill was sufficient.¹¹ Chandler, however, did not actively oppose the state bill. During the 1967 Democratic gubernatorial primary, he was the only candidate in a field of ten to seem sympathetic to the open housing movement in Louisville, which sought to prohibit discrimination in the sale, rental, and financing of dwellings on the basis of race, religion, or

⁸ *Lexington Herald*, July 15, 1964.

⁹ *Louisville Courier Journal*, October 10, 1964.

¹⁰ *Ibid.*, October 1, 1964.

¹¹ *Lexington Herald*, July 15, 1964.

national origin.¹² Although he had argued that fair housing was a matter of local concern in Louisville, and not a statewide issue, he was, according to the *Louisville Defender*, the lone Democratic hopeful “who indicated any favorable reaction to open housing aspirations.”¹³ Earlier in the campaign, he had been troubled when fellow candidate Lieutenant Governor Harry Lee Waterfield had appealed to racist sentiments in denouncing open housing. The lieutenant governor had declared, “I do not believe we are justified in destroying property rights of all of the people in order to guarantee special Civil Rights privileges to a minority.” Chandler responded that he was “deeply shocked and deeply concerned to find the Lieutenant Governor predicating his race on an appeal to bigotry and racial prejudice.”¹⁴

Signs that Chandler might be favorably disposed toward Wallace began to emerge in mid-1968, however. After Chandler endorsed Republican Louie Nunn for governor, the state Democratic Party had deliberately omitted him from the ranks of delegates to the 1968 Democratic National Convention. A longtime delegate, Chandler was incensed by the snub. In retaliation, he announced in July that he would withhold support for the Democratic Party’s candidate for U.S. Senate in Kentucky, Katherine Peden. “My people . . . want to teach [the party establishment] a lesson,” he commented. “[T]here’s nothing that excites people so much as teaching other people a lesson.”¹⁵ In Chandler’s mind, his exclusion from the delegation was not the first time the Kentucky Democratic Party had snubbed him—but it would be the last. Recalling old political battles, he declared, “The leadership of the Democratic Party in Kentucky has been offensive to me, notwithstanding the fact that Laffoon, Rhea, Clements, Wetherby, and

¹² For an excellent account of the opening housing movement in Louisville, see Tracy E. K’Meyer, *Civil Rights in the Gateway to the South: Louisville, Kentucky, 1945-1980* (Lexington: University Press of Kentucky, 2009), 111-144.

¹³ *Louisville Defender*, April 6 and May 25, 1967 (quotation).

¹⁴ *Ibid.*, April 6, 1967.

¹⁵ *Glasgow Daily Times*, August 1, 1968.

Combs all bolted me when I was the Democratic nominee. I had tried to be helpful to them until last year, and then I decided that enough was enough.”¹⁶

Chandler was also infuriated by the fiscal path both Kentucky and the nation were taking. Still firmly committed to conservative economics, he decried the “disorderly” billion-dollar state debt that had accumulated during the administrations of his Democratic successors—Combs (1959-63) and Breathitt (1963-67)—and he believed that Kentuckians bore an onerous tax burden. He also thought that federal taxes were excessive. “We are overtaxed at all levels,” he declared, “and the burden of debt is intolerable.” Clearly having turned against President Johnson since the election of 1964, he also faulted the national administration for what he perceived as the nation’s declining deference to the rule of law: “The country is in such a mess we do not any longer have law and order, or respect for it, in this country.”¹⁷

As a conservative who venerated the “law of the land,” Chandler condemned student protests against the Vietnam War. A recently appointed member of the University of Kentucky’s Board of Trustees, he witnessed student demonstrations firsthand. Although the university did not witness large-scale anti-war protests until the early 1970s, Chandler believed law enforcement should take action immediately to curb anti-war activity at the university and at universities across the country. He denounced the students’ behavior as unpatriotic and disruptive. “Go to Russia and protest. See if they listen to you over there,” he announced at a 1968 meeting of the Student Bar Association. “We all have the right to protest as long as it is in an orderly fashion. But when you retreat from law, what ground do you have to stand on?” He also condemned draft dodgers, claiming that he could not fathom how anyone could betray his

¹⁶ A. B. Chandler to Nick Clooney, August 8, 1968, box 500, A. B. Chandler Papers, Special Collections and Archives, Margaret I. King Library, University of Kentucky, Lexington, Kentucky (hereafter cited as Chandler Papers).

¹⁷ Ibid.

country.¹⁸ In May 1968, Chandler was the lone trustee to vote to impose a campuswide speaker ban.¹⁹ He had taken a stand, he later explained, so that Kentucky's taxpayers would not "have their money spent for a room and lights and other utilities for a guy to speak and advocate tearing up the university."²⁰

In Chandler's opinion, neither the Republican nor the Democratic Party could reverse the nation's downward spiral. "I have no confidence in the present leadership of either party," he wrote in a private letter in early August 1968. He reserved his harshest scorn for the presidential campaign of Democratic frontrunner Hubert Humphrey: "Humphrey is a socialist and so are his associates."²¹ Needless to say, the thought of a President Humphrey troubled Chandler deeply.

Chandler's statements about the Democratic Party were hardly surprising because he had never felt entirely at home within the party. A lifelong conservative with a populist streak, Chandler had aligned himself with conservative southern Democrats from his earliest days as a politician, and he had often found himself at odds with the pump-priming economic policies of President Franklin Roosevelt during his first term as governor and his six-year stint in the U.S. Senate. Recalling the period, he called Roosevelt's spending programs "foolish" and boasted that Roosevelt always "considered me conservative."²² In 1946, in an unusual display of independence for a high-ranking elected official, he had withheld endorsement from the Democratic nominee for the U.S. Senate in Kentucky, his old political rival John Young Brown, suggesting instead that his supporters vote for Republican nominee John Sherman Cooper: "No friend of Happy Chandler can be for John Young Brown."²³ Chandler could have abstained

¹⁸ *Kentucky Kernel*, October 15, 1968.

¹⁹ *Louisville Courier-Journal*, May 8, 1968.

²⁰ *Kentucky Kernel*, October 15, 1968.

²¹ A. B. Chandler to Nick Clooney, August 8, 1968, box 500, Chandler Papers.

²² A. B. Chandler to Tom Anderson, December 22, 1969, box 486, Chandler Papers.

²³ *Louisville Courier-Journal*, October 6, 1946; Robert J. Riggs, "Happy Chandler Rides Again," *Saturday Evening Post*, October 15, 1955, 158.

from endorsing either candidate, but his desire to punish his rival won out. Chandler broke with the national Democratic Party again in 1948 to offer tacit support to Dixiecrat presidential candidate Strom Thurmond and later backed President Dwight D. Eisenhower's 1956 re-election bid. In fact, Chandler's dislike for Eisenhower's liberal Democratic opponent, Adlai Stevenson, was so intense that he refused to greet the Illinois Democrat when Stevenson flew into Lexington for a campaign stop. In doing so, Chandler failed to observe a customary courtesy extended by state governors to their party's presidential nominee. That same year, Chandler thwarted the U.S. Senate bids of his chief Democratic political adversaries in Kentucky, senator and former governor Earle C. Clements and former governor Lawrence W. Wetherby. He not only refused to solicit campaign donations on their behalf but also dispatched his well-known father to the campaign rallies of their Republican opponents.²⁴ His flirtation with the Republican Party continued with his 1967 endorsement of Nunn, but Nunn's economic policies, especially his proposal for an increase in the sales tax, cooled Chandler's support for the GOP. "I did not know Mr. Nunn then as well as I know him now," he observed.²⁵

Chandler's extreme disenchantment with the two major parties came to a head in late July and early August 1968. When questioned by a newspaper reporter about his choice for president, Chandler responded that he "could well support Wallace." He maintained that many of his political supporters had urged him to back the third-party candidate. Without elaborating, Chandler emphasized that Wallace's platform, not Humphrey's, better embodied the principles of the Democratic Party.²⁶ Coming more than three weeks before the Democratic nominating

²⁴ Sara Judith Smiley, "The Political Career of Thruston B. Morton: The Senate Years, 1956-1968" (Ph.D. diss., University of Kentucky, 1975), 9, 10, 20, 21.

²⁵ A. B. Chandler to Nick Clooney, August 8, 1968, box 500, Chandler Papers.

²⁶ *Glasgow Daily Times*, August 1, 1968.

convention, scheduled for August 25-29 in Chicago, Chandler's comments signaled that the party had, in his mind, drifted too far leftward.

After Chandler's statements appeared in the press, letters inundated his home. Many letter writers supported Chandler's comments, but a few, notably Chandler's friend and Columbus, Ohio, television personality Nick Clooney, vehemently objected to them. Clooney implored Chandler to shun Wallace: "Before you throw all of your political life, everything for which you have stood, out the window, think just once again. Think hard about the man you would support." In Clooney's estimation, Chandler and Wallace were opposites both in their politics and in their personalities. "Where you have offered statesmanship," Clooney wrote, "he has mouthed irresponsible formulas." Clooney singled out race as an issue that separated Chandler from Wallace. Alluding to Chandler's decision to dispatch the National Guard to enforce integration at Sturgis and Clay and Wallace's effort to prevent desegregation at the University of Alabama, he asserted, "When he stood in the schoolhouse door in Alabama, you stood with the children of Kentucky." Clooney maintained that if Chandler backed Wallace, he would forever tarnish his legacy: "What is [emphasis in the original] important, is how the world remembers A. B. Chandler . . . by his whole life, or by a thoughtless . . . act of his twilight years."²⁷

In a three-page reply to Clooney, Chandler agreed that he and Wallace differed on civil rights—"I did not approve of Governor Wallace's stand against the Negro," he wrote—but he added that they agreed on many other issues. Noting similarities between their gubernatorial administrations, Chandler observed, "He did insist on law and order in Alabama, and he did conduct the government honestly and with general efficiency. . . . During two administrations we

²⁷ Nick Clooney to A. B. Chandler, August 5, 1968, box 500, Chandler Papers. Nick Clooney is the father of actor George Clooney and brother of singer Rosemary Clooney. In 2004, he ran unsuccessfully for U.S. Congress in Kentucky's fourth House district.

did the same thing in Kentucky.” Chandler further wrote that he had known Wallace for fifteen years and did not believe that “he is . . . nearly so bad as they [the media?] make him out to be.”²⁸ In short, Chandler found substantial common ground with Wallace, notwithstanding matters of race.

Meanwhile, the Wallace campaign, unaware of Chandler’s statements, was conducting an intensive search for a running mate. The Wallace’s campaign’s vice-presidential selection process had begun early in 1968. Although the final decision would be his, Wallace himself did not actively participate in this process. Instead, he delegated the task to his inner political circle, especially Seymore Trammell and Earl Morgan, Jr. Trammell was the chair of Wallace’s national campaign, while Morgan, an Alabama district attorney, held the position of executive secretary. In February, former Georgia governor Marvin Griffin had agreed to join the ticket on a stand-in basis so Wallace could gain ballot access in states mandating that a running mate’s name appear on petitions. Content in retirement, Griffin had no interest in actually running. Trammell and Morgan then approached several active southern politicians: twelve-term Alabama congressman George Andrews; South Carolina congressman and chairman of the House Armed Services Committee Mendel Rivers; and Louisiana senator and majority whip Russell Long. Each declined. Andrews and Rivers were simply uninterested, while Long claimed that he would have to resign his Senate seat if he were to be of maximum advantage to Wallace. In truth, he was unwilling to relinquish his seat because he believed Wallace stood only a “long shot” chance of winning the presidency.²⁹

After these setbacks, Wallace’s advisers changed strategies, considering candidates outside the Deep South. At a minimum, they sought to strengthen Wallace’s position in southern

²⁸ A. B. Chandler to Nick Clooney, August 8, 1968, box 500, Chandler Papers.

²⁹ Seymore Trammell, unpublished autobiography, 236-237, box 5, Dan T. Carter Research Papers, Special Collections, Robert W. Woodruff Library, Emory University, Atlanta, Georgia.

and border states thought to be leaning his way (Kentucky, Tennessee, and the Carolinas), and they believed the best way of doing so was selecting an conservative running mate with widespread name recognition. Among those making the vice presidential short list were retired general Curtis LeMay, who had achieved prominence for his systematic bombing campaign in the Pacific theatre of World War II, for organizing the Berlin Airlift, and for serving as President John F. Kennedy's Air Force chief of staff, and Ezra Taft Benson, Secretary of Agriculture under President Eisenhower. Both men had the necessary credentials—national renown and ultraconservatism. Furthermore, Wallace's advisors chose LeMay because Wallace, a World War II veteran, revered the military and especially its officers. (Wallace once declared, "The generals of this country will never allow a president of the United States to destroy it. You look at every country in the world that has been taken over by military coup; it was taken over for the betterment of the country.")³⁰ A supporter of Republican presidential candidate Richard Nixon, however, LeMay declined the invitation.³¹ Running with Wallace appealed to Benson, but the ruling body of the Church of Latter Day Saints, of which he was a member, convinced him to decline on the basis that the church's image might suffer if a prominent member served as the running mate of a segregationist.³²

After these overtures failed, Morgan and Trammell looked at several retired senators and governors. Aware that the press would subject his running mate to critical scrutiny, Wallace mandated that all potential candidates be free of scandal. After careful deliberation, Trammell

³⁰ Ibid., 1j.

³¹ Thomas M. Coffey, *Iron Eagle: The Turbulent Life of General Curtis LeMay* (New York: Crown Publishing, Inc., 1986), 445.

³² Dan T. Carter, *The Politics of Rage: George Wallace, the Origins of the New Conservatism, and the Transformation of American Politics*, 2nd ed. (Baton Rouge: Louisiana State University Press, 1996), 354. Early in the campaign, Wallace's advisors also briefly considered newscaster Paul Harvey, former Arkansas governor Orval Faubus, and, strangely enough, "Colonel" Harlan Sanders, the founder of the Kentucky Fried Chicken fast-food franchise, as possible running mates. *Time*, October 11, 1968, 21. There is no evidence, however, that any of those individuals was formally approached.

and Morgan settled on Chandler, whom they considered exceptionally well qualified. He came from one of the states believed to be leaning toward Wallace, and he enjoyed national name recognition due to his tenure as commissioner of Major League Baseball. “Two time governor of Kentucky, three time [*sic*] US Senator, resigned to become base-ball commissioner. Who hasn’t heard of Happy Chandler?” Trammell observed.³³ Moreover, Wallace’s advisors believed that Chandler’s more moderate record on race would make the ticket attractive to voters who had misgivings about Wallace’s extreme right-wing views.³⁴

When Morgan and Trammell announced to Wallace in private that Chandler was their choice, he protested vigorously. “Happy Chandler was the commissioner that [*sic*] integrated baseball,” he fumed.³⁵ Wallace knew that his support, especially in the South, came from far-right-wing conservatives who stridently, sometimes violently, opposed integration. Aware of Chandler’s moderate record on race, he feared that placing him on the ticket would anger his southern supporters, if not alienate them completely. Trammell countered that Chandler’s position on civil rights was, at best, a minor “scandal” that would have negligible negative political repercussions. Still unconvinced, Wallace responded, “You know that he is a liberal and is getting pretty old. I’m afraid that he ain’t our kind of folks.” Trammell finally won Wallace’s consent to approach Chandler by stressing the political dividends of a Chandler candidacy:

No, I don’t think he is a member of the Ku Klux Klan; but governor, we have all of those folks and all of their kind. We have the John Birchers, the White Citizens’ Council, and every nut in the country. We need to attract some from the other side and we can’t do it with you. We need Happy Chandler . . . to balance the ticket. Kentucky and that general area is [*sic*] where we have

³³ Trammell, unpublished autobiography, 253.

³⁴ *Ibid.*, 254.

³⁵ *Ibid.*

great strength, but we need him for insurance. We will not loose [*sic*] any of the folks that we already have, because they don't have any place to go.³⁶

Morgan and Trammell decided to extend the offer to Chandler in person. They contacted him and arranged a meeting, the purpose of which they kept confidential. During the week of August 11, they flew to Lexington. At Chandler's home in nearby Versailles, the two advisers made their proposal upfront. Expecting the offer, a stoic Chandler responded, "I knew that you came to discuss your campaign. . . . I was prepared to listen to the Wallace story and to see the men who surround him. Now that you have asked the question, I am prepared to answer it. The answer is 'no.'" Without asking for an explanation, a dejected Morgan and Trammell returned to their Lexington hotel.³⁷

Trammell and Morgan remained in Kentucky hoping that they could persuade Chandler to reconsider. Both advisors, but Trammell in particular, were more certain than ever that Chandler would be an ideal running mate. Although Chandler's response to their invitation to join the ticket had been curt, he had made an excellent impression overall. When he first saw Chandler (one of Chandler's sons had driven him to Lexington to pick up Trammell and Morgan for their meeting), Trammell had been captivated by Chandler's vigor and gregariousness and by the admiration with which people greeted the two-time governor: "Up drives this ball of smiling energy, who is immediately bombarded with hellos and handshakes. . . . A smiling lady in the lobby said 'There's Happy Chandler. The most beloved of Lexington.'"³⁸ During the drive to Versailles, Chandler had quickly made his guests feel at home. At one point, he had stopped at his favorite golf course and introduced Morgan and Trammell to the locals, all of whom, Trammell recounted, greeted Chandler with adulation and spirited hellos. Trammell was

³⁶ Ibid., 253-254.

³⁷ Ibid., 258-259.

³⁸ Ibid., 255.

especially impressed that Chandler was on friendly terms with both blacks and whites: “He shakes hands and talks to the friendly folk both black and white as they pass our area. I silently think, these same kind of folk shake hands with Wallace; but it is out of curiosity.”³⁹

Chandler’s conviviality convinced Trammell that Chandler would not only bolster Wallace’s position in the border states and add credibility to the campaign but also enhance the ticket’s personal appeal. Whereas Wallace’s bombast and surliness alienated many people, Chandler’s folksy demeanor and broad, perpetual grin made him almost impossible to dislike. A kinder, gentler image for Wallace, Trammell recognized, would translate into more votes on election day.⁴⁰

Believing that a personal appeal from Wallace might change Chandler’s mind, Trammell and Morgan telephoned their boss and asked him to come to Kentucky. Wallace stubbornly refused: “No. You just work it out and get him!”⁴¹ Wallace’s intransigence left his advisers with no other option but contacting Chandler personally. They called to let him know that they would be in town a while longer if he had a change of heart. A few days later, Chandler visited Trammell and Morgan at their hotel and informed them that he would join the ticket after all. He added that his decision would be official once he met with Wallace and determined their respective roles in the campaign.⁴²

The reason for Chandler’s volte-face remains a mystery. He later wrote that he agreed to run because he would “counterbalance” Wallace’s civil rights record and bring valuable experience to the ticket.⁴³ Where Wallace lacked foreign policy experience, a serious

³⁹ Ibid., 256.

⁴⁰ Ibid., 255-256, 258.

⁴¹ Ibid., 261.

⁴² Ibid.

⁴³ A. B. Chandler to Edward J. Matys, September 27, 1968, and A. B. Chandler to James C. Savage III, October 1, 1968, box 500, Chandler Papers.

shortcoming in a presidential candidate, Chandler had served on the Senate Military Affairs Committee during World War II and was one of five U.S. senators who had taken a much-publicized tour of battlefronts during the war. Chandler also believed that his “first-hand” knowledge of “the problems of the farmers of Kentucky and the United States” would prove helpful to a Wallace administration.⁴⁴ A longtime supporter of farm price subsidies, he had been a staunch, vocal critic of Ezra Taft Benson, Eisenhower’s secretary of agriculture. Much to farmers’ consternation, Benson had vigorously pursued reduction of farm price supports during his eight-year tenure. While running for governor in 1955, Chandler had capitalized on Benson’s unpopularity by linking his Republican opponent, Lexington attorney Edwin R. Denney, to the agriculture secretary.⁴⁵

Chandler also might have reversed himself because he missed the thrill of the campaign. In fact, he apparently loved campaigning more than he liked actually holding office, as he had rarely served a full term in any political capacity before launching a bid for another position. His race for the U.S. Senate in 1938, which took place more than a year before his first term as governor was to expire, was the first and most noteworthy example of this tendency. After his appointment to the Senate in 1939 and subsequent election to that body in 1942, Chandler unsuccessfully sought his party’s vice-presidential nomination in 1944, and in 1956, after pledging repeatedly during his 1955 race for governor that he would serve a full four-year term, he announced his presidential candidacy. Against greater and greater odds, he continued to seek office after the end of his second gubernatorial administration. In addition to his two campaigns for governor in the 1960s, he briefly considered a campaign for president in 1960, and he

⁴⁴ A. B. Chandler to H. F. Harding, October 18, 1968, box 500, Chandler Papers.

⁴⁵ John Paul Hill, “The Forgotten Campaign: The 1955 Kentucky Gubernatorial General Election,” *Filson History Quarterly* 75 (Winter 2001): 85-108.

contemplated a run for the U.S. Senate in 1966.⁴⁶ As the *New York Times* observed, Chandler “gravitated to the call of politics the way water seeks its own level.”⁴⁷ When asked later why he had wanted to run with Wallace, Chandler admitted that he craved the political spotlight, joking, “Dammit, how much golf can you play anyway?” in a reference to his favorite pastime.⁴⁸ He also declared that he could not “pass up an opportunity for public service.”⁴⁹ The chance to run for vice president was undoubtedly especially appealing to Chandler in light of his long-held desire to be on a national ticket.

The meeting that promised to return Chandler to the political arena took place in Louisville on August 30. Wallace began the day still with misgivings about Chandler’s “politics,” and Trammell feared that his boss might back out of asking the Kentuckian to join the ticket.⁵⁰ Trammell’s concerns were unwarranted, however. Charmed by Chandler, Wallace’s reservations about the former baseball commissioner quickly vanished, and he emerged from the thirty-minute, one-on-one meeting convinced that he was right for the ticket. Unusually jovial, he hugged Chandler and announced, “I am happy to have Happy. A great team.” Equally enthusiastic, Chandler proclaimed, “I have come out of retirement and I am hopeful that I can help you gentlemen and help my country.”⁵¹

The emotional uplift proved amazingly brief. Even before Wallace could make the formal announcement of Chandler’s nomination, a vehement backlash emerged among Wallace’s crucial core supporters. When word leaked that Chandler was on the ticket, Wallace’s far-right-wing backers—including many members of the staunchly anticommunist John Birch

⁴⁶ A. B. Chandler to S. W. Ward, March 10, 1966, box 491, Chandler Papers; *Lexington Herald*, October 13, 1959.

⁴⁷ *New York Times*, September 18, 1968.

⁴⁸ *Louisville Courier-Journal*, September 10, 1968.

⁴⁹ *Ibid.*, September 18, 1968.

⁵⁰ Trammell manuscript, 263.

⁵¹ *Ibid.*, 266.

Society—flooded Wallace’s Montgomery campaign headquarters with angry telegrams and telephone calls. Trammell observed that the complainants “raised hell” about Chandler’s record on race and vowed to withhold their financial backing if Wallace did not replace Chandler with a die-hard segregationist.⁵²

Kentucky’s Wallace supporters were also especially displeased by news of Chandler’s selection. Eugene “Pete” Brown, one of Wallace’s Kentucky electors and the head of the state branch of the American Independent Party, denounced Chandler as an “out-and-out integrationist” and then dissolved the party’s central committee.⁵³ He further declared that Chandler’s presence on the ticket would cost Wallace his vote in the Electoral College and that of Wallace’s other eight electors in Kentucky as well if Wallace carried the state. Brown was insulted that the Wallace campaign had not informed him that Chandler was under consideration for the ticket. Alleging that the Wallace campaign had ignored his Kentucky organization, he vowed not to be slighted again.⁵⁴ A spokesman for one of Wallace’s three Louisville headquarters said that the office had “been getting calls all day and night from all over the state” condemning the choice of Chandler for the vice presidency. “Wallace supporters of the grass roots were very shocked at the possibility of Chandler being named,” he insisted. “For one thing, they think he’s too old. For another, they think he’s a has-been. It’s going to make Wallace’s job here in Kentucky an awful lot harder.”⁵⁵

Chandler shrugged off the uproar, declaring that neither he nor the Wallace campaign even knew who Brown was. When he called Wallace campaign headquarters to obtain information on Brown, Chandler said they asked, “Who is he?” “That’s what they think of him,”

⁵² Ibid.

⁵³ Brown quoted in Carter, *Politics of Rage*, 356; *Lexington Leader*, September 7, 1968.

⁵⁴ *Lexington Leader*, September 7, 1968.

⁵⁵ *Kentucky Kernel*, September 9, 1968.

he added. He also denied that there was a significant groundswell against his candidacy.⁵⁶ Later recalling the events, he argued that the opposite had actually been true: “[A] great many strong people in the country gave me assurances that if I agreed to run with George Wallace that they would support the ticket.”⁵⁷

When Wallace learned of the controversy, however, he was profoundly upset. He matter-of-factly told Trammell that the outcry against Chandler was exactly what had concerned him: “I knew this would happen! I knew that it [selecting Chandler] was wrong. You can’t fool with a fellow like that. Hell the campaign is over!”⁵⁸ Trammell attempted to reassure his boss, urging patience. When Chandler’s detractors realized that he was on the ticket to stay, Trammell argued, they would end their protest and return to the Wallace fold, because there was no other viable presidential candidate for them to support. They were, Trammell argued, a “captive electorate.”⁵⁹ Wallace ignored Trammell’s arguments. Convinced that the uproar surrounding Chandler would undermine his presidential candidacy, he dropped the former baseball commissioner from the ticket and ordered Trammell, Morgan, and his legal advisor and campaign headquarters manager, Cecil Jackson, to Kentucky to inform Chandler of his decision. They arrived on Monday, September 9. Chandler’s sons Ben and Dan met the three advisers in Lexington and drove them to Versailles. The meeting at Chandler’s home was short and to the point. A forlorn Trammell announced Wallace’s decision without offering an explanation, and Chandler, who had already learned that he was off the ticket, possibly from phone calls he had made to Montgomery, did not ask for one.⁶⁰ Only a day before his vice-presidential candidacy was to have been announced formally at a Washington, DC, news conference, Chandler had been

⁵⁶ Ibid.

⁵⁷ A. B. Chandler to Tom Anderson, December 2, 1969, box 486, Chandler Papers.

⁵⁸ Trammell unpublished autobiography, 267.

⁵⁹ Ibid., 266.

⁶⁰ Ibid., 269-270.

unceremoniously dropped from the ticket.⁶¹ Trammell later recalled that breaking the news to the former baseball commissioner had been “the toughest assignment” of his twenty years in politics up to that point.⁶²

The next day newspapers reported that Trammell, Morgan, and Jackson had tried to save the ticket by unsuccessfully pressuring Chandler during the meeting to renounce his record on civil rights, but it is clear from Trammell’s recollections and Chandler’s subsequent public statements that political negotiations had not taken place at Chandler’s home, although members of Wallace’s inner circle might have pressured him to change his views at some earlier point. Chandler knew why his name had been withdrawn before Wallace’s men visited him, and he and his wife explained to reporters why the Wallace campaign had retracted its invitation to run but gave few details; thus, the media apparently wrongly believed that their statements described what had taken place at the meeting itself. “I wouldn’t change my record if I could,” Chandler declared. “The moving finger has writ and moved on.” Mildred Chandler told reporters, “There was no meeting of minds” between Chandler and the Wallace camp.⁶³ There are “certain things in Chandler’s progressive past he’s proud of although some people believe he should have stood [*sic*] in bed at the time.”⁶⁴

On September 16, in a move that generated nationwide publicity (and clarified what had taken place at his home), Chandler and his sons held a news conference to discuss his short-lived vice presidential candidacy. He explained that “they didn’t assign me any reason” at the meeting for withdrawing the invitation to run with Wallace, maintaining that he had actually learned from Wallace’s national campaign headquarters in Montgomery that he had been removed from the

⁶¹ *Louisville Courier-Journal*, September 10, 1968; *New York Times*, September 10, 1968.

⁶² Seymore Trammell to A. B. Chandler, September 25, 1969, box 500, Chandler Papers.

⁶³ *New York Times*, September 10, 1968.

⁶⁴ *Boston Globe*, c. September 10, 1968, newspaper clipping, box 5, Carter Papers.

ticket due his positions on civil rights. Dan Chandler endorsed his father's account: "The lunatic fringe wanted you to say you made a mistake in 1947 and 1956," referring, respectively, to Chandler's role in the fall of the color barrier in Major League Baseball and the integration of Kentucky's public schools. "I'd never do that," the elder Chandler affirmed. Later in the conference, the former governor lambasted his would-be running mate, for whom he had had only praise days earlier, charging that Wallace was a weak politician subservient to a rich, powerful person outside the campaign: "They [Trammell and Morgan] indicated in conversation that 95 percent of the decisions are not made by [Wallace]." Chandler dubbed the mystery man "Mr. Big," theorizing that he was a wealthy Southwest oil tycoon who believed his pro-integration track record would weaken Wallace's appeal. At another point, he raised doubts about Wallace's integrity: "I couldn't believe a fellow who gave his word . . . would break it like that."⁶⁵ No longer the genial character the Wallace team had courted just a few weeks earlier, Chandler took his fight to the court of public opinion, a skill he had honed in numerous battles with his fellow Kentucky Democrats.

Over the next few weeks, Chandler continued his attacks on Wallace and attempted to dissuade his friends and political associates from backing the third-party candidate. An avid letter writer, he responded to everyone who inquired about the break with Wallace. Disparaging the presidential aspirant, he called voting for Wallace a "mistake," and he repeatedly charged that Wallace "has people behind the scenes running his campaign who would not be good for the American people."⁶⁶ Shifting his criticism to a personal level, Chandler called Wallace a

⁶⁵ *Louisville Courier-Journal*, September 18, 1968; *New York Times*, September 18, 1969; *Los Angeles Times*, September 19, 1968.

⁶⁶ A.B. Chandler to Florence Apple, September 25, 1968, box 500, Chandler Papers (first quotation); for an example of the second quotation see A. B. Chandler to Edward J. Matys, September 27, 1968, box 500, Chandler Papers.

“damned liar” in one letter.⁶⁷ In another, he argued that Wallace was not “by training, education, or experience” qualified for the presidency.⁶⁸ As he attacked Wallace, he urged support for Richard Nixon. Although Chandler had no great affinity for the Republican, he believed Nixon was “the best candidate under all the circumstances.”⁶⁹

Besides displaying Chandler’s adept command of invective, the letters were noteworthy because Chandler tried in them to distance himself from Wallace’s racial views, apparently now regretting his flirtation with the campaign of a notorious racial extremist. In some of the letters, Chandler admitted that he had joined the Wallace ticket, but he insisted that he had left the campaign on his accord because he had serious moral qualms over Wallace’s views on race—views, he insinuated, that he had been unaware of initially. In a September 25 letter to noted sports journalist Dan Daniel, for example, he contended, “When I found out that Governor Wallace hated the Jews, Catholics, and Negroes, I decided to let him go his own way.”⁷⁰ In other letters, Chandler suggested that he had in fact never been on the ticket and had rejected Wallace’s overtures because of the Alabamian’s racism. On October 7, he wrote: “I could not agree to run with George Wallace, because it is my firm conviction and belief that those associated with him hate the Jews, the Catholics, and the Negroes, and naturally, I could not become involved in a hate campaign on the hate side.”⁷¹ Chandler also told the *Glasgow Daily Times* that he had never been committed to Wallace, despite the fact that he had served unofficially as his running mate for over a week: “There was a sort of an ‘if and when’

⁶⁷ A. B. Chandler to V. C. Brown, October 18, 1968, box 500, Chandler Papers.

⁶⁸ A. B. Chandler to Katie B. Wilcox, November 4, 1968, box 500, Chandler Papers.

⁶⁹ A. B. Chandler to Florence Apple, September 25, 1968, box 500, Chandler Papers.

⁷⁰ A. B. Chandler to Dan Daniel, September 25, 1968, box 500, Chandler Papers.

⁷¹ A. B. Chandler to G. Daniel Griffin, October 7, 1968, box 500, Chandler Papers.

understanding, but the tail doesn't wag the dog." He elaborated that he had informed Wallace's aides that he would pledge support "under the proper circumstances."⁷²

Chandler's statements ring hollow. He intimated that he had learned of Wallace's attitudes toward minorities only after he joined the campaign, but Wallace's racial leanings were perhaps better known than those of any other contemporary politician, and although Wallace toned down his rhetoric during the 1968 campaign, many years would pass before he would famously renounce his segregationist convictions. Chandler himself had admitted earlier in the campaign in his letter to Nick Clooney that he disagreed with Wallace's positions on civil rights, but their differences of opinion mattered, it seems, only after Wallace asked Chandler to leave the ticket.⁷³ Many of Wallace's grassroot supporters held even more extreme views on race than the third-party candidate. Perhaps, therefore, Chandler was not fully aware of their white-hot racism until they denounced his selection as vice president, but his claim to have left the ticket of his own volition was clearly false. He had been especially enthusiastic about running for vice president, and Trammell's account of his meetings with Chandler and Chandler's early statements to the press prove that the Kentuckian did not initiate his departure.

Chandler never publicly contended that he had been unaware of the segregationist underpinnings of Wallace's candidacy, instead making that argument only in his letters, but he did insist openly at least once that he had voluntarily left the ticket because he had been unwilling to change his thinking on civil rights. Surprisingly, his conflicting stories went virtually unnoticed by the media, and only one newspaper, apparently, questioned Chandler's motivations for his initial flirtation with the campaign. The *New York Times* mentioned Chandler's changing accounts but devoted only a few sentences to the topic in a large article

⁷² *Glasgow Daily Times*, September 18, 1968.

⁷³ A. B. Chandler to Nick Clooney, August 8, 1968, box 500, Chandler Papers.

about Wallace.⁷⁴ Other newspapers ignored Chandler's shifting stories entirely and praised him for refusing to bow to pressure and renounce his civil rights record. The *Atlanta Journal* observed that Chandler's actions "reflect[ed] great credit on the 70-year-old man who for 30 years was a personality in Kentucky politics."⁷⁵ A writer for the *Louisville Times*, who admitted that the paper had "not been among former Gov. A. B. Chandler's unvarying admirers" on most issues, praised Chandler for providing "equal opportunities" for blacks during his career and for "honorably" declining to retreat from his earlier pro-integration positions in exchange for the vice presidency.⁷⁶ The *Louisville Defender* observed that if Wallace's "real objection was to the former two-time Kentucky Governor's civil rights record we think this is to Mr. Chandler's credit," but expressed disappointment with Chandler for ever considering the race: "We had been hoping that with the maturity of years and in the twilight [sic] of his career that Chandler would disassociate himself with extremists and not return to 1948 when he harbored, aided and abetted segregationist J. Strom Thurmond."⁷⁷

While Chandler was offering his various explanations, the Wallace campaign began to unravel. After dropping Chandler from the ticket, his campaign staff again faced the time-consuming task of choosing a vice-presidential candidate. Once more, they approached Curtis LeMay. This time, he was more receptive to their overtures. Initially believing Nixon the superior candidate, he had begun to have doubts as the campaign progressed. He believed that Nixon's proposals for conducting the war in Vietnam were insufficiently aggressive. Moreover, the extremely conservative LeMay was distressed by reports that Nixon would appoint moderate

⁷⁴ *New York Times*, September 15, 1968.

⁷⁵ *Atlanta Journal*, September 15, 1968.

⁷⁶ *Louisville Times* quoted in the *Lexington Leader*, September 15, 1968.

⁷⁷ *Louisville Defender*, September 19, 1968.

Republicans, such as New York Governor Nelson Rockefeller, to the Cabinet.⁷⁸ Having concluded that the former Alabama governor was the only true conservative in the race, in late September he tentatively agreed to run with Wallace. Before getting LeMay's final consent, however, Wallace had to assure the general that Wallace was not a racist and convince him that his candidacy would undercut Humphrey's support more than Nixon's.⁷⁹ Like Chandler, LeMay chafed at the thought of a liberal occupying the White House, fearing that Wallace would siphon enough votes from Nixon to throw the election to Humphrey. Before he finally agreed, LeMay asked for two more concessions. Fearful (correctly, as it turned out) that he would lose his \$50,000-a-year job with a California electronics firm if he joined the ticket, he requested financial compensation. Wallace also had to guarantee that he would oppose nuclear parity between the United States and the Soviet Union. Wallace acceded to both requirements, and LeMay joined the ticket.⁸⁰

Wallace realized quickly enough that selecting LeMay had been a catastrophic blunder. The general's advocacy of nuclear proliferation and his widely publicized call for the United States to bomb North Vietnam "back to the Stone Age" had already earned him a reputation as a loose cannon. Aware of the public's perception of LeMay, the Wallace campaign implored him to choose his words carefully if asked during the campaign about nuclear weapons. LeMay did not heed the advice. When asked the much-dreaded question following the announcement of his candidacy in a nationally televised October 3 Pittsburgh news conference, LeMay launched into a rambling lecture on the utility and safety of nuclear weapons. "We seem to have a phobia

⁷⁸ *New York Post*, November 2, 1968.

⁷⁹ Coffey, *Iron Eagle*, 445.

⁸⁰ Lewis Chester, Godfrey Hodgson, and Bruce Page, *An American Melodrama: The Presidential Campaign of 1968* (New York: The Viking Press, 1969), 698. Mihai D. Patrichi, president of the electronics firm where LeMay worked, denounced Wallace as a "demagogue" soon after the announcement of LeMay's vice presidential candidacy. *Los Angeles Times*, October 6, 1968. The *Alabama Journal* later revealed that billionaire Nelson Hunt, an ardent Wallace backer, had established a million-dollar investment fund for LeMay. *Alabama Journal*, February 4, 1971.

about nuclear weapons,” he stated. “I think there are many occasions when it would be most efficient to use nuclear weapons.” The use of atomic bombs, the general continued, posed little, if any, risk to the environment. As proof, he cited the flourishing animal life on Bikini Atoll. After twenty nuclear tests, “the fish are all back in the lagoons; the coconut trees are growing coconuts; the guava bushes have fruit on them; the birds are back.”⁸¹ LeMay admitted that the crabs were a little “hot,” but he quickly added, “The rats are bigger, fatter, and healthier than ever before.”⁸²

Desperate to stem LeMay’s potentially ruinous discourse, Wallace interrupted. The general had misspoken, he asserted: “General LeMay hasn’t advocated the use of nuclear weapons. . . . He’s against the use of nuclear weapons, and I am too.” Oblivious of Wallace, LeMay continued, creating an ever-greater public relations fiasco. When reporters questioned him again about atomic bombs, he remarked that he would prefer to avoid their use, but he would resort to “anything we could dream up” if he thought it necessary.⁸³ LeMay persisted for a few more minutes, until an apoplectic Wallace announced that it was time to leave. Finally silenced, the general left the dais with Wallace.⁸⁴

The end came too late, however, as LeMay’s frightening remarks had dealt a death blow to Wallace’s presidential candidacy. Aware of the fallout that LeMay’s words would create, Wallace was beside himself after the conference. In the space of a few minutes, LeMay, it seems, had destroyed Wallace’s longstanding reverence for the military. “I was afraid all the time of what that son-of-a-bitch would say,” he raged. “You can’t control a hard-headed military man.” Unwilling to accept any responsibility for the disaster, Wallace blamed Trammell and

⁸¹ *New York Times*, October 4, 1968.

⁸² LeMay quoted in Chester, Hodgson, and Page, *American Melodrama*, 699.

⁸³ LeMay and Wallace quoted in *ibid.*, 699-700.

⁸⁴ Carter, *Politics of Rage*, 360.

Morgan. “I think you fellows got the wrong man,” he exclaimed. “We should have kept Happy Chandler.”⁸⁵

On election day, Tuesday, November 7, Chandler voted for Richard Nixon, who captured the presidency by a comfortable margin in the Electoral College (301 to 191) over Hubert Humphrey, although the popular vote between the two candidates was close (43.4 to 42.7 percent). Wallace received 13.5 percent of the popular vote nationwide and carried five states (Alabama, Arkansas, Louisiana, Mississippi, Georgia), all in his Deep South stronghold. He also received the electoral vote of one faithless Nixon elector in North Carolina, for a total of 46.⁸⁶ At one point Wallace had appeared positioned to capture a much larger share of the popular vote—he had registered over 20 percent in national polls in September—but his support outside the Deep South began to fade in the final days of the campaign.⁸⁷ Several factors contributed to this decline. Foremost, were his troubles with his running-mates, especially the public fiasco involving LeMay. As journalist Robert Greenberg observed, “The image of LeMay as the big bomber was too scary for many would-be Wallace followers. Tough talk about law and order, interpreted as a call to crush Negro protest and protest in general, was acceptable until the uneasy housewife or the lower middle income newly prosperous suburbanites . . . became scared of what LeMay might mean.”⁸⁸ Wallace also faced an uphill battle against the trends of history—third-party candidates invariably experience a weakening in their support as election day nears. Moreover, revered South Carolina Senator Strom Thurmond campaigned unflinchingly for Richard Nixon in the Palmetto State, helping him carry it. Finally, Nixon’s own emphasis on law and order blunted Wallace’s appeal.

⁸⁵ Trammell unpublished autobiography, 278.

⁸⁶ Rhodes Cook, Alice V. McGillivray, and Richard M. Scammon, *America at the Polls, 1960-1996: Kennedy to Clinton: American Presidential Statistics* (Washington, DC: Congressional Quarterly, Inc., 1998), 17.

⁸⁷ *U.S. News & World Report*, October 7, 1968, 37; *ibid.*, October 21, 1968, 27.

⁸⁸ *Louisville Courier-Journal*, November 7, 1968.

Whether Chandler could have enhanced Wallace's political viability is a matter of speculation, but Wallace's campaign aides had been convinced that the Kentuckian could balance the ticket geographically and politically. As the campaign moved into fall, Wallace had polled well in the upper South, including Kentucky, and in the border states, and Wallace's campaign advisors wanted a running mate for Wallace who could strengthen their candidate's chances in that area. Chandler fit this goal perfectly. Seymore Trammell and Earl Morgan, Jr., also believed that Chandler's joviality and more moderate attitudes on civil rights would enhance the tickets personal appeal outside the Deep South. Wallace attracted a sizeable following among the ranks of blue collar workers, even in the northern states, but they also had their doubts about voting for a man who had once uttered the infamous line: "Segregation now. Segregation tomorrow. Segregation forever!"⁸⁹ A centrist running mate could help remove these misgivings, Wallace's campaign aides believed, swelling the Alabamian's vote totals.

Some of the same reasons that made Chandler an attractive candidate to Trammell and Morgan also ultimately led to the unraveling of his vice presidential candidacy. Members of extreme right-wing groups that backed Wallace—the Ku Klux Klan and the White Citizens Councils, to name two of the most notorious—perceived Chandler as a racial liberal and despised him for it. In their eyes, he had destroyed the racial purity of the national pastime by permitting Jackie Robinson to play, and he had helped demolish the strange career of their beloved Jim Crow by enforcing desegregation—race-mixing, as they saw it—in the public schools of Kentucky. Chandler was a racial apostate, and the Wallace ticket, the last, best hope for segregationists everywhere, had betrayed its followers by putting him on the ticket. When

⁸⁹ According to a Gallup poll released during the second week of September, Wallace enjoyed the support of 50 percent of union members in the South, compared to 29 percent for Humphrey and only 16 percent for Nixon. Wallace's support among nonunion southerners stood at 35 percent. In the North, Wallace received the support of 12 percent of voters who belonged to unions, as compared to the 10 percent of nonunion northerners who backed him. *St. Louis Post-Dispatch*, September 11, 1968.

word broke that Chandler would be on the Wallace team, racists contacted campaign headquarters by the thousands—some via phone, others by telegraph—cursing the decision and threatening to withhold financial contributions if the Kentuckian was not let go. The uproar proved so loud and persistent that Wallace, already anxious about Chandler, panicked and turned his back on the former baseball commissioner, despite Trammell’s best efforts to dissuade him.

Chandler’s decision to join the Wallace ticket was hardly extraordinary. To be sure, he and Wallace differed on civil rights. His previous record as senator, governor, and baseball commissioner had clearly established Chandler as a civil rights moderate, and he continued to demonstrate after the election that his civil rights positions were at odds with those of hard-line segregationists like Wallace. The same was true of his racial attitudes. In August 1969, for example, he personally intervened to help a young black man, Jim Hurley, secure a deferment from the draft. Ordered to report to his local board on September 4, Hurley had received an educational deferment while in college, but he was unaware that as of July 31, 1967, no one who received an educational deferment could later receive a family deferment. If he had known this, Hurley wrote Chandler, he would have asked for a family deferment when he married.⁹⁰

Chandler contacted both Governor Louie Nunn and U.S. Senator John Sherman Cooper after the head of the local draft board proved unhelpful to Hurley. “Will you please take this matter up with your Director of Selective Service and see if you can not [*sic*] get a family deferment for this young man[?]” Chandler inquired. “[Louise] Ferguson of the local board of Paris apparently has no wish or desire to be helpful . . . in this matter. . . .”⁹¹ If he had seen Chandler as a racist, Hurley most likely would not have turned to him for help, and the former governor would not have been disposed to assist him.

⁹⁰ Jim Hurley to A. B. Chandler, August 22, 1969, box 488, Chandler Papers.

⁹¹ A. B. Chandler to Governor Louie Nunn, August 25, 1969, box 488, Chandler Papers.

On the other hand, Chandler had never made civil rights a top priority. Like other civil rights moderates, he worried about the social perils of integration, and he never actively campaigned for more substantial school desegregation or championed issues—voting rights, open housing, and the like—that black and liberal white leaders of the civil rights movement openly embraced.

When Chandler's mixed feelings on civil rights are considered in light of the many other issues that drew him to Wallace, it becomes clear why Chandler wanted to run. A longtime political maverick, he had often been at odds with his own party, and in 1968, he was especially angry that the Kentucky Democratic Party had purposely excluded him from the delegation to the national nominating convention. The party's decision erased any duty Chandler may have felt to support Hubert Humphrey out of party loyalty. Deeply disturbed by the upheavals of the 1960s, Chandler thought the national Democratic Party had played a significant role in the economic and moral decline of the United States, and he believed that under Humphrey, whom he considered too liberal to rein in spending and restore law and order, the decline would continue. At the outset of the campaign, he had also expressed scant confidence in the leadership abilities of Republican Richard Nixon and deemed Wallace a better fit for America. He liked Wallace's conservative economic record as governor, obviously thinking he would curtail government spending as president, and he suggested that the hard-nosed Wallace's tough stance on law on order was exactly what the nation needed. Chandler may have wanted a place on Wallace's ticket because he sincerely believed that, except for his position on civil rights, the Alabamian was the ideal candidate. Moreover, running with Wallace would have offered him one more chance at political glory. Chandler surely knew that his days as a major player on the political scene, especially after his two recent gubernatorial defeats, were dwindling, but his

political fires burned as brightly as ever, and a run with Wallace would thrust him back into national prominence. Bored in retirement and attracted to most of Wallace's message, Chandler placed personal political ambitions above any other considerations in 1968, including civil rights.

CONCLUSION

Although Happy Chandler's political career wound down quickly following his abortive vice presidential candidacy, he remained active in state affairs until shortly before his death in June 1991. Yearning to return to the public spotlight, Chandler ran as an independent in an attempt to win a third term as governor in 1971, but he had little money and almost no campaign organization, and he finished a distant third with less than 5 percent of the vote. During the 1970s and 1980s, he served intermittently as a member of the University of Kentucky Board of Trustees (BOT), receiving his last appointment in 1988 at the age of eighty-nine.¹

During this last term on the board, Chandler became embroiled in a controversy that threatened to tarnish his legacy as a racially moderate leader who had served in an era when moderation was far from commonplace. On April 5, 1988, during a meeting of the BOT's investments committee, a discussion of the university's 1985 decision to liquidate its investments in South Africa led Chandler to remark, rather off-handedly, "You know Zimbabwe's all nigger now. There aren't any whites." The matter-of-fact comment stunned his fellow board members, but they let it pass without reprimanding Chandler, perhaps because of his age, record of public service, and legendary status within the commonwealth. However, a *Lexington Herald-Leader* journalist, whom Chandler had not noticed, was present at the meeting.² The next day, Chandler's words were in print.³

¹ *Lexington Herald-Leader*, January 5, 1988.

² *Ibid.*, April 8, 1988; *Kentucky Kernel*, April 7 and 13, 1988.

³ *Lexington Herald-Leader*, April 6, 1988.

As news of the incident reached the campus and the community, protests spread quickly, and people across the commonwealth, many of them convinced that the comments were borne of a racist mentality, angrily demanded Chandler's resignation.⁴ The University of Kentucky Student Government Association, for example, called for Chandler's ouster by a vote of twenty-six to two (with four abstentions), while both the *Lexington Herald-Leader* and the *Louisville Courier-Journal* also called for Chandler to step down.⁵ Adding their voices to the protest, representatives of the National Association for the Advancement of Colored People, the Kentucky Rainbow Coalition, and the Urban League gathered in Lexington on April 8 in support of city councilman Michael Wilson's statement demanding that the former governor leave the board because "his statements and the harm caused by them have done irreparable damage, not only to his legacy but to the image of the commonwealth and the University of Kentucky."⁶ In response, Chandler steadfastly refused to step down, insisting that he was not a racist and instead issuing what many considered to be a luke-warm apology.⁷ The uproar slowly subsided but only after Governor Wallace Wilkinson reprimanded Chandler verbally but announced that he would not request Chandler's resignation because he refused "to condemn a lifetime of achievement." The controversy was further defused when Chandler's rapidly declining health sharply reduced his ability to serve on the board.⁸

While Chandler's disturbing language understandably hurt many people, whether the epithet proved Chandler was a racist is a matter of conjecture. There was no evidence that he had used the word "nigger" in public until the BOT meeting, and he had never played directly on

⁴ See *ibid.*, April 7-20, 1955, especially, for coverage of the uproar surrounding Chandler.

⁵ *Kentucky Kernel*, April 7, 1988; *Lexington Herald-Leader*, April 7, 1988; *Louisville Courier-Journal*, April 8, 1988.

⁶ *Kentucky Kernel*, April 11, 1988.

⁷ *Lexington Herald-Leader*, April 8, 1988; *Kentucky Kernel*, April 7, 1988.

⁸ *Lexington Herald-Leader*, April 8 and 15 (quotation), 1988. Chandler was hospitalized seven times between October 1987 and mid March 1989. *Ibid.*, March 8, 1989.

racist sentiments during his decades of public service. His use of the epithet might have revealed long-held prejudices that he had somehow been able to suppress while he was younger but was now unable to hold back due to his declining mental faculties. Perhaps, too, the eighty-nine-year-old former governor had somehow regressed to an earlier time when the “n” word, as degrading and dehumanizing as the term was to African Americans, was part of the casual vocabularies of many southern whites, even some with fairly moderate racial views. Any attempt to explain Chandler’s would be, at best, purely speculative, although we can say that the utterance was out of character for him.

The uproar over the “n” word episode can also prevent us from considering facets of Chandler’s life and career that we can discuss and debate with a certain amount of confidence. Certainly Chandler’s bizarre behavior on one occasion during the twilight of his life should not prevent us from gaining a richer understanding of his achievements and shortcomings in the field of civil rights. While we can never know for sure whether Chandler viewed blacks as equals, the actual positions he took are of paramount importance here, and we can review them. By following his public career from his first race for governor in 1935 to his strange and ill-fated association with the Wallace campaign in 1968, we can observe consistency in his words and in his deeds on civil rights. Most important, however, we can find a common thread in his words and actions.

Admittedly, Chandler never took the lead in championing civil rights reforms. During the 1930s and 1940s, he accepted integration as a fact of life that would vanish only with time, and while he personally enjoyed warm relations with many blacks, he believed that quick, sweeping changes to the Jim Crow system might precipitate violence, as militant segregationists would lash out to preserve their way of life. Besides opposing antilynching legislation, as a U.S.

senator, Chandler refused to support cloture on the grounds that it unfairly silenced debate. In taking this stance, he effectively helped prevent important civil rights measures, such as anti-poll tax bills, from reaching the Senate floor. Likewise, before he became baseball commissioner, he had never spoken about the game's unwritten whites-only policy, and upon assuming the office, he gave seemingly conflicting opinions on integration, leaving baseball observers to wonder about his true feeling on the issue.

Moreover, Chandler's stance on public school integration in Kentucky was largely reactive. He was decisive only when unruly white mobs posed a threat to the safety of black children trying to enroll in previously all-white schools, ignoring school districts that attempted to delay integration through nonviolent means. In addition, he apparently never encouraged school districts to expedite the integration process. As a result, some 40 percent of the school districts in Kentucky were still segregated when Chandler left office in December 1959.

By nearly becoming George C. Wallace's running mate in 1968, Chandler demonstrated his opportunistic proclivity to change his political colors. He had demonstrated this tendency as early as the 1930s, when he had run as a pro-Roosevelt Democrat in his 1935 campaign for governor only to make much-publicized attacks on the New Deal three years later in his 1938 U.S. Senate showdown with Alben Barkley. Chandler, a civil rights moderate, and Wallace, a staunch segregationist, had little in common on civil rights, but the former baseball commissioner liked Wallace's conservative positions on the Vietnam War and the economy. His ego bruised from two recent electoral setbacks in Kentucky, Chandler also relished one more moment in the public spotlight, and running with Wallace provided that chance. In short, Chandler's devotion to his own political career clearly trumped his commitment to civil rights on at least one occasion.

On the other hand, Chandler's actions over the course of his career marked him rather clearly as a civil rights moderate. Chandler frequently befriended African Americans, campaigned for their votes, and invited prominent blacks to dine at the governor's mansion in an era when few other southern politicians would have even considered such a courtesy. Chandler and President Rufus Atwood of Kentucky State College (now Kentucky State University) enjoyed a cordial working relationship that Atwood described as being free of any racial tensions. Moreover, so far as his conservative principles would allow him, Chandler provided additional funds to Kentucky State on several occasions. In each instance, he apparently released the funds because he believed there was a demonstrable need. In other words, there is no evidence that his decision to increase the school's budget was a ploy designed to improve the college's standards and thereby offset a potential legal challenge to Jim Crow education in the commonwealth. He also made more money available when the number of African American students who were applying for out-of-state tuition grants under the Anderson-Mayer Act exceeded the number that the act could fund originally. While his decision to provide the money helped indirectly to keep separate black education alive in the state, Chandler seemed to believe that giving the money was in the best interest of both blacks and whites, maintaining that ingrained social customs made integrated education untenable in the mid and late 1930s. Although it is virtually impossible to quantify it, Chandler enjoyed a measure of black support in all of his elections during the 1930s. For example, in 1938, during the U.S. Senate showdown between Chandler and Alben W. Barkley the Roosevelt administration, recognizing that Chandler's standing among blacks was appreciable, dispatched a high-ranking black Democrat to black neighborhoods to woo votes for Barkley.

As a United States senator, Chandler had voted against antilynching legislation, yet he also suggested that the poll tax was undemocratic and found constitutional grounds for supporting Florida Senator Claude Pepper's bill to abolish it. Further, he rose to defend Pepper and the bill after Senator John Overton of Louisiana attacked Pepper. At the very least, Chandler believed the poll tax should be waived for servicemen, and he supported greater government oversight of the voting process for soldiers. Chandler's views on the poll tax clearly distinguished him from his Deep South colleagues, many of whom defended the poll tax on states' rights grounds. If the federal government could ban the poll tax, which disfranchised millions of blacks and poor whites, these southern politicians feared that Washington might also eventually abrogate other southern laws that undergirded the region's rigid racial caste system.

Chandler became the commissioner of Major League Baseball at a time when civil rights activists were intensifying their assault on the game's decades-old color barrier, and after he had held the office for only a few months, Brooklyn Dodgers president Branch Rickey stunned the baseball world by signing Jackie Robinson to a Montreal Royals contract in October 1945, thus suddenly toppling the game's entrenched and longstanding whites-only policy. Although Chandler was not quite the pivotal player in the baseball integration drama that he and his friends liked to suggest, his sense of fairness and his devotion to duty led him to take several steps that facilitated Robinson's—and by extension—integration's success. For example, after the Philadelphia Phillies had hazed Robinson racially during the 1947 campaign, the future Hall-of-Famer's first season with the Dodgers, Chandler publicly denounced the team's behavior and threatened to fine any player who hazed Robinson in the future. Leaving no doubt where he stood on integration, Chandler also proclaimed that baseball was an America sport open to everyone regardless of race. If he had not taken these bold actions, the harassment of Robinson

likely would have continued unabated, perhaps forcing Robinson, already bearing the tremendous psychological burden of being the first African American player in over a half century, out of the game.

Owing to his states' rights convictions and his concerns about violence if integration were to unfold quickly, Chandler had reservations about *Brown v. Board of Education*, but soon after the U.S. Supreme Court announced that decision, he declared that white southerners should bow to the rule of law. In doing so, he parted ways with many white southern politicians who actively embraced massive resistance. He dramatically underscored his point by dispatching the National Guard and state police to Clay and Sturgis, Kentucky, to protect children seeking to enroll in schools there. On a trip to Georgia in 1957, he boldly defended those actions and urged the Deep South to prepare for integration because it was inevitable. A year later, he declared school desegregation morally correct during a speech before a large, mostly black audience in Washington, DC.

Despite his occasional ambiguities, Chandler generally charted a middle course on civil rights issues, a fact that distinguished him from the hard-line segregationists of the Deep South. Even more telling, his attitudes on civil rights are noteworthy in their temperance even when they are compared to those of other upper South politicians. The civil rights positions of officeholders in two additional upper South states, North Carolina and Virginia—but especially the latter in the immediate post-*Brown*—period perhaps best demonstrate the remarkable nature of Chandler's views. In North Carolina, Governor William B. Umstead assembled an advisory committee to determine whether any legal means existed by which *Brown* could be evaded. Luther Hodges, Umstead's successor, not only allowed the committee to continue its work, but he also dismissed the handful of blacks who sat on the committee. Furthermore, he also

repeatedly espoused the supposed virtues of segregation and encouraged black parents to embrace voluntary segregation. Hoping to delay integration, Hodges warned blacks that pressing their demands for integrated public schools could precipitate mass school closures, thus potentially destroying the state's public school system. Under Hodges, North Carolina embraced token integration in the hopes of satisfying the courts and delaying desegregation for the foreseeable future.⁹

While it is true that Chandler never encouraged black parents to enroll their children in previously all-white schools, unlike Hodges he never actively discouraged them either. Additionally, his use of the National Guard and state police in Clay and Sturgis undoubtedly reassured black parents who might otherwise have hesitated to enroll their children in the formerly all-white schools because of the threat of violence. As Chandler had hoped, his actions in Clay and Sturgis “nipped things in the bud” in Kentucky, as there were no other violent protests against school integration.

Virginia was the home of Senator Harry F. Byrd, an arch segregationist who had befriended Chandler earlier in his career and who, as the architect of massive resistance, had arguably done more than any other politician to popularize the concept in the rest of the South. In 1956, after Chandler had already pledged to enforce *Brown*, Byrd's comrade-in-segregationist-arms Governor Thomas Stanley denounced even token public school integration, claiming that small-scale integration would open a crack in the foundation of Jim Crow that would widen until it eventually brought down segregation statewide. At Stanley's urging, the Virginia legislature voted to cut off state funds to any school district that operated on an integrated basis. Stanley's successor, J. Lindsay Almond, who took office in 1957, followed

⁹ Anders Walker, *The Ghost of Jim Crow: How Southern Moderate Used Brown v. Board of Education to Stall Civil Rights* (New York: Oxford University Press, 2009). 56-60.

Stanley's lead, promising to close public schools rather than integrate and pledging his full support to massive resistance. In September 1959, Almond made good on his promise and closed nine public schools.¹⁰ A strict adherent to the rule of law, Chandler would have viewed such actions as unthinkable.

Kentucky had never experienced the level of racial strife that had marked the histories of North Carolina and Virginia; therefore, one can argue that the state's more hospitable racial climate gave Chandler greater leeway in how he could address the integration crises in Clay and Sturgis. Kentucky, however, was hardly a beacon of enlightened race relations at mid century. The reactions of the white citizens of Clay and Sturgis revealed a significant degree of ingrained racial prejudice, and Chandler received considerable hate mail from around the state (as well as from around the country) after he had dispatched the National Guard to those communities. Moreover, public opinion polls conducted soon after *Brown* revealed that the number of Kentuckians who opposed the decision closely approximated the opposition toward *Brown* found in many other upper South states. According to a poll released in February 1956, only one in four white Kentuckians were favorably disposed toward public school desegregation. Notably, this was the same amount of support for the court's decision as was found in Tennessee and Texas and only slightly less than the 20 percent of whites in Virginia, Arkansas, North Carolina, and Florida who expressed approval of *Brown*. Only in Alabama, Georgia, Louisiana, Mississippi, and South Carolina, the bastion of Jim Crow, was the degree of support (about one in seventeen whites) shown to be significantly lower than had been found in the commonwealth.¹¹ In short, Chandler enforced the court's decree at a time when an

¹⁰ Earl Black, *Southern Governors and Civil Rights: Racial Segregation as a Campaign Issue in the Second Reconstruction* (Cambridge: Harvard University Press, 1976), 114-115.

¹¹ Poll numbers quoted in Numan Bartley, *The Rise of Massive Resistance* (Baton Rouge: Louisiana State University Press, 1969), 14.

overwhelming number of his white constituents clearly would have sided with him if he had preserved the state's racial status quo. Chandler may or may not have been a racial egalitarian, but in positions of public responsibility, he consistently followed the dictates both of the law and of decency. Had he been more typical of the southern leadership of his era both the South and the nation, and the citizenry, black and white, would have been worse off for it.

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