

Clio's Scroll



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Letter from the Editors

Dear Readers,

We are happy to present the Fall 2017 issue of *Clio's Scroll*. This issue features three articles that offer insights into the ideological dimensions of history spanning time and space. In his senior thesis, "The Anomaly of Ibn Jubayr: A Voice of Moderation in a Fanatical Age," Berkeley history graduate Muhammad McCabe sheds light on the nuances and complexities in the travel chronicle of the twelfth-century Spanish Muslim writer Ibn Jubayr. He suggests that Ibn Jubayr's moderate and balanced views of the Christian communities that he encountered on his journeys set him apart from his contemporary Muslim writers—an anomaly often overlooked in the historiography dealing with Muslim attitudes towards Christians during the Crusades.

In his thesis, "'A Man's Rights Are Not to Be Measured by His Economic Status': The La Follette Civil Liberties Committee and Moral Authority in the New Deal," Nicholas Delehanty from Middlebury College examines the ideological project of the New Deal by focusing on the La Follette Committee and its legacies. As Delehanty argues, despite certain instances of failure, the La Follette Committee promoted and defended its belief in the economic basis of civil liberties as claims to human dignity through investigating and fighting industrial oppression of organized labor.

In his paper, "The Ideological Alignment of Free Market Liberals and Military Officials in the Argentinean Junta, 1976-1981," Fionn Adamian from McGill University highlights the importance of ideology in Argentina's economic history during the Junta's first administration. He attributes the formation of the unlikely alliance between Argentina's military and economic liberals to the military's ideological shift toward free market liberalism as they witnessed the failures of Peronism. When the political realities exposed the irreconcilable contradictions between the two groups' philosophies, the alliance collapsed in 1981.

While wide ranging in geographical and temporal focus, these three works all point toward the importance and power of ideas, discourses, and ideologies throughout history. Moving beyond the material facts of their respective historical topics, these authors probe the underlying ideas and ideologies, whether articulated explicitly or implicitly, that are central to understanding the motivations for and/or consequences of historical actors' decisions and actions. At times, as Adamian's paper demonstrates, ideologies

have played a crucial role in guiding political and economic decision-making processes. Other times, as Delehanty illustrates, particular ideals put forth within a particular historical moment did not precipitate a dramatic change in policy at the time; it is only with historical hindsight that we can discern their critical importance and impact. Finally, as McCabe models in his paper, it is sometimes only through the process of historical excavation and reinterpretation that the ideas and values of historical figures can be properly understood. In this turbulent moment when certain longstanding ideational and epistemological assumptions seem to be in flux, it is important to look back and contemplate, as the three authors featured here, the critical importance and influence of ideas throughout history.

The Editorial Board would like to thank the Associated Students at the University of California (ASUC) for their generous funding that makes this publication and editorial process possible. As always, we are indebted to the Berkeley Department of History for its steadfast support, guidance, and encouragement. Finally, we would like to thank the contributors; we hope their essays will inspire our readers and perhaps provoke thoughtful discussion.

Sincerely,
The Editors

Contributors

NICHOLAS DELEHANTY recently graduated from Middlebury College with a major in history and minors in Global Health and French. His research interests include labor history, the historical intersections of law, power, and violence, and the philosophy of history. He would like to thank Professor Adam Dean for inspiring this project and his thesis advisor Professor Kathryn Morse for her excellent guidance and insightful comments during the research and writing process.

MUHAMMAD MCCABE graduated from the University of California, Berkeley with a major in History and concentration in Spanish Islam, the Crusades, and inter-religious relations in Europe during the Middle Ages. Throughout his time as an undergraduate at UC Berkeley, he also focused on studying the Arabic language and working with faculty in the departments of Near Eastern and Ethnic Studies. He currently works at Zaytuna College in Berkeley, CA, the first accredited Muslim liberal arts college in the country. He lives with his wife and three children in the Bay Area and dedicates his spare time to composing, recording, and performing music.

FIONN ADAMIAN is a History and Russian student in his final year at McGill University. His historical interests primarily center on the intersection between ideology and economic power. He currently serves as the Fiction Editor of the *Scrivener Creative Review*, and his poetry has been published across the US and Canada.

The Anomaly of Ibn Jubayr

A Voice of Moderation in a Fanatical Age

Muhammad McCabe

و من أعجب ما يحدث به أن نيران الفتنة تشتعل بين الفئتين مسلمين و نصارى، و ربما يلتقي الجمعان و يقع المصاف بينهم و رفاق المسلمين و النصارى تختلف بينهم دون اعتراض عليهم.¹

One of the astonishing things that is talked of is that though the fires of discord burn between the two parties, Muslim and Christian, two armies of them may meet and dispose themselves in battle array, and yet Muslim and Christian travellers will come and go between them without interference.²

The journey to an exotic locale or foreign land is always a time of dissonance for the traveler, who is exposed to unfamiliar experiences to be reconciled with their expectations. The traveler may choose to ignore that which does not conform to their predispositions, either consciously or unconsciously, or may invite present experiences to reshape their opinion. In a similar way, the exotic source for the historian is a textual landscape for cultural interpretation. The world that the medieval Spanish Muslim chronicler Abu 'l-Husayn Muhammad Ibn Ahmad Ibn Jubayr describes is such a space: Vivid and lively as any Mediterranean bazaar, the historian must approach it with an eye for subtle, complex gestures, or they may fall into the trap of stereotype. The importance of recognizing such nuance lies in its ability to reverse the generalized sentiments about medieval Muslims and the perpetuation of the deformed image of Islam that has been inherited from the medieval Western imagination. The moderate, neutral, yet

¹ Muhammad Ibn Ahmad Ibn Jubayr al-Kinani, *The Rihla of Ibn Jubayr*, 1185, Original Arabic Source, accessed March 2016, <http://al-hakawati.net/arabic/civilizations/11.pdf>, 96.

² Muhammad Ibn-Ahmad Ibn Jubayr al-Kinani, *The Travels of Ibn Jubayr: Being the Chronicle of a Mediaeval Spanish Moor Concerning his Journey to the Egypt of Saladin, the Holy Cities of Arabia, Baghdad the City of the Caliphs, the Latin Kingdom of Jerusalem, and the Norman Kingdom of Sicily*, trans. R. J. C. Broadhurst (London: The Camelot Press Ltd., 1952), 300. Though Broadhurst's translation here summarizes Ibn Jubayr's statement accurately, it is not a word-for-word translation of the original Arabic.

sometimes critical voice of Ibn Jubayr toward Christians in his twelfth-century travel chronicle, or *Rihla*, is a case in point. As I will illustrate, the text is an anomaly disproving a popular historiographical sentiment that medieval Muslims during and after the Crusades were incapable of conceptualizing Christians as anything but the hostile and despicable “other.” In fact, Ibn Jubayr could be understood as the exact opposite – engendering an open mind and acceptance of the “other,” especially for a man of his time and circumstance. Ibn Jubayr was no less willing to condemn his coreligionists as much as his supposed enemies throughout his work, and no less willing to offer praise where he felt that praise was due, whether the subject of his praise shared his religion or not.

A Pious Journey: Context

Ibn Jubayr was born into a highly educated Muslim family in Valencia in 1145. His father worked as a civil servant in the city of Jativa throughout Ibn Jubayr’s childhood. Ibn Jubayr’s elite education and family connections ultimately secured him a post as the governor’s secretary in Granada. As would be expected of a Muslim official living in twelfth-century Granada, Ibn Jubayr was educated in Islamic theology and was a devout believer. In 1183, Ibn Jubayr set out on a journey to fulfill his religious obligation of performing the *Hajj*, but continued on after completing it and chronicled his experiences along the way.³ His travels lasted from 1183 to 1185. It is not clear whether Ibn Jubayr intended to continue his travels after completing the *Hajj*, but the curious events that had taken place in the Muslim-ruled lands that he had visited before reaching Mecca had sparked his curiosity and urged him to continue on. On his journey, Ibn Jubayr traveled throughout Egypt and made his way from there to the Arabian Peninsula, where he toured the Islamic holy sites. From the Hijaz he continued on to Baghdad, and then to Syria and Northern Palestine, where he visited many of the recently established Crusader kingdoms, documenting his experiences along the way. On his return to Spain, the Genoese ship that Ibn Jubayr was traveling on capsized off the coast of Messina, where he was forced to spend an additional three months before returning to Spain.

The first entry in his chronicle relates the story of the strange events between him and the Governor of Granada, which spurred Ibn Jubayr to set out on his perilous journey. Ibn Jubayr’s motivation for his pilgrimage was based on his remorse for drinking seven cups of wine that were forced upon him by the corrupt Governor of Granada, and he hoped the journey would

³ Every Muslim is required to go on pilgrimage to the holy sites in Mecca and Medina at least once in their lifetime.

expiate his sins. The pious Ibn Jubayr took leave, seeking out forgiveness and spiritual fulfillment through his experiences, both internally and externally.

Although Ibn Jubayr prefaced his travel log with these spiritual concerns, his incentive for chronicling his experiences was unclear. Some historians, such as Jonathan Phillips, attribute Ibn Jubayr's chronicling to the purpose of informing his Almohad rulers of the situation of the Muslim world beyond Granada. Phillips notes that the general purpose of medieval chronicling was to "inform officials and administrators, but also to engage the literate classes."⁴ But he questions if this was Ibn Jubayr's primary rationale, and insinuates later in his article that Ibn Jubayr's praise of his Almohad rulers back in al-Andalus might suggest his desire to please a court audience. On the other side of the spectrum, Ian Richard Netton believes that Ibn Jubayr fits neatly into a "pilgrim paradigm," suggesting that the sole purpose of the journey revolved around seeking knowledge, power, and "the basic satisfaction of wanderlust."⁵ Hence, Ibn Jubayr was quite likely writing for personal fulfillment or to gain status through publication. Ibn Jubayr's purpose of chronicling his experiences on his journey is undoubtedly important to how we interpret his depictions of the Franks—that is, Western Christians and Crusaders—and how he frames Christianity generally. In other words, who is it that Ibn Jubayr wished to inform about the Crusaders, and was he attempting to meet certain expectations with his statements about the Franks?

The *Rihla*—the Arabic term for journey—of Ibn Jubayr is an important source for Crusade historians due to the fact that it is one of a select few Muslim sources from the period that describes more than chronological warfare and Crusading events. As Carole Hillenbrand rightfully states, "there are very few extant Islamic writings [from the time] which focus specifically on the social interaction between Muslims and Crusaders."⁶ The genre of *Rihla* literature in the Middle Ages is sparse, and historians are usually interested in it for the sake of comparative analysis of events with other sources, or of understanding the Crusades from the non-Western perspective. The non-Western perspective is enlightening in that it reflects the experience of the "other," which in this case is the Muslim perspective,

⁴ Jonathan Phillips, "The Travels of Ibn Jubayr and his View of Saladin," in *Cultural Encounters during the Crusades* ed. Kurt Villads Jensen, Kirsi Salonen, and Helle Vogt (Denmark: University Press of Southern Denmark, 2013), 78.

⁵ Ian Richard Netton, "Basic Structures and Signs of Alienation in the *Rihla* of Ibn Jubayr," in *Golden Roads: Migration, Pilgrimage and Travel in Mediaeval and Modern Islam*, ed. Ian Richard Netton (Richmond, Surrey: Curzon Press Ltd., 1993), 1.

⁶ Carole Hillenbrand, *The Crusades: Islamic Perspectives* (London: Edinburgh University Press Ltd., 1999), 258.

not just in warfare, but also in everyday life. The Crusade *Rihla* genre is interesting in that it reflects the observations of the passive observer rather than the active participant. Ibn Jubayr was not entirely passive in his observations considering his clear Islamic disposition, but his voice was one of “moderation most rare in that fanatic age,” as one translator puts it.⁷ Ibn Jubayr’s potential bias, or at least coloring of events for his intended audience, might affect the way that a modern historian understands the person of Ibn Jubayr and his views of the Franks. His religious and ethical convictions influenced his ideas of justice and injustice, and this must be taken into account when addressing his ostensibly negative comments about the Franks. Such comments stem from a desire to uphold his religious principles by damning the Franks on religious grounds, all the while praising them for their superior justice in comparison to the corruption that he had witnessed throughout the Muslim world on his journey.

It is within such a critical approach and moderate methodology that Ibn Jubayr’s work should be understood, with attention to nuance and detail, as opposed to being understood in the same way as his contemporaries’ writings. Ibn Jubayr’s objective comments about the Franks that he observed on his journey make him an anomaly when compared to other Muslim writers from his time – a point that has been overlooked by many historians dealing with his work. It is by analyzing Ibn Jubayr’s own comments about the Franks, and weighing them against other medieval Muslim writers’ comments about the Franks, that a verdict can be reached regarding these historical interpretations of Ibn Jubayr.

In narrating the conflict between Christians and Muslims, historians of the Crusades have relied primarily on a handful of sources with obvious ideological agendas such as the works of Ibn al-Shaddad, Ibn al-Athir, Usama Ibn Munqidh, and Ibn al-Qalanisi. Both Ibn al-Shaddad and Ibn al-Athir were commissioned by the famous Muslim military leader Saladin – the former to write a biography of the Sultan based on events that he witnessed, and the latter to write a biography of the Sultan, along with a history of the Crusades. In both cases, the texts more or less are chronological listings of battles, and while both sources hint at the author’s bias, particularly in regard to their opinions of the Franks, they rarely explicitly state their positions. Ibn al-Qalanisi follows references to the Franks in his Chronicle with “may God forsake them,” which may have influenced the use of similar damnations in later Muslim sources.⁸

If the criterion used to judge the value of these sources revolves

⁷ Broadhurst, *The Travels of Ibn Jubayr*, 19.

⁸ Hillenbrand, *The Crusades*, 303.

around explicit statements about the Franks, the most notable primary source that many historians typically use from the period would be Usama Ibn Munqidh's "An Appreciation of the Frankish Character." Usama Ibn Munqidh was born in 1095, the same year that Pope Urban II called for the First Crusade at the Council of Claremont. Ibn Munqidh began writing his memoirs before Ibn Jubayr was born. As a Syrian nobleman, he was in direct contact with the Franks throughout the majority of his life, and therefore his comments about the Franks need to be taken seriously, despite his use of humor. Philip K. Hitti states in his introduction in regard to Ibn Munqidh's statements and opinions about the Franks: "They are first-hand and frank, and reflect the prevalent Moslem public opinion."⁹

As Ibn Munqidh's memoirs are viewed by scholars as the status quo in terms of Muslim public opinion, the *Rihla* of Ibn Jubayr is typically weighed with or against the *Memoirs of Ibn Munqidh*. Ibn Jubayr's statements about the Franks are equally important though, and tend to disrupt the popular view about the prevalent medieval Muslim public opinion of the Franks. It is necessary to delve more deeply into Ibn Jubayr's text in order to recognize the variety of his comments about the Franks. It is also important to note his tactical criticism of his co-religionists by comparing their actions to the justness of numerous Christians that he encountered on his journey. Finally, his comments need to be weighed against those of his Muslim contemporaries.

A Moderate Voice: Analyzing the *Rihla* of Ibn Jubayr

Part of the reason that Ibn Jubayr's character is so hard to assess is the deep complexity of his style and vocabulary. Even modern translators can miss subtleties in his work due to such complexities. The subtleties of the Arabic language and its translation into English can pose even more of an obstacle, with many Arabic words encompassing multiple meanings. This must be considered when interpreting Ibn Jubayr's exact meaning. For instance, within the *Rihla*, Ibn Jubayr uses the term *فتنة* ("Fitna") on many occasions in reference to the "seduction" that the praiseworthy behavior of some Franks that Ibn Jubayr encountered on his journey, such as King William II of Sicily,¹⁰ posed to Muslims living under Frankish rule.¹¹ Ibn Jubayr states:

⁹ Usama Ibn-Munqidh, *An Arab-Syrian Gentleman and Warrior in the Period of the Crusades: Memoirs of Usamah Ibn-Munqidh (Kitab al-I'tibar)*, trans. Philip K. Hitti (New York: Columbia University Press, 2000), 16.

¹⁰ King William II was a descendent of the Hauteville family from Normandy, and ruled in Sicily from 1166 to 1189.

¹¹ Broadhurst, *The Travels of Ibn Jubayr*, 341.

"والله يعيد المسلمين من الفتنة به بمنه"¹²

Roland Broadhurst's popular translation of the *Rihla* translates this sentence as: "May God in His favor preserve the Muslims from... seduction."¹³ While his translation is accurate, the *Hans-Weir Arabic-English Dictionary* translates the word in question as seduction, as well as appeal, disorder, or even as referring to a magic spell. While these discrepancies can be somewhat overlooked, it is important to be aware of them due to the possibility of taking Ibn Jubayr's statements about the Franks out of context.

Despite this possibility of minor mistranslation, the general gist of Ibn Jubayr's statements regarding the Franks, as well as the Muslims that he encountered on his journey, reflects a man with a very balanced perspective and not a religious zealot vehemently opposed to the "other." The various times that he condemned the Franks and directed damnations upon them seem to stem from his desire to uphold the status quo, as to not be criticized by his intended Muslim audience.

Furthermore, at times one must stop and question Ibn Jubayr's damnations of and negative comments about the Christians that he encountered on his travels, for such comments seem to negate the pages of praise for them that precede his short condemnations. Ibn Jubayr referred to King William II of Sicily as a "polytheist" and asked God to "protect the Muslims from his hostility" following multiple pages of praise for the King's good deeds, including a story of the King personally funding the saving of Ibn Jubayr and his fellow Muslims from capsizing in their ship off the coast of Messina.¹⁴ Ibn Jubayr's use of the term "polytheist" in this passage could be regarded as a degrading remark; but when Ibn Jubayr's religiosity is considered, the term tends to imply distinction and does not necessarily reflect negative connotations. As Broadhurst remarks on this statement: "a Muslim would deem William to be so, since he accepted the dogma of the Trinity."¹⁵ Such comments stemmed from a dogmatic compulsion as a product of Ibn Jubayr's religiosity, as opposed to his direct perception of his experiences on his travels. The overwhelming majority of Ibn Jubayr's comments about Christians, as well as Muslims, in his work fall into the latter category. His neutrality, moderation, and rationale can be thoroughly understood by weighing his positive comments against his negative ones in regard to both the Christians and the Muslims that he encountered on his

¹² Muhammad Ibn Ahmad Ibn Jubayr al-Kinani, *The Rihla of Ibn Jubayr*, 1185, Original Arabic Source, <http://al-hakawati.net/arabic/civilizations/11.pdf>, 109.

¹³ Broadhurst, *The Travels of Ibn Jubayr*, 341.

¹⁴ *Ibid.*, 336-41.

¹⁵ *Ibid.*, 341.

travels.

It is Ibn Jubayr's negative depictions of the Franks that he experienced on his travels that are heavily emphasized by some recent scholars, such as Ian Richard Netton and Carole Hillenbrand. Oddly, these anecdotes only comprised a small portion of his journey, mainly due to the fact that his comments correlated with the time that he spent in Christian kingdoms. But much of his work leading up to these experiences deals with his often disregarded criticisms of the Muslim world. This does not negate Ibn Jubayr's negative statements about the Franks, such as his brief remarks on the Crusader kingdom of Tibnin.¹⁶ "It belongs to the sow known as Queen who is the mother of the pig who is the Lord of Acre – may God destroy it."¹⁷ Ibn Jubayr justified his comments, though, by condemning the large tax placed upon the Maghribi Muslims within the kingdom, who "had annoyed the Franks," while "those from all other Muslim lands [remained] unmolested."¹⁸ Ibn Jubayr was no less harsh in his description of the city of Acre,¹⁹ commenting that it "stinks and is filthy, being full of refuse and excrement."²⁰ Odors aside, Ibn Jubayr gave praise to Acre for a joint mosque-cathedral within the city that was shared by Muslims and Christians alike: "one turning to his place of worship, the other to his."²¹ On the other hand, Ibn Jubayr believed that "there can be no excuse in the eyes of God for a Muslim to stay in any infidel country, save when passing through it" due to "the absence of cleanliness, the mixing with the pigs, and all other prohibited matters too numerous to be related."²² But these comments expressed religious concerns for observant Muslims and were not meant to slander Christians. It was the mistreatment of his coreligionists that most disturbed Ibn Jubayr. In the Crusader kingdom of Tyre²³ Ibn Jubayr witnessed Muslim

¹⁶ Tibnin, which is also referred to as Toron and Tebnine, is a town in Lebanon spread across several hills and it remained a central Crusader stronghold from 1106 to 1187, when it fell into the hands of Saladin's forces.

¹⁷ Broadhurst, *The Travels of Ibn Jubayr*, 316.

¹⁸ *Ibid.*

¹⁹ Acre is located in the Northwestern region of Palestine and the city's history stretches back to antiquity. The city became a major Islamic province in 661, shortly after the birth of Islam. During the First Crusade, in 1104, Acre fell to the Crusaders under the authority of Baldwin I. In 1187 Acre was recaptured by Saladin's forces. Ibn Jubayr traveled through Acre just a few short years prior to the city's recapture.

²⁰ Broadhurst, *The Travels of Ibn Jubayr*, 318.

²¹ *Ibid.*

²² *Ibid.*, 321-22.

²³ Tyre is a major city in the south of Lebanon and was one of the most important cities in the Kingdom of Jerusalem during the Crusades. It was captured by the Crusaders during the First Crusade and remained under Frankish control until Saladin recaptured it temporarily. In 1191, King Richard I of England took it from Saladin.

prisoners “walking in shackles and put to painful labor like slaves,” with the Muslim women prisoners’ “legs in iron rings,” but Ibn Jubayr stated that “hearts are rent for them, but compassion avails them nothing.”²⁴ Accordingly, Ibn Jubayr referenced King Baldwin IV²⁵ as a “pig,” attributing his lifetime of illness to his religious affiliation. Ibn Jubayr was confident that “chastisement” awaited him in the afterlife.²⁶

Ibn Jubayr’s negative comments about Christians were not limited to the Crusaders and Crusader kings only. On his return voyage, Ibn Jubayr traveled in a Genoese ship amongst numerous Christian pilgrims returning to Italy from the Holy Land.²⁷ He asked God “in His grace and favor [to] soon relieve us of their company.”²⁸ As previously mentioned, upon arrival off the coast of Messina, Sicily, Ibn Jubayr had many positive things to say about King William II, but he was also not hesitant to criticize the King’s taxation of his Muslim subjects.²⁹ Despite the praiseworthy character of the King and his kingdom, Ibn Jubayr still hoped that God would “relieve the Muslims of his dominance.”

Despite instances of Ibn Jubayr’s condemnations of the Franks, they tended to be balanced by the positive statements that either preceded or followed them. The praiseworthiness of some Christians and Christian lifestyles somewhat troubled Ibn Jubayr, however. According to him, Christian communities presented the Muslim with a *فتنة* (“*Fitna*”).³⁰ The basis of Ibn Jubayr’s fear stemmed from his expressed shock at the many positive and praiseworthy qualities of the Christians that he observed and met on his journey. These experiences exceeded his expectations, which revealed his preconceptions and the general consensus about Christians, particularly the Christians in his homeland of al-Andalus. His positive comments about the Franks were more numerous than his negative ones, accentuating the question of how modern historians can lump Ibn Jubayr into the same pile as his contemporaries with overwhelmingly negative views of the Franks and of Christianity as a whole. Although Ibn Jubayr’s chronicle undoubtedly included numerous pages containing negative comments about Christians, the overwhelming majority of his comments about them were positive.

For example, riding through the countryside of Tibnin, Ibn Jubayr observed “continuous farms and settlements, whose inhabitants were all

²⁴ Broadhurst, *The Travels of Ibn Jubayr*, 322.

²⁵ King Baldwin IV of Acre was struck with leprosy during his childhood.

²⁶ Broadhurst, *The Travels of Ibn Jubayr*, 324.

²⁷ In reference to Jerusalem, which was still under Frankish control in the year 1185.

²⁸ Broadhurst, *The Travels of Ibn Jubayr*, 325.

²⁹ *Ibid.*, 339-40.

³⁰ Hans-Wehr Arabic-English Dictionary.

Muslims, living comfortably with the Franks.”³¹ The Muslims there, he commented, “are not interfered with, save for a light tax on the fruits of trees.”³² Ibn Jubayr even went so far as to say:

The Muslim community bewails the injustice of a landlord of its own faith, and applauds the conduct of its opponent and enemy, the Frankish landlord, and is accustomed to justice from him.³³

He made a similar comment regarding the Christians that were living around Mount Lebanon and how they would bring Muslim hermits food and treat them kindly.³⁴ He added: “And if the Christians treat the opponents of their religion in this fashion, what think you of the treatment that the Muslims give each other?”³⁵ Speaking of Tyre, Ibn Jubayr compared it with Acre, mentioning that “Its roads and streets are cleaner than those of Acre,” and then goes on to discuss the Christian inhabitants of Tyre being “kinder to the Muslim stranger... their manner, in other words are gentler,” and that “the state of the Muslims in this city is easier and more peaceful” than in many parts of Dar al-Islam.³⁶ Despite his recognition of the just treatment of Muslims in some Frankish kingdoms, Ibn Jubayr remained worried for Muslims remaining in such a situation, as mentioned earlier. In Tyre, Ibn Jubayr also witnessed a Christian wedding, which was an “alluring sight.” He asked God to preserve him from the “seducement.”³⁷

Ibn Jubayr’s description of his time in Sicily was by far his most positive portrayal of a Christian community, though he found the port of Messina, where he arrived, full of “smells and filth.” Nevertheless, he began his account with a reference to a Qur’anic verse³⁸ about good relations between the Muslims and Christians, since in Sicily they were living there side-by-side. He observed, “the Christians treat these Muslims well and ‘have taken them to themselves as friends.’”³⁹ He praised the Christian treatment of the Muslims living there by illustrating that the Muslims “possess mosques, and their own markets, in the many suburbs [of the city]... The rest of the Muslims live in the farms and in all its villages and towns.”⁴⁰ In reference to King William II, Ibn Jubayr did not only admire him

³¹ Broadhurst, *The Travels of Ibn Jubayr*, 316.

³² Ibid.

³³ Ibid., 317.

³⁴ Ibid., 300.

³⁵ Ibid.

³⁶ Ibid., 319.

³⁷ Ibid., 321.

³⁸ Qur’an XX, 41.

³⁹ Broadhurst, *The Travels of Ibn Jubayr*, 338-39.

⁴⁰ Ibid., 340.

for his “just conduct,” but he also discussed the King’s “eunuch pages who all, or nearly all, conceal their faith, yet hold firm to the Muslim divine law.”⁴¹ Although they concealed their faith from their king, Ibn Jubayr was impressed with the “confidence” that the King had in Muslim converts, and that he relied on them “for his affairs.” One might question whether the King was actually ignorant to the fact that his court was filled with practicing Muslims.⁴² Ibn Jubayr added that the King “pays much attention to his (Muslim) physicians and astrologers, and also takes great care of them.”⁴³ The Spanish traveler’s positive comments about King William II are too numerous to state here, but Ibn Jubayr clearly attributed many positive qualities to the King, especially his treatment of his Muslim subjects.

Ibn Jubayr’s positive comments about the Christians that he encountered in Sicily were not limited to the king. After leaving Palermo, for instance, Ibn Jubayr continued on with a group of Muslims who repeatedly met “groups of Christians” who “uttered the first greetings, and treated [them] with courtesy.”⁴⁴ Elsewhere, at King William II’s court, he recalled how he was “overwhelmed with surprise when a courtier wished the pilgrims “nothing but thousands of *Rubayyat*.”—it was a polite gesture to Arab culture.⁴⁵ In Trapani, which was the last Christian town that Ibn Jubayr remained in before sailing back to Granada, he described the mosques and churches.⁴⁶

In juxtaposition to Ibn Jubayr’s plethora of positive comments regarding his supposed “enemy,” he had many criticisms and condemnations of Muslims within his work – sometimes much more hostile than his negative statements regarding the Franks. There were many instances in which Ibn Jubayr mentioned different customs and practices by various government agents that he dealt with, and he seemed to be deeply concerned with the treatment of Muslim pilgrims’ belongings by officials. Upon reaching Alexandria early in his journey, for example, Ibn Jubayr related the boarding of “agents of the Sultan to record all that had been brought in the ship.”⁴⁷ Ibn Jubayr experienced similar scenarios in the “towns of upper Egypt” where the government agents stopped the travelers’ ships for “examination” and plunged their “hands into the clothing of the merchants in search of what dirhams and dinars they might have under their

⁴¹ Ibid.

⁴² Ibid.

⁴³ Ibid., 341.

⁴⁴ Ibid., 345.

⁴⁵ Ibid., 347.

⁴⁶ Ibid., 351.

⁴⁷ Ibid., 31.

arm-pits or in their bosoms.”⁴⁸ Ibn Jubayr’s description of these Muslim agents was more akin to a description of desert brigands and he condemned them by asking God to “punish these oppressors.”⁴⁹ While in Aydhab, Ibn Jubayr went so far as to say: “this is the country of Islam most deserving of a *hisbah*,⁵⁰ and the scourge employed should be the sword.”⁵¹ In a later discussion of his time in the Crusader kingdom of Banyas,⁵² Ibn Jubayr related his experience in the kingdom’s customs-house where he and his entire traveling party were searched and taxed on their dutiable goods “after which the owner was permitted to go his way and seek lodging where he would.”⁵³ Ibn Jubayr went on to say: “All this was done with civility and respect, and without harshness and unfairness.”⁵⁴ Such juxtaposition seems antithetical to those who take Ibn Jubayr as an anti-Christian zealot, and instead illustrates Ibn Jubayr’s neutrality and ability to see with an unbiased critical eye.

Ibn Jubayr hurled his harshest comments about his coreligionists at the Emir of Jiddah and the Hijaz lands, as well as the ruler of the Islamic holy land of Mecca. Regarding these lands, Ibn Jubayr harshly stated: “The lands of God that most deserve to be purified by the sword, and cleansed of their sins and impurities by blood shed in holy war are these Hejaz lands.”⁵⁵ His comment was in reference to his perception of injustice within Mecca and Medina. He went on to question how the House of God⁵⁶ can be “in the hands of people who use it as an unlawful source of livelihood.”⁵⁷ The deeper relevance of these statements indicates more than a man frustrated with the injustice of his coreligionists and their desecration of the sites that he held so religiously dear. They also reflect Ibn Jubayr’s sentiments about the Crusades in that he considered the Hejaz lands more deserving of “holy war” than the deemed “Holy Land” of Jerusalem. In his essay “The Travels

⁴⁸ Ibid., 55.

⁴⁹ Ibid., 56.

⁵⁰ A *hisbah* is a punishment practice in Islam where an official uses flagellation against a criminal.

⁵¹ Broadhurst, *The Travels of Ibn Jubayr*, 66.

⁵² Banyas, or Baniyas, was an ancient city built around a spring, dating back to the pre-Hellenistic period. The name “Baniyas” comes from the name of the Greek God Pan. The town went from Muslim to Christian rule many times leading up to the Crusades, and even during the Crusades the town shifted between Muslim and Christian rule. In 1157, Banyas became a central Crusader kingdom, and while Saladin’s forces took control of Banyas in 1179, the kingdom remained under Crusader control until 1187. In the beginning of the thirteenth century, Banyas was partially destroyed by an earthquake and remained unpopulated thereafter.

⁵³ Broadhurst, *The Travels of Ibn Jubayr*, 317-18.

⁵⁴ Ibid.

⁵⁵ Ibid., 72.

⁵⁶ In reference to the holiest site of Islam, the Ka’aba.

⁵⁷ Broadhurst, *The Travels of Ibn Jubayr*, 72.

of Ibn Jubayr and his View of Saladin,” Jonathan Phillips notes Ibn Jubayr’s lack of interest in the “Holy War” in Jerusalem: “Other than one line, ‘may God restore it [Jerusalem] to the Muslims’, we have no sense of him yearning for the recovery of Jerusalem, or as having missed out on seeing somewhere important.”⁵⁸ Ibn Jubayr’s statements about the Hejaz lands illustrate his belief that the corruption within Islam and the Islamic holy lands threatened Islam more than the circumstances within Jerusalem and the threat that the Franks posed. Ibn Jubayr insinuated that there were more problems to be dealt with between Muslims and within Islam, than between Muslims and Christians. He had even more negative comments about the Isma’iliyah Shias who were at war with the Sunnis in a town called Buza’ah,⁵⁹ and who he referred to as “heretics” due to the fact that they did not share his Sunni beliefs.⁶⁰

Although they tended to be his primary concern, Ibn Jubayr did not solely criticize the elite and ruling classes within the Islamic world. There were instances where Ibn Jubayr negatively commented about the common people within Muslims kingdoms, such as in Baghdad, where Ibn Jubayr called the people “vain and proud,” but this was one of a few outliers.⁶¹ In terms of the Muslim elite that Ibn Jubayr dealt with in his work, not all of his comments were negative. In fact, he saved his highest praise for his Almohad rulers back in his Spanish homeland, as well as for Saladin – whom he praised without a distinguishable imperative to do so considering that he did not have any personal affiliation with the Sultan. He stated: “There is no justice, right, or religion in His [God’s] sight except with the Almohades... except this just Sultan, Saladin, whom we have mentioned for his conduct and virtues.”⁶² But despite his high regard for Saladin, he remained a product of Andalusian society, holding the belief that it was “absolutely certain and beyond doubt established that there is no Islam save in the Maghrib lands.”⁶³ Here, the interpretation of Ibn Jubayr’s work transformed from a religious-based critique to a pseudo-nationalistic voice in a deeply factionalized world. The question still remains regarding Ibn Jubayr’s high praise of the Almohads despite the injustice inflicted upon him by his Almohad Employer and Governor of Granada, which instigated his journey in the first place.

⁵⁸ Phillips, *Cultural Encounters during the Crusades*, 82.

⁵⁹ Buza’ah, also called Biza’ah and more famously al-Bab, is a small city located Northeast of Aleppo in Syria.

⁶⁰ Broadhurst, *The Travels of Ibn Jubayr*, 259.

⁶¹ *Ibid.*, 226.

⁶² Broadhurst, *The Travels of Ibn Jubayr*, 73.

⁶³ *Ibid.*

The *Rihla* in Context: Comparing Ibn Jubayr and his Contemporaries

As discussed previously, Ibn Jubayr is often compared with his fellow twelfth-century historian Usamah Ibn Munqidh. However, there are clear distinctions between their works. Ibn Munqidh's work is taken to be the trendsetting work in terms of twelfth century Muslim perceptions of the Franks. Hillenbrand states: "[The] *Memoirs* of Usamah... have been a much-quoted and valuable source for our knowledge of the Muslim view of the Crusaders."⁶⁴ But Hillenbrand warns of both Ibn Munqidh's work, as well as Ibn Jubayr's — they must be "approached cautiously" because they intend to "divert and inform" their audiences.⁶⁵ Her word of warning to scholars is given on the premise that Ibn Munqidh's stories about the Franks are simply "reflections of stereotypes, revealing the exaggerated and often comic behavior of the newcomers."⁶⁶ Based on the above analysis of Ibn Jubayr's work, this line of reasoning should also warn scholars to tread with caution when attempting to draw parallels between the two works. If Ibn Munqidh's statements in regard to the Franks are simply stereotypes and exaggerations being written for the sake of comedy and diverting and informing a Muslim audience, then how do they compare to the seemingly neutral and moderate discussions of the Franks by Ibn Jubayr? To form a conclusion, it is necessary to analyze Ibn Munqidh's discussion of the Franks.

Ibn Munqidh's caricatures of the Franks fall into three main categories — their ignorance (of religion, medicine, and education), their sexual laxity, and their uncleanness. Carole Hillenbrand has emphasized that these three general stereotypes anchored medieval Muslim's opinions of the Franks, and argues that these opinions stemmed from the belief that the "latitudinal zone," of which the Franks inhabited, contributed to their "melancholic temperament" and their proneness to "savagery."⁶⁷ She views Ibn Munqidh and Ibn Jubayr's depictions through these categories and states:

An awareness of the Muslim attitudes towards the Franks, which were widespread before 1100, helps towards a truer evaluation of Usamah's testimony in particular, and allows us to make a more accurate assessment of the major themes, which the Muslim writers of the Crusading period continue

⁶⁴ Hillenbrand, *The Crusades: Islamic Perspectives*, 259.

⁶⁵ *Ibid.*, 262.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*, 270.

to discuss in relation to the Franks.⁶⁸

Whether this assessment is true of the basis of Ibn Munqidh's depiction of the Franks or not, Hillenbrand correctly asserts the categorizations of his critique. Usamah only praised the Franks in their "virtues of courage and fighting, but nothing else," and likened them to "animals" for this reason.⁶⁹ Ibn Munqidh discussed "a case illustrating their curious medicine" in which he related a story of how a Christian woman with an abscess on her leg came to a Frankish physician to be treated, and he called directly for amputation of her leg, which ultimately resulted in her quick death.⁷⁰ Ibn Munqidh condescendingly related this story in order to imply the superiority of Islamic medicine and then went on to state that "fresh [Frankish] emigrant(s) [to Syria are]... ruder in character than those who have become acclimatized and have held long association with the Moslems."⁷¹ Once again, Ibn Munqidh attempted to illustrate what he perceived as Islamic superiority over the Franks, and that only those Franks who had learned good manners by means of remaining in Muslim lands for an extended period of time could be considered "acclimatized." Ibn Munqidh's portrayal of the Franks then turned to their sexual laxity, and he related a humorous story of a Frankish man who came home to find his wife in bed with another Frankish man, but simply overlooked the situation and told the man "if thou shouldst do it again, thou and I would have a quarrel."⁷² Once again, Ibn Munqidh related his story to insinuate Islamic superiority, and in this case specifically in terms of conservative Islamic views of sexual morality.

Despite his negative comments about the Franks, Usamah surprisingly mentions a story in which he refers to the Templars in the Dome of the Rock⁷³ as his "friends," and tells of how they helped him by allowing him to pray there without the interference of more zealous Christians who had "recently arrived from the land of the Franks" and wished to fight with Usamah.⁷⁴ Such an inclusion within Ibn Munqidh's work does make him comparable to Ibn Jubayr in terms of neutral views and comments about the

⁶⁸ Ibid., 274.

⁶⁹ Ibn-Munqidh, *An Arab-Syrian Gentleman*, 161.

⁷⁰ Ibid., 162.

⁷¹ Ibid.

⁷² Ibid., 165.

⁷³ Following the capture of Jerusalem by the Crusaders during the First Crusade, the Dome of the Rock, or al-Aqsa Mosque, became an Augustinian church. In the twelfth century, the Knight's Templar gained control of the church, but allowed Muslims to use it as a Mosque as well. It was during this time that Ibn Munqidh had his encounter with a belligerent Frank.

⁷⁴ Ibn-Munqidh, *An Arab-Syrian Gentleman*, 164.

“other,” but it is important to put such comments of his into context. Ibn Munqidh’s distinction between a “good” Frank and a “bad” Frank boils down to how acclimatized they had become to Muslim lands. His “friendship” with the Templars most likely stemmed from his long-term dealings with them, considering his noble position within Shayzar.⁷⁵ In his book *The Crusades through Arab Eyes*, Amin Maalouf draws an important distinction between Ibn Munqidh’s few positive comments about the Franks in comparison to Ibn Jubayr’s, stating that Ibn Munqidh’s sole reason for referring to the Templars as friends was due to his belief that their barbarity was “gradually being refined by contact with the orient.”⁷⁶ Hillenbrand similarly emphasizes a story that Ibn Munqidh discusses in his “little-known work, *the Book of the Stick*” in which he “praises the piety of Christian monks... whom he saw praying in a church near the tomb of John the Baptist in Sebastea.”⁷⁷ Hillenbrand correctly assesses Ibn Munqidh’s statement and notes that he immediately follows it up with a discussion of “Sufis whose number and degree of devotion far exceed those of the Christian monks,” clarifying that Ibn Munqidh felt the need to stay true to his rhetoric of Islamic superiority.⁷⁸

Considering his comments about the Franks in his writings, Ibn Munqidh’s work is viewed by scholars as a trendsetter in terms of medieval Muslim views of the Franks. This point is further exemplified within the recurring trope of “God forsake them,” and similar damnations that can be found amongst most Muslim works from the time – including Ibn Jubayr’s. In Islamic literature the word “كافر” (*Kafir*) is a recurring term that can be translated as “infidel” or “unbeliever”⁷⁹ and that plays a crucial role particularly in medieval Muslims’ damnations of the Franks. Ibn Munqidh’s formula often consists of such phrases following mention of the Franks such as: “The Franks (may Allah’s curse be upon them).”⁸⁰ Ibn al-Qalanisi discusses “the infidelity” of Frankish lands, using phrases such as “God

⁷⁵ Shayzar, also Shaizar or Larissa, is a town in Northern Syria that was ruled by the Banu Munqidh family, Usamah’s family, during the First and Second Crusades. Having heavily fortified the town, the Munqidh family was able to hold power in the region until an earthquake destroyed much of the town and Usamah’s family in 1157. Thereafter the region fell into the hands of Saladin in 1174.

⁷⁶ Amin Maalouf, *The Crusades through Arab Eyes*, trans. Jon Rothschild (London: Al Saqi Books, 1984), 129.

⁷⁷ Hillenbrand, *The Crusades: Islamic Perspectives*, 309. Sebastea was a town in the province of Nablus.

⁷⁸ Ibid.

⁷⁹ Hans-Wehr English-Arabic Dictionary.

⁸⁰ Ibn-Munqidh, *An Arab-Syrian Gentleman*, 159.

forsake them.”⁸¹ Later works, such as Ibn al-Athir’s chronicle, make use of such a formula as well, as in the case of his damnation of Joscelin the Frank,⁸² where Ibn al-Athir asks God to curse him.⁸³

Ibn Jubayr’s work can also be placed into this category on the basis that he too uses a similar formula, but it is necessary to note that it is not saved specifically for the Franks – he also uses it in reference to his coreligionists. This point demarcates a distinction between Ibn Jubayr and his contemporaries in that he does not limit his damnations solely for his supposed “enemies,” but that he uses them in conjunction with all those whom he considered to be perpetrators of injustice. It is also likely that a large percentage of Ibn Jubayr’s religious audience felt animosity toward the Franks, and therefore must have expected such damnations. The question could have been asked: How religious is one who does not state damnations toward the common enemy? For the sake of his credibility, Ibn Jubayr must have felt the need to meet such an expectation, especially in the context of his negative statements about his coreligionists.

After weighing Ibn Jubayr’s negative statements about the Franks to his positive ones, and considering his negative statements about Muslims as well, it is very difficult to align his work with that of Ibn Munqidh, or any other of his contemporaries’ works. Ibn Jubayr represents the sole neutral and critical voice in an age of physical and literary warfare. So why have only a handful of historians recognized this fact, and why have many others overlooked it in their work? One explanation might be rooted in the shared faith and circumstance of Ibn Jubayr and his contemporaries, but surely scholars dealing with such a subject can assume the individuality of these figures. It could be that historians consider Ibn Jubayr’s moderate views as reflecting more Andalusian sentiments, which tended to be characterized by conviviality, as opposed to those of Muslims in general, or that his distance from the Crusades’ theaters of war made him less informed and thus less hostile than his contemporaries who were exposed to warring Franks. In other words, he would be more similar to his contemporaries if only he had had their experiences, and some historians have suggested such a theory.

⁸¹ Abu Ya’la Hamzah ibn Asad Ibn al-Qalanisi, *The Damascus Chronicle of the Crusades: Extracted and Translated from the Chronicle of Ibn Al-Qalanisi*, trans. H. A. R. Gibb (Mineola, New York: Dover Publications, Inc., 2002), 344.

⁸² In reference to Joscelin II of Edessa who was the last ruling count of Edessa until he was taken captive by Nur ad-Din’s Turkomans and publicly blinded. He spent the rest of his life in a Muslim prison in Aleppo.

⁸³ Ali ‘Izz al-Din Ibn al-Athir al-Jizari, *The Chronicle of Ibn al-Athir for the Crusading Period from al-Kamil fi’l-ta’rikh, Part 2: The Years 541-589/1146-1193: The Age of Nur al-Din and Saladin*, trans. D.S. Richards (Aldershot: Ashgate Publishing Ltd., 2007), 39.

Carole Hillenbrand sums up the historical view in the final lines of her chapter “How the Muslims saw the Franks” in her book *The Crusades: Islamic Perspectives* by stating: “First-hand witnessing of how the Franks practiced their faith [did not] modify Muslim views of Christianity.”⁸⁴

While this may be true of Ibn Munqidh, it is not necessarily true of Ibn Jubayr. Ibn Jubayr’s societal background in al-Andalus implies that he was accustomed to the supposed *Convivencia*, or religious toleration practiced there, meaning that Ibn Jubayr lived in a society full of Christians and his opinions of them were influenced by that fact. The historical veracity of the notion of *Convivencia* in medieval al-Andalus is a topic that has been questioned by historians for centuries, and therefore it is difficult to determine the true state of societal affairs there during Ibn Jubayr’s lifetime. Ibn Munqidh, on the other hand, witnessed the infiltration of members of a foreign religion in his hometown, and his opinions of the Crusaders were based solely on those experiences. Putting these figures into the context of their societies present factors that cannot be dismissed when comparing the two. Despite the very different backgrounds of the two writers, which differentiates them from one another and from other Muslim writers from the time, many historians still choose to overlook such intricacies and paint them all with the same brush in regard to their views of the Franks and of Christianity.

A Variety of Interpretations: Ibn Jubayr in Historiographical Context

For the past century, the Crusades have been a major topic of interest for medievalists due to an increased interest in the inter-religious dynamics. In recent years, with rising tensions between the West and the Islamic world,⁸⁵ many scholars have looked to the Crusades as a historical reflection of that tension. Whether seeking answers to questions arising from these modern conflicts, or simply attempting to grasp the medieval logic that perpetuated the idea of Crusading, there is no doubt that the issue remains relevant today.

In his groundbreaking work entitled *Islam and the West: The Making of an Image*, Norman Daniel poses a question dealing with the creation of an “image” of Muslims and Islam within the Western imagination, and how that image perpetuates a vicious cycle of justifying actions and rhetoric against a supposed common enemy.⁸⁶ Daniel’s study is inherently tied to the

⁸⁴ Hillenbrand, *The Crusades: Islamic Perspectives*, 321.

⁸⁵ In reference to the events of September 11, 2001, the Arab Spring, and the Gulf War, as well as the rise of terror groups such as the supposed Islamic State, etc.

⁸⁶ Norman Daniel, *Islam and the West: The Making of an Image* (Edinburgh: Edinburgh University

Crusades, and focuses primarily on Islam within the medieval Western imagination — as he attributes the fully developed rhetoric to that period even though there were sporadic instances of such rhetoric prior to that time. On a deeper level, Daniel attempts to examine “some of the reasons that caused this image of Islam to be deformed.”⁸⁷ The implications of Daniel’s work are clear — the “image” of Islam that was created and solidified within the Middle Ages has had residual effects on the modern understanding of Islam and how Islam is dealt with in the current Western imagination. This also includes the way a scholar such as Daniel himself deals with the topic. In terms of the Crusades, historians have emphasized Crusader texts in order to formulate an understanding of the Crusades. It is only recently that western historians have taken a step back to consider the Islamic side of the story. Works such as Carole Hillenbrand’s *The Crusades: Islamic Perspectives*, Amin Maalouf’s *The Crusades through Arab Eyes*, and Paul M. Cobb’s *The Race for Paradise* deal with the issue at hand, yet the premise of such works is based entirely on a response to the overwhelming scholarship that deals with the Western perspectives of the Crusades. Surely it is a noble cause to consider the other side of the story in order to grasp a larger understanding of the Crusades, but the subject must be approached with caution as to not fall into the trap of perpetuating the “deformed image” of Islam that Norman Daniel has found throughout historiography from the Middle Ages to the present.

These more recent scholars have dealt with Ibn Jubayr and his view of the Franks in one of two ways: either his positive comments about the Franks and Christianity are emphasized and he is thus categorized separately from his contemporaries, or his positive statements are overlooked and he is categorized with his contemporaries. Hillenbrand, Cobb, and Netton all tend to fall into the latter category. Earlier scholars such as Broadhurst and Maalouf fall into the former category, despite the fact that they wrote their analyses decades earlier. This is not to say that Hillenbrand, Cobb, and Netton are necessarily incorrect in their assessments, as Ibn Jubayr does include numerous negative comments about the Franks throughout his work. However, it is also the fact that his work is filled with many instances of praise and positive statements about the Franks, all the while never failing to make negative comments about his co-religionists.

Historians have recognized recently that rather than having a single “deformed image” of Islam, Christian authors held a variety of opinions and preconceptions about their Islamic neighbors. While many were negative,

Press, 1962), 8.

⁸⁷ Ibid.

more than a few were positive. The medievalist John Tolan has written two major works dealing with depictions of Islam and Muslims within Christian texts. Tolan's methodology tends to be rooted in a comparative literary analysis of medieval Christian writings about Muslims. In his book *Sons of Ishmael*, Tolan dedicates an entire chapter to Saladin, discussing the effect that he had on the Christian understanding of Muslims, which was essentially the difficulty that Christian writers had in dealing with the paradoxical noble deeds of the Sultan within the context of their negative understanding of Muslims. Tolan states: "Salah al-Din, Sultan of Egypt and Syria, becomes, in the medieval European imagination, Saladin, epitome of chivalry, generosity, and tolerance."⁸⁸ But this view of Saladin was not always the case, and Tolan discusses the transformation of the depiction of Saladin within Christian texts by writing:

In the immediate aftermath of 1187, as we see in chapter 6, some Latin writers portrayed Saladin stereotypically as a cruel scourge, sent by God to punish Christian sins. Yet more often, over the course of the Middle Ages, European authors saw him as an embodiment of chivalric virtues, a model knight and a just prince.⁸⁹

By recognizing this phenomenon, Tolan addresses the nuance and variation within medieval Christian depictions of Muslims, as if to illustrate that despite the overwhelming consensus, many Christian writers went against the grain and made positive statements about Muslims as well. To illustrate this point further, in the introduction to his book *Saracens*, he quotes the medieval Christian missionary Riccoldo da Montecroce,⁹⁰ who wrote of his positive experiences on his mission to Baghdad. Tolan states in reference to Riccoldo: "Having come to Baghdad to preach Christianity, he finds himself in awe and admiration of the beauty, the wealth, and the learning of Baghdad..."⁹¹ Tolan's ability to decipher a variety of Christian writers' views of Islam and Muslims, his attention to nuance and complexity, and his point of addressing them within his work despite the fact that he also recognizes the more often than not negative comments, are signs of a comprehensive work and mature scholar.

⁸⁸ John V. Tolan, *Sons of Ishmael: Muslims through European Eyes in the Middle Ages* (Gainesville: University Press of Florida, 2008), 79.

⁸⁹ *Ibid.*, XV.

⁹⁰ Riccoldo da Montecroce was a thirteenth century Dominican monk, travel writer, and missionary from Florence, Italy.

⁹¹ John V. Tolan, *Saracens: Islam in the Medieval European Imagination* (New York: Columbia University Press, 2002), XIII-XIV.

In dealing with the mirrored phenomena of caricatures and criticisms of Christians within medieval Islamic texts, a scholar must follow a similar methodological approach and take into account similar considerations. As in the case with Ibn Jubayr and his work, one cannot simply overlook or neglect his numerous positive statements about the Christians he witnessed on his travels, or the ways in which he differs from his contemporaries. Ibn Jubayr is a difficult subject for historians to deal with because he does not fit into their agenda due to his complexity and nuance. Some scholars do in fact discuss this complexity but more often than not Ibn Jubayr is tied to the argument that “first-hand witnessing of how the Franks practiced their faith [did not] modify Muslim views of Christianity.”⁹² Many of the most recent works dealing with this topic have followed in line with this argument, and have held up Ibn Jubayr’s work as supporting evidence of such claims. Interestingly, those scholars who have recognized the complexity of his work wrote decades prior to the more sympathetic scholars of recent memory – one of them being the scholar who wrote the most popular and reliable translation of the *Rihla of Ibn Jubayr*, Roland Broadhurst. The recent conflicts between the modern West and the Muslim world might be considered a motivation to approach such a topic with careful scrutiny, especially to avoid perpetuating the “deformed image” of Islam that Norman Daniel discusses in his book, and even more so following the publication of Edward Said’s famous work *Orientalism* and its implications, but historiographical trends within the past sixty years show otherwise.

Carole Hillenbrand’s work *The Crusades: Islamic Perspectives* contains a wealth of information pertaining to medieval Islamic views and opinions of the Franks, as well as to the Crusades in general. However, it lacks the methodological rigor that, for example, John Tolan brings to his study of the varied medieval Christian perceptions of Islam, specifically in terms of the way that Hillenbrand deals with the subject of Ibn Jubayr. Despite her use of the Spaniard’s work as one of the few sources available from the period that illustrate the medieval Muslim view of the Franks, her analysis finds Ibn Jubayr’s opinion of the Franks overwhelmingly negative. Hillenbrand simply overlooks many of Ibn Jubayr’s positive statements and focuses on his negative ones instead, such as his description of Acre’s filthiness: “Ibn Jubayr speaks of the Franks’ ‘absence of cleanliness...’ scathing in his description of Crusader Acre.”⁹³ Hillenbrand highlights Ibn Jubayr’s “deep concern” for the “religious health of those Muslims... whose faith will

⁹² Hillenbrand, *The Crusades*, 322.

⁹³ *Ibid.*, 276.

become contaminated by proximity to the Franks.”⁹⁴

Likewise, in his book *The Race for Paradise*, historian Paul M. Cobb echoes Hillenbrand’s claims in that “Ibn Jubayr... was keen to depict the Franks as a *cultural* threat to Muslims, who turned the heads of the natives with their ready women, frivolous public spectacles, and childish creed.”⁹⁵ Much of this interpretation boils down to the methodological prism that Hillenbrand and Cobb view Ibn Jubayr’s work through. They tie him into their larger view that the medieval Muslim imagination was entirely hostile toward the Franks. It is not that they are completely incorrect in this notion. It is simply problematic to make the sweeping statement that “the coming of the Franks to the Muslim world and their living close did not change the ancient and deeply entrenched ethnic stereotypes the Muslims had formed of them.”⁹⁶ Paul M. Cobb reiterates this statement fifteen years after Hillenbrand, stating:

For the most part, it does not seem that Muslim discussion of the Franks had shifted much from the sorts of things that were said before the first acts of Frankish aggression on Islamic lands.⁹⁷

Perhaps Hillenbrand and Cobb are correct in their general assessment here, but it is clear that Ibn Jubayr’s “first-hand witnessing” of the Franks deeply affected him and influenced his prior negative opinions of the Franks. As stated earlier, Ibn Jubayr was awestruck at times due to the ways that the Franks positively exceeded his expectations of them, to the point that Ibn Jubayr grew concerned about their ability to “seduce” Muslims into conversion to Christianity due to their courtesy – not to mention Ibn Jubayr’s numerous condemnations of his coreligionists. Hillenbrand speaks of Ibn Munqidh’s history as having been “over-exploited often rather too simplistically” by scholars, so one might imagine that Ibn Jubayr is under-exploited but still taken simplistically. But why do both Hillenbrand and Cobb fail to mention, or underemphasize the many positive statements that Ibn Jubayr made about the Christians he observed and interacted with on his journey?⁹⁸ While Hillenbrand occasionally mentions some of Ibn Jubayr’s positive words about the Christians that he encountered, those quotes are sparsely scattered throughout her work and she does not directly relate them

⁹⁴ Ibid., 296.

⁹⁵ Paul M. Cobb, *The Race for Paradise: An Islamic History of the Crusades* (New York: Oxford University Press, 2014), 177.

⁹⁶ Hillenbrand, *The Crusades*, 321-22.

⁹⁷ Cobb, *The Race for Paradise*, 177.

⁹⁸ Hillenbrand, *The Crusades*, 262.

to the medieval Muslim views of the Franks in her chapter “How the Muslims saw the Franks,” which is exactly where those comments ought to be. Similarly, Hillenbrand buries and minimizes Ibn Jubayr’s positive comments about the Franks with comments about how medieval Muslims were not affected by “first-hand witnessing” of the Franks.⁹⁹

Hillenbrand has not been the only recent historian to treat Ibn Jubayr and his work in this fashion, characterizing him as yet another hostile medieval Muslim voice speaking out against the Franks and Christianity in general. In his *Basic Structures and Signs of Alienation in the Rihla of Ibn Jubayr*, historian Richard Ian Netton attempts to fit Ibn Jubayr into his “pilgrim paradigm” formula, along with Ibn Batutta.¹⁰⁰ Netton approaches Ibn Jubayr’s work with a focus on the linguistic implications of his words, insinuating that the work is a puzzle of rhetoric. This leads Netton to believe that his “semiotic survey of the principal elements of cultural-religious alienation within the *Rihla* of Ibn Jubayr... lead inexorably to one conclusion which comes as no surprise,”¹⁰¹ “Ibn Jubayr did not really like Christians or Christianity.”¹⁰² Netton’s emphasis on Ibn Jubayr’s word choices leads him to categorize Ibn Jubayr as a simpleton, referring to his discourse as “basically a tourist vocabulary, which becomes rapidly debased in its addictive use of superlatives.”¹⁰³ Here Netton follows John Mattock’s general disappointment in Ibn Jubayr’s writing style, calling Ibn Jubayr’s praise of his Almohad rulers and of Saladin “verbal flatulence and empty praise.”¹⁰⁴ It seems as though both Netton and Mattock also overlook Ibn Jubayr’s condemnations of the corruption within the Muslim world and his many positive statements about the Franks, which makes one wonder if Mattock would also consider Ibn Jubayr’s praise of Christians as “verbal flatulence.”

The *Rihla* of Ibn Jubayr, and the way that it is dealt with by scholars, might suggest that an adjustment is necessary to the larger scholarly view on medieval Islamic hostility and intolerance towards Christians. How scholars have interpreted Ibn Jubayr’s work in particular, points to an unbalanced understanding. What is simply left unattended by the scholarship speaks volumes, such as how often Ibn Jubayr receives little or

⁹⁹ Ibid., 321-22.

¹⁰⁰ Muhammad Ibn Battuta was a famous fourteenth century traveler, writer, and scholar, and is considered to be one of the greatest travelers of all time. Netton ties Ibn Jubayr to Ibn Battuta due to their shared faith, their achievements of travel and writing, and the relevant time period that they both lived.

¹⁰¹ Netton, *Golden Roads*, 69.

¹⁰² Ibid.

¹⁰³ Ibid., 61.

¹⁰⁴ Ibid.

no attention because he does not fit into the popular paradigm. Other scholars choose to take a different route in their interpretation of Ibn Jubayr's work and simply avoid dealing with his comments about the Franks entirely. Even scholars working on Ibn Jubayr avoid the quandary of having to sort out his opinions. Phillips, for example, in his study of Ibn Jubayr, quickly bypasses the "economic relations between Christians and Muslims," "the conditions of Muslims living in Frankish lands," and "treatment of Muslim slaves," suggesting that these topics had already been addressed in full. Such a methodology is praiseworthy, but it leaves much to the reader's imagination, as the question on a majority of minds when reading the *Rihla* of Ibn Jubayr tends to revolve around how he perceived the Franks, and the ways that his work can illuminate the field of Crusade history, specifically in terms of inter-religious relations.

Roland Broadhurst and Amin Maalouf are two historians that recognize Ibn Jubayr's "moderate" character in comparison to his contemporaries. Their interpretations counter more general statements about medieval Muslims such as: "When medieval Muslims write of Christian beliefs or observances they create a grotesque caricature," which implies a lack of exception.¹⁰⁵ Both Broadhurst and Maalouf would only agree with such a statement to an extent, using Ibn Jubayr as the key figure that undermines and transforms it from a confident assumption into a stark generality. Broadhurst dedicates two sentences in his introduction to this important intricacy:

To all his story, with its abundance of detail and interest, he brings a perspicacity and soundness of judgment, a precision and vividness of descriptive power... that may, perhaps, be expected in a scholar and writer of his repute; but in his balanced comments on Crusader Syria and Norman Sicily, despite the perfunctory malisons that by convention he must pronounce upon the Christian enemy, I can discern a moderation most rare in that fanatic age.¹⁰⁶

Not only does Broadhurst's comment tackle the issue of Ibn Jubayr's "moderation," while also implying his uniqueness within the sea of generally negative medieval Muslim views of Christians, but it also concisely describes Ibn Jubayr's negative comments about Christians as being "a

¹⁰⁵ Francesco Gabrieli, *Arab Historians of the Crusades: Selected and Translated from the Arabic Sources by Francesco Gabrieli* trans. E. J. Costello (Berkeley: University of California Press, 1969), XVII.

¹⁰⁶ Broadhurst, *The Travels of Ibn Jubayr*, 19.

convention that he must pronounce," as opposed to a convention that he pronounces out of sheer hostility. Like Ibn Jubayr, Broadhurst too seems to bring a "soundness of judgment" to a sea of oversimplified historiographical notions about medieval Muslim views of Christians. In the same way that Ibn Jubayr is a voice of moderation in a fanatical age, Broadhurst's comment about Ibn Jubayr's moderation could be viewed as similarly moderate. In his work *The Crusades through Arab Eyes*, Maalouf delves into specific examples from the *Rihla* of Ibn Jubayr to support his argument that Ibn Jubayr is quite different from other medieval Muslim writers. In regard to Frankish justice, Maalouf states: "...Ibn Jubayr's reaction merits even more attentive examination... he had the honesty to recognize [their] positive qualities."¹⁰⁷ Maalouf's approach is balanced in that he does not deny Ibn Jubayr's concerns with the Franks, but he still recognizes him as "honest" in his recognition of the Franks' positive traits. This point, albeit a minor one, acknowledges Ibn Jubayr's "moderate" voice, and offers his work credit where other scholars have felt credit was not due.

In Claudia Karagoz's book entitled *Sicily and the Mediterranean: Migration, Exchange, Reinvention*, she emphasizes Ibn Jubayr's positive comments and praise for the Christians living in Sicily. Karagoz states: "Ibn Jubayr's words of admiration and praise are not confined only to Sicily as a land, but to its inhabitants as well... all Christians living in Sicily are generally described as kind and hospitable."¹⁰⁸ She goes on to quote Ibn Jubayr on his description of King William II of Sicily by saying that "Ibn Jubayr concludes by stating that King William resembles a Muslim emir in his lifestyle."¹⁰⁹ Karagoz also mentions a few of Ibn Jubayr's negative comments about the "filthiness" of Messina, but she only does this in order to illuminate the content of his work, and not to discredit Ibn Jubayr as hostile toward Christians.¹¹⁰ Karagoz's interpretation of Ibn Jubayr's work is particularly interesting in that she does not hold a stake in the argument for or against his opinions and comments about the Franks, nor is she concerned with the greater medieval Muslim opinion of Christians and Crusaders. For her, Ibn Jubayr is simply a means to understand medieval Sicily in a deeper way, and therefore her words regarding Ibn Jubayr's comments about the Christian kingdom of Sicily should illustrate the point further that Ibn Jubayr's work cannot be interpreted as hostile toward Christianity, nor can

¹⁰⁷ Maalouf, *The Crusades through Arab Eyes*, 263.

¹⁰⁸ Claudia Karagoz, *Sicily and the Mediterranean: Migration, Exchange, Reinvention* ed. Giovanna Summerfield (New York: Palgrave Macmillan, 2015), 45.

¹⁰⁹ *Ibid.*, 46.

¹¹⁰ *Ibid.*, 47.

it be said that Ibn Jubayr “did not really like Christians nor Christianity.”¹¹¹ On the contrary, it seems that Ibn Jubayr struggled to accept the fact that there are some Christians that he encountered on his journey who he did in fact like, and he did not hesitate to include praise of them in his work. Karagoz’s comments really drive the point home in that they fall in line with the notion that Ibn Jubayr’s work consists of a plethora of praise and positive comments about the Christians that he experienced on his travels.

The Future of Medieval Islamic Historiography: Conclusion

The *Rihla* of Ibn Jubayr is a nuanced text and demands nuanced scholarship. The variety of Ibn Jubayr’s comments about the Christian communities that he observed on his travels bring complexity to his work, and those complexities cannot be dismissed or oversimplified. While Richard Ian Netton has no qualms blatantly stating his generalized interpretation of Ibn Jubayr’s opinion of Christians, by doing so his work falls into the predicament of being dealt with by scholars in the same generalized way that he deals with Ibn Jubayr’s work. It is necessary to be careful to avoid such stark generalizations, and recognize the repercussions of those statements, as they perpetuate the “deformed image” of Islam that Norman Daniel discusses. While it may be convenient to base an argument on the popular consensus when dealing with the works of medieval Muslim writers and their supposedly negative opinions of Christians, doing so ignores potential evidence that might undermine that consensus. In the case of Ibn Jubayr’s work, it greatly differs from the works of his contemporaries, and the only way to make such a differentiation is by considering the context of his work in relation to the others, the historical circumstances, and the subject matter that is being analyzed. The question posed here in regard to Ibn Jubayr’s work has been: does it differ from his contemporaries’ works in terms of Ibn Jubayr’s statements about Christians? In terms of such criteria it can be confidently asserted that his work does differ. But what if the topic remains the same, but the questions that are being asked are different? In that case Ibn Jubayr’s work could potentially be categorized together with his contemporaries while another work may illustrate the variety. The larger question to ask would be how many medieval Islamic sources, either known or yet to be discovered, are similarly as nuanced in their attitudes toward Christians as Ibn Jubayr’s writing is. It is quite possible that such works could flip the popular argument about medieval Muslims’ views of Christians on its head. However, it is important to note that whether that is the case or not, the *Rihla* of Ibn Jubayr indeed enables one to question the

¹¹¹ Netton, *Golden Roads*, 69.

veracity of the popular argument.

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“A Man’s Rights Are Not to Be Measured by His Economic Status”

The La Follette Civil Liberties Committee and Moral Authority in the New Deal

Nicholas Delehanty

Introduction

On May 30, 1937, Harry N. Harper attended a march of the Steel Workers Organizing Committee (SWOC) at the Republic Steel Corporation plant in Chicago to deliver a message to his brother from their elderly mother.¹ Harper, recounting the incident to the Senate Subcommittee Investigating Violations of Free Speech and the Rights of Labor in Washington, D.C on July 2, 1937, told of his attempt to negotiate with Chicago police officers overseeing the march to enter the plant in order to see his brother: “[B]efore I got that last statement out of my mouth, it seemed to me like a blast of a whistle, and then all hell seemed to have let loose. Immediately, I was struck on the side, my left side, I went down.”² Harper, who found himself in the middle of an offensive conducted by the Chicago Police against the SWOC marchers, continued, telling Senator Robert M. La Follette, Jr., “The blood was gushing out of my face. It was running in my mouth... There were shots fired, and I saw people in front of me going down... It seemed as though they were going down, as though being mowed down with a scythe.”³

Harper attempted to flee from the source of the gunfire and fell into a ditch.⁴ Before the police loaded him into a car destined for the closest

¹ U.S. Congress, Senate, Subcommittee of the Committee on Education and Labor, *Hearings Before the Subcommittee of the Committee on Education and Labor Pursuant to S. Res. 266 on Violations of Free Speech and Rights of Labor Part 14: The Chicago Memorial Day Incident*, 75th Cong., 1st Sess., July 2, 1937, 4959, [http://hdl.handle.net/2027/uc1.\\$b643145](http://hdl.handle.net/2027/uc1.$b643145).

² *Ibid.*, 4961.

³ *Ibid.*

⁴ *Ibid.*, 4963.

hospital, they searched him for “communistic literature.”⁵ When Harper finally arrived at the hospital, allegedly three hours later, he later reported to the committee: “I could not see; my left eye was out and my right eye closed entirely, and my face a mass of blood.”⁶ The officers dragged Harper into the hospital where he underwent an operation to remove his damaged left eye.⁷ The detailed report the committee published on the May 30th events condemned the Chicago Police for their violent actions in which they shot and killed ten and wounded scores of others.⁸ The scathing account repudiated police testimony that the marchers instigated violence and found the Chicago Police habitually attacked labor under false pretenses of public safety and fighting subversive influences. It wrote: “The nature of the police injuries does not argue that the marchers put up marked resistance to the police; the medical testimony of the nature of the marchers’ wounds indicates that they were shot in flight.”⁹ The committee, challenging the police’s proposed narrative of firing warning shots into the air, darkly stated: “Common sense tells us that shooting in the air cannot explain 40 gunshot wounds, the majority of them in the back.”¹⁰ The committee strongly decried the Chicago Police for their role in both perpetrating violent acts on the marchers and denying them their civil liberties.

Harper’s testimony and the report on what became known as the Chicago Memorial Day Massacre formed part of an inquiry of the Senate Subcommittee Investigating Violations of Free Speech and the Rights of Labor. This subcommittee, a part of the Senate Committee on Education and Labor between 1936 and 1940, examined abusive and violent practices employers and local authorities used against workers who attempted to unionize or were already members of unions.¹¹ This body was frequently known as the La Follette Committee or the La Follette Civil Liberties Committee, after its chairman, Senator Robert M. La Follette, Jr. of Wisconsin, a Republican who became a prominent member of the Wisconsin Progressive Party in 1934.¹² The La Follette Civil Liberties Committee pursued multiple wide-ranging and intensive investigations into “violations

⁵ Ibid., 4964.

⁶ Ibid., 4962.

⁷ Ibid., 4963.

⁸ U.S. Congress, Senate, Subcommittee of the Committee on Education and Labor, *Violations of Free Speech and Rights of Labor: Report on the Chicago Memorial Day Incident*, 75th Cong., 1st Sess., S. Rpt. 46 Part 2, July 22, 1937, 32, Readex U.S. Congressional Serial Set Database.

⁹ Ibid., 33–34.

¹⁰ Ibid., 33.

¹¹ Jerold S. Auerbach, *Labor and Liberty: The La Follette Committee and the New Deal* (Indianapolis: Bobbs-Merrill Co, 1966), 1.

¹² Ibid., 4.

of rights of free speech and assembly and undue interference with the right of labor to organize.”¹³ The committee, as it wrote in its report on industrial espionage, functioned as a “fact-finding and exploratory body that sought to expose the skeleton of labor espionage, strikebreaking, and munitioning.”¹⁴ Additionally, the committee probed the creation of employers’ associations and their widespread use of propaganda to foment anti-union sentiment and flout the National Labor Relations Act of 1935.¹⁵ The committee studied specific examples of labor conflict that erupted over the course of its existence, such as Chicago’s Memorial Day Incident in 1937.¹⁶ The La Follette Committee published seventy-five volumes of testimony and documents from its congressional hearings and numerous multi-part reports that provided analysis and commentary on the state of labor’s civil liberties in the United States.

The La Follette Civil Liberties Committee broadly defined “civil liberties” as a part of a moral claim to economic security for the worker. According to its report on the Memorial Day Incident and its report on collective bargaining in California, the La Follette Committee specifically advocated for a substantive idea of civil liberties rooted in the tradition “of the dignity of the individual,” which underpinned “the whole fabric of industrial democracy.”¹⁷ In these phrases, the committee advanced a conception of economic fairness applicable at both the individual and societal levels. The committee, as an expression of New Deal liberal thought, believed a moral foundation of economic fairness undergirded American democracy. Employers’ refusal to negotiate fairly with workers and their attacks against the civil liberties of unions thus undermined the concept of democracy itself. The committee used extensive press coverage to portray its crusade against the “evils” of anti-unionism as moral. The La Follette Committee operated on a broad definition of “civil liberties” based on a

¹³ U.S. Congress, Senate, Subcommittee of the Committee on Education and Labor, *Violations of Free Speech and Rights of Labor: Preliminary Report*, 75th Cong., 1st Sess., S. Rpt. 46 Part. 1, February 8, 1937, 1, Readex U.S. Congressional Serial Set Database.

¹⁴ U.S. Congress, Senate, Subcommittee of the Committee on Education and Labor, *Violations of Free Speech and Rights of Labor: Report on Industrial Espionage*, 75th Cong., 1st Sess., S. Rpt. 46 Part. 3, November 16, 1937, 6, Readex U.S. Congressional Serial Set Database.

¹⁵ Subcommittee of the Committee on Education and Labor, *Preliminary Report*, 1–2.

¹⁶ Subcommittee of the Committee on Education and Labor, *Report on the Chicago Memorial Day Incident*, 1.

¹⁷ U.S. Congress, Senate, Subcommittee of the Committee on Education and Labor, *Violations of Free Speech and Rights of Labor: Report on Employers’ Associations and Collective Bargaining in California II*, 77th Cong., 2nd Sess., S. Rpt. 1150 Part. 2, April 3, 1942, 144, Readex U.S. Congressional Serial Set Database.

claim to economic security that enabled it to successfully recast its political investigations as moral undertakings to safeguard American democracy. Overall, the La Follette Committee was both a failure and success. It did not propose any successful legislation and inspired a conservative backlash in its time. However, the committee left an enduring legacy in its comprehensive, economically-based interpretation of civil liberties as moral claims and it pushed the federal government to take a more active posture in protecting the civil liberties of Americans.

The term “civil liberties” sat at the heart of the La Follette Committee’s investigation. The committee’s use of “civil liberties,” along with “civil rights,” stands in contrast to the distinct and well-defined meanings the terms have developed over the past 80 years. A working definition of the term as used by the committee reveals the political and ideological context in which it operated. The fluid meaning(s) of “civil liberties” over the past century and its interchangeability with the term “civil rights” complicates its significations. The twenty-first century use of the phrase describes a set of negative rights that one asserts against government power.¹⁸ An example of a civil liberty is the First Amendment to the Constitution of the United States, which begins: “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.”¹⁹ Thus, the current (as in twenty-first century) abstract idea of a civil liberty is that one is free from interference from others to act and live in a way one chooses as long as one does not infringe upon the freedom of others to live or act as they choose.²⁰ Civil rights, as opposed to civil liberties, are a set of positive rights that guarantee protection from discriminatory treatment.²¹ A notable example of a civil right is the Fourteenth Amendment of the United States Constitution, which states that no government “shall deny to any person within its jurisdiction the equal protection of the laws.”²²

¹⁸ Laura Weinrib, *The Taming of Free Speech* (Harvard University Press, 2016), 2.

¹⁹ Stanford Law School, “Civil Rights vs. Civil Liberties,” *Stanford Journal of Civil Rights and Civil Liberties*, October 18, 2013, <https://journals.law.stanford.edu/stanford-journal-civil-rights-and-civil-liberties-sjcrcl/online/civil-rights-vs-civil-liberties>; U.S. Constitution, amend. 1, sec. 1.

²⁰ Isaiah Berlin, “Two Concepts of Liberty: An Inaugural Lecture Delivered Before the University of Oxford on 31 October 1958,” 1959, 3, https://www.wiso.uni-hamburg.de/fileadmin/wiso_vwl/johannes/Ankuendigungen/Berlin_twoconceptsofliberty.pdf. Berlin describes “positive” and “negative” liberties in this essay. He defines negative liberty as: “The area within which the subject - a person or group of persons - is or should be left to do without interference by other persons” and positive freedom as “What, or who, is the source of control or interference that can determine someone to do, or be, this rather than that?” (2).

²¹ Christopher W. Schmidt, “The Civil Rights-Civil Liberties Divide,” *Stanford Journal of Civil Rights and Civil Liberties* 12 (2016): 1.

²² U.S. Constitution, amend. 14, sec. 1.

In strong contrast to the twenty-first century usage of these terms, prior to the late 1940s, "civil liberties" and "civil rights" were interchangeable.²³ According to the legal scholars Laura Weinrib and Risa L. Goluboff, in the period in which the La Follette Committee worked, the meaning of the term "civil liberties" was "in flux" and "vehemently contested" by conservatives and liberals alike.²⁴ Many different groups, from the progressive American Civil Liberties Union (ACLU), to the conservative American Liberty League, to the reactionary Constitutional Educational League, mobilized the language of civil liberties for their causes.²⁵ Thus, an overarching definition of "civil liberties" during the New Deal cannot completely incorporate the many different meanings various groups used.²⁶ Many competing groups existed in the labor movement, at the time notably the American Federation of Labor (AFL) and the Committee for Industrial Organization (CIO). The AFL and CIO as labor organizations concentrated on realizing practical political and economic gains instead of establishing a concrete definition of "civil liberties" or "civil rights" or drawing a distinction between the two terms.²⁷ Prior to World War I, few spoke of "civil liberties" in American political life and the term only achieved wide usage with the founding and subsequent activities of the ACLU, in 1920.²⁸

Laura Weinrib, in her 2016 work *The Taming of Free Speech*, claims that "civil liberties" were an inherently economic issue and developed much (but not all) of their contemporary meaning by the early 1940s as a result of the litigation and agitation brought about by organized labor.²⁹ Her argument, which eschews traditional methods of tracing civil liberties from a history of law perspective, places renewed focus on the role of the labor movement in the development of civil liberties.³⁰ The La Follette Committee, through its zealous advocacy for labor and repeated affirmation that civil

²³ Schmidt, "The Civil Rights-Civil Liberties Divide," 8.

²⁴ Laura M. Weinrib, "Civil Liberties Outside the Courts," *The Supreme Court Review* 2014, no. 1 (January 1, 2015): 308, doi:10.1086/681274; Risa L. Goluboff, "The Thirteenth Amendment and the Lost Origins of Civil Rights," *Duke Law Journal* 50, no. 6 (2001): 1609, doi:10.2307/1373044.

²⁵ U.S. Congress, Senate, Subcommittee of the Committee on Education and Labor, *Hearings before the Subcommittee of the Committee on Education and Labor Pursuant to S. Res. 266 on Violations of Free Speech and Rights of Labor Part 16: "Citizens' Committees: The Johnstown (Pa.) Citizens' Committee / The Citizens' National Committee / The Johnstown (Pa.) Chamber of Commerce / The Constitutional Educational League, 75th Cong., 2nd Sess., November 19, 1937, 7367, [http://hdl.handle.net/2027/uc1.\\$b643148](http://hdl.handle.net/2027/uc1.$b643148).*

²⁶ Goluboff, "The Thirteenth Amendment and the Lost Origins of Civil Rights," 1609.

²⁷ Schmidt, "The Civil Rights-Civil Liberties Divide," 8.

²⁸ Weinrib, *The Taming of Free Speech*, 2.

²⁹ *Ibid.*, 10–11.

³⁰ *Ibid.*, 6.

liberties and economic fairness were mutually compatible (if not interrelated ideas), did much to advance this labor-oriented understanding of civil liberties. However, this paper claims that “civil liberties” as used by the La Follette Committee were not value-neutral, as the twenty-first century usage would imply, but instead laden with liberal, New Deal ideas, such as the importance and primacy of union organization, as an extension of the expression of the inherent dignity of man.

Historiography

While civil liberties may be a much-discussed topic within history and law, the historical and legal literature on the La Follette Committee is surprisingly sparse. Additionally, while historical investigations of the moral aspect of the New Deal are many, few (if any) works examine the La Follette Committee as a primary focus. The foundational text on the committee is Jerold Auerbach’s 1966 book *Labor and Liberty: The La Follette Committee and the New Deal*.³¹ In *Labor and Liberty*, Auerbach argued that the La Follette Committee did much to advance the cause of organized labor and helped to shift government perceptions on the appropriateness of using federal power to defend individuals by bringing employer abuses to light.³² Auerbach relied heavily on La Follette Committee reports and hearing transcripts for his book, as well as media reports, personal correspondence, and even interviews with committee staff.³³ He paid special attention to the role of several key figures, such as Robert La Follette, his co-chair Senator Elbert Thomas, Heber Blankenhorn, staff director of the committee, and Roger Baldwin of the ACLU.

Labor and Liberty followed a chronological structure in which

³¹ Indeed, it is telling that Patrick Maney, author of “Young Bob” *La Follette: A Biography of Robert M. La Follette Jr., 1895-1953* (1978) wrote in the bibliographical note for “Civil Liberties Investigation, 1936-1940” that “By far the best account of the investigation is Jerold S. Auerbach, *Labor and Liberty: The La Follette Committee and the New Deal*.” (322) Gilbert Gall in “Heber Blankenhorn, The LaFollette Committee And The Irony of Industrial Repression” (1982) concurs with this account: “The definitive history of the committee, [is] Jerold S. Auerbach, *Labor and Liberty: The La Follette Committee and the New Deal* (Indianapolis, 1966).” (246).

Auerbach also authored two journal articles on the La Follette Committee two years earlier, in 1964, Jerold S. Auerbach, “The La Follette Committee: Labor and Civil Liberties in the New Deal,” *The Journal of American History* 51, no. 3 (1964): 435–59, doi:10.2307/1894895, JSTOR; Jerold S. Auerbach, “The La Follette Committee and the C.I.O.,” *The Wisconsin Magazine of History* 48, no. 1 (1964): 3–20, JSTOR.

³² Auerbach, *Labor and Liberty*, 217.

³³ Since Auerbach wrote in 1966, important figures who were involved with the La Follette Committee were still alive and he interviewed them. Several examples include, Ann Blankenhorn (wife of Heber); John J. Abt, committee counsel; Gardner Jackson; Philip La Follette, son of Robert; and Robert Wohlforth, committee secretary (*Labor and Liberty*, 236).

Auerbach examined the political context from which the committee arose, the logistics of planning and conducting the investigations, the results of the investigations, as well as the political biases and alleged communist subversive infiltration of the committee.³⁴ Auerbach concluded by discussing the results and legacy of the La Follette Committee.³⁵ He claimed that even though La Follette’s proposed legislative remedy, a 1939 bill, “To Eliminate Certain Oppressive Labor Practices Affecting Interstate and Foreign Commerce, And for Other Purposes” failed, the committee, working with the Roosevelt Administration and organized labor, was responsible for the expansion of civil liberties in the United States. He cited U.S. Attorney General Frank Murphy’s establishment of a Civil Liberties Unit in the Department of Justice on February 3, 1939 as an example of the government’s commitment to the protection of civil liberties of individuals from other individuals and oppressive private organizations.³⁶ While Auerbach did briefly discuss the political nature of congressional investigations, he did not broach the issue of moral authority within the committee’s conception of civil liberties.³⁷

With the exceptions of Auerbach’s work, Patrick J. Maney’s 1978 biography of La Follette, *“Young Bob” La Follette: A Biography of Robert M. La Follette, Jr., 1895-1953*, and several recent writings by the legal scholar Laura Weinrib, the La Follette Committee has remained a neglected subject of historical inquiry. The La Follette Committee has been featured only as a passing reference, footnote, or a paragraph in countless works in the fifty plus years since Auerbach wrote *Labor and Liberty*.³⁸ As a result, Auerbach’s interpretations of the committee and its activities have proven to be extraordinarily durable as they have become the basis for all other scholarship (however limited) on the La Follette Committee.³⁹ In *“Young*

³⁴ Auerbach, *Labor and Liberty*, xi.

³⁵ Ibid.

³⁶ Ibid., 205.

³⁷ Ibid., 1. Auerbach chiefly discusses this issue in the introduction of his book.

³⁸ Somewhat counterintuitively, the securities studies scholar James D. Calder claimed in his 2010 article “Law, Politics, and Occupational Consciousness: Industrial Guard Unions in the United States 1933-1945” that “The rich details of the La Follette Committee findings, particularly the reports on private police systems, company munitions stockpiling, and strikebreaking activities have been amply explored in several scholarly sources (Auerbach, 1964 and 1966; Baldwin and Randall, 1938; Bernstein, 1968; Derber and Young, 1957; Doan, 1949; Maney, 1978; Smith, 2003; Weiss, 1978).” A careful examination of each of these sources (except for Auerbach, Maney, and Doan, which was not available in any format) revealed that they did not explore the committee’s findings in any great depth, and those published after Auerbach tended to fall back on his conclusions.

³⁹ Several examples of works consulted that feature the La Follette Committee are: Irving Bernstein, *A History of the American Worker 1933-1941: Turbulent Years* (Boston: Houghton Mifflin

Bob" Maney adhered to Auerbach's conclusion that the committee was a success for civil liberties and focused on the personal cost of the investigation for La Follette.⁴⁰ Maney claimed that while the committee did much to raise his stature in the national press, allegations of communist influence on the committee dogged La Follette for the rest of his political career and life.⁴¹ Maney made no claims about the definition of civil liberties the committee used or the way in which it reconfigured a political investigation to be a moral undertaking.

Laura Weinrib, a scholar and lawyer, most recently examines the committee from a legal perspective and investigates the committee's use of the term "civil liberties." Weinrib argues that the La Follette Committee took a comprehensive view of civil liberties and thought of them as positive rights for the state to assert on behalf of labor.⁴² Weinrib addresses the committee's frequent conflation and interchangeability of "civil rights" and "civil liberties" and faults La Follette and his staff's occupations as "policymakers, not scholars or theorists" for this "slippage" in terminology.⁴³

The idea of a congressional committee investigating abuses of constitutional rights by private actors does not escape Weinrib's scrutiny. As the Bill of Rights applies only to the government (known as the doctrine of State Action), the legal and philosophical groundings of the La Follette Committee's actions were not clear.⁴⁴ Weinrib bluntly questions this

Company, 1970); James MacGregor Burns and Stewart Burns, *A People's Charter: The Pursuit of Rights in America*, 1st ed (New York: Knopf: Distributed by Random House, 1991); Carol Quirke, "Reframing Chicago's Memorial Day Massacre, May 30, 1937," *American Quarterly* 60, no. 1 (2008): 129–57; Margaret A. Blanchard, *Revolutionary Sparks: Freedom of Expression in Modern America* (New York: Oxford University Press, 1992); Elizabeth E. Joh, "The Forgotten Threat: Private Policing and the State," *Indiana Journal of Global Legal Studies* 13, no. 2 (2006): 357–89, doi:10.2979/gls.2006.13.2.357; John Walton, *The Legendary Detective: The Private Eye in Fact and Fiction* (Chicago: University of Chicago Press, 2015).

⁴⁰ Patrick J. Maney, "Young Bob" La Follette: *A Biography of Robert M. La Follette, Jr., 1895-1953* (Columbia: University of Missouri Press, 1978), 223.

⁴¹ *Ibid.*, 225.

⁴² Laura Weinrib, "The Liberal Compromise: Civil Liberties, Labor, and the Limits of State Power, 1917-1940," *Other Publications*, May 1, 2011, 25, http://chicagounbound.uchicago.edu/other_publications/4.

⁴³ Weinrib, "Civil Liberties Outside the Courts," 334.

⁴⁴ Cornell Law School, "State Action Requirement," LII / Legal Information Institute, September 18, 2009, https://www.law.cornell.edu/wex/state_action_requirement. "The "State Action Requirement" stipulates that the constitutional amendments which protect individual rights (especially the Bill of Rights and the 14th Amendment) are mostly phrased as prohibitions against government action... Because of this requirement, it is impossible for private parties (citizens or corporations) to violate these amendments, and all lawsuits alleging constitutional violations of this type must show how the government (state or federal) was responsible for the violation of their rights. This is referred to as the state action requirement."

assumption in her 2015 paper “Civil Liberties Outside the Courts,” but does not provide an answer.⁴⁵ Her response comes in her 2016 book, *The Taming of Free Speech*. She claims that from Progressive Era, and later New Deal understandings of the role of government as an active regulator, a new, more permeable understanding of State Action arose that included, and thus constrained, private actors.⁴⁶ The new interpretation hinged upon the La Follette Committee’s reconfiguration of civil liberties from negative rights, or guarantees from government interference, to positive rights, or guarantees of government action to assert and protect rights.⁴⁷ In *The Taming of Free Speech*, Weinrib asserts that traditional scholarship ignores labor’s role in the preservation and evolution of civil liberties.⁴⁸ Weinrib, however, makes no claims to analyze how the committee used its definition of civil liberties to reconfigure their pro-labor political investigations as moral crusades around which the American public could rally.

Sources Overview

As the historical record has indicated, historians have paid little attention to the La Follette Committee. This fact is all the more surprising considering that the La Follette Committee was a media sensation in 1936 when it began its investigations.⁴⁹ Indeed, the committee felt it necessary to state in a section of the *Report on Industrial Espionage* entitled “Reasons for Making The Investigation”: “So much has been written about the committee and its investigations have received so much public notice that a statement of its policies and course seems appropriate.”⁵⁰ The committee began preliminary hearings (prior to the passage of legislation that authorized the committee’s investigation) on April 10, 1936.⁵¹ On April 11, an article on the front page of the *New York Times* announced “Steel Men Accused of Spying on Union... Senators Told 135,000 Labor Spies Have Been Hired in Recent Years.”⁵² Within a year of the committee’s founding, former staff and other

⁴⁵ Weinrib, “Civil Liberties Outside the Courts,” 333. “No one bothered to explain how employers, as private actors, might infringe upon constitutional rights.”

⁴⁶ Weinrib, *The Taming of Free Speech*, 205.

⁴⁷ Weinrib, “The Liberal Compromise,” 25.

⁴⁸ Weinrib, *The Taming of Free Speech*, 6.

⁴⁹ Subcommittee of the Committee on Education and Labor, *Report on Industrial Espionage*, 4.

⁵⁰ *Ibid.*

⁵¹ U.S. Congress, Senate, Subcommittee of the Committee on Education and Labor, *Hearings before the Subcommittee of the Committee on Education and Labor on S.Res 266: A Resolution to Investigate Violations of the Right of Free Speech and Assembly and Interference with the Right of Labor to Organize and Bargain Collectively*, 74th Cong., 2nd Sess., April 10, 1936, i, <http://hdl.handle.net/2027/uc1.b5127283>.

⁵² Louis Stark, “Steel Men Accused of Spying on Union” *New York Times*, April 11, 1936, ProQuest

observers had written several full-length books and novels about it and its investigations.⁵³ In a 1938 review of several of the books, *The Labor Spy Racket*, *Spy Overhead*, *When Labor Organizes*, and *Men Who Lead Labor* (which was not about the La Follette Committee) a reviewer remarked: "These four volumes reflect the high standards that have been reached in recent books about labor. They signify also the growing importance of the labor movement in American life and the seriousness of our struggle against those who are attempting to destroy this movement."⁵⁴ A 1939 article in the *Monthly Labor Review* praised the committee for bringing abusive employer practices to light.⁵⁵ The La Follette Committee mattered a great deal at the time of its investigations.

Roger A. Bruns, an editor of *Congress Investigates: A Documented History: 1792-1974*, claimed that most congressional committees experience a burst of temporary media spectacle followed by a period of neglect by academic historians.⁵⁶ The La Follette Committee is no exception, considering Bruns left it out of his five-volume, 4,103-page history of congressional investigations. In explaining why individual congressional committees attract so little attention from researchers, Bruns tellingly joked that historians do not examine congressional investigations because of the difficulty of dealing with the source material.⁵⁷ Once again, the records of the La Follette Committee are no exception to this historical maxim. Over the course of its investigations, the committee produced a staggering 27,808 pages of testimony and documents contained in 75 volumes.⁵⁸ The

Historical Newspapers.

⁵³ Four such notable examples are: Leo Huberman, *The Labor Spy Racket* (New York: Da Capo Press, 1937); Clinch Calkins, *Spy Overhead* (Harcourt Brace, 1937); Robert R. R. Brooks, *When Labor Organizes* (New Haven: Yale University Press, 1937); J. Raymond Walsh, *C.I.O., A Study in Industrial Unionism* (New York: Norton & Co, 1937).

⁵⁴ Robert W. Dunn, "'The Labor Spy Racket,' by Leo Huberman, 'Spy Overhead,' by Clinch Calkins, 'When Labor Organizes,' by Robert R. R. Brooks, and 'Men Who Lead Labor,' by Bruce Minton and John Stuart (Book Review)," *Science and Society* 2 (January 1, 1938): 138, ProQuest.

⁵⁵ Anonymous, "Oppressive Labor Practices: Summary of Senate Inquiry," *Monthly Labor Review* 48, no. 5 (May 1939): 1062, ProQuest.

⁵⁶ Roger Bruns, "Preface," in *Congress Investigates: A Documented History: 1792-1974*, ed. Arthur M. Schelesinger, Jr. and Roger Bruns, vol. 1 (New York: Chelsea House Publishers in Association with R.R. Bowker Company, 1975), vi.

⁵⁷ *Ibid.*

⁵⁸ This number only includes only testimony heard and documents received by The Subcommittee Investigating Violations of Free Speech and the Rights of Labor was a part of the Senate Committee on Education and Labor from August 21, 1936 to July 1, 1940, and does not include the preliminary hearings or the hearings held when La Follette introduced his bill, "To Eliminate Certain Oppressive Labor Practices Affecting Interstate and Foreign Commerce, And for Other Purposes," in 1939.

committee wrote 19 full-length reports and one brief interim status report, bringing the total number of volumes of text to 94.⁵⁹ The sheer quantity of primary sources produced by the La Follette Committee provides a great many opportunities to pursue scholarship at the intersection of labor, civil liberties, and moral authority during the New Deal era.

The New Deal and Moral Authority

For New Dealers, chief among them Franklin D. Roosevelt, a moral foundation underpinned economic reform. Achieving a decent of standard of living for all Americans was inseparable from correcting the moral deficiencies of the previous decade and the attendant economic depression. Roosevelt, when running for president in 1932, granted an interview with the *New York Times* in which he indicated that the presidency is “pre-eminently a place of moral leadership.”⁶⁰ Roosevelt’s belief that government should function as a comprehensive moral leader formed the philosophical basis of both the New Deal and, more specifically, the La Follette Committee. For example, the committee, in its report on industrial espionage, made it abundantly clear that investigation was both political and moral. It wrote: “The committee’s existence and the direction and scope of its inquiries did not occur fortuitously; they are expressions of the persistent concern of the Congress with the physical, moral, and economic conditions under which the people of America work.”⁶¹ Thus, the committee, in the spirit of Roosevelt and the New Deal, charged itself with scrutinizing the moral state of affairs of American labor.

The La Follette Committee, in both its sense of moral purpose and advocacy for the rights of working people, was unequivocally a product of the New Deal. As historian Michael Czaplicki argues in his 2010 dissertation “The Corruption of Hope: Political Scandal, Congressional Investigations, and New Deal Moral Authority, 1932-1952,” the New Deal at its core “was fundamentally an ethical project aimed at restoring the moral authority of American government.”⁶² Thus, the committee’s, or more specifically La

⁵⁹ Walton, *The Legendary Detective*, 137.

⁶⁰ Anne O’Hare McCormick, “Roosevelt’s View of The Big Job,” *New York Times*, September 11, 1932, sec. *The New York Times Magazine*, ProQuest.

⁶¹ Subcommittee of the Committee on Education and Labor, *Report on Industrial Espionage*, 4. In the use of the phrase “the persistent concern of the Congress with the physical, moral, and economic conditions under which the people of America work,” the committee referred to many New Deal-era laws that dealt with labor such as the 1933 National Industrial Recovery Act or the National Labor Relations Act of 1935.

⁶² Michael Stephen Czaplicki, “The Corruption of Hope: Political Scandal, Congressional Investigations, and New Deal Moral Authority, 1932–1952” (Ph.D., The University of Chicago,

Follette's, insistence on its moral mission emanated from the progressive ethical sentiment that drove the New Deal. Czaplicki claims that the New Deal, as a reaction to the suffering of the Great Depression inflicted by the underhanded and reckless tactics of business and industry, demanded inquiries into corruption and other areas in which private actors challenged the public interest.⁶³

The La Follette Committee, as a fact-finding and investigatory body, was an outgrowth of the democratic "urge to know," or the idea that the state should uncover and disseminate information of public interest and utility.⁶⁴ This "urge to know," referred to as "knowing capitalism" by Czaplicki, was part of the progressive reaction against industrial excesses in which the first step of social amelioration was knowledge of social ill.⁶⁵ "Knowing capitalism" was inherently democratic because it sought to bring to light and expose all evidence of corruption and social ills to the public. The New Deal actively encouraged knowing capitalism at the highest level of government—for example President Roosevelt's dissemination and democratization of knowledge through fireside chats.⁶⁶ Additionally, democracy in the New Deal was not simply a political system, but also a system of moral values. The historian William Leuchtenburg, in his definitive history of the era, *Franklin D. Roosevelt and the New Deal 1932-1940*, wrote that the guiding idea of the New Deal was that "a just society could be secured by imposing a welfare state on a capitalist foundation."⁶⁷ Within the context of the New Deal, "reform meant *economic* reform" according to Leuchtenburg.⁶⁸ Thus, the La Follette Committee, as a New Deal congressional investigation, functioned as a site of democratic moral authority through its mission of discovering and widely publicizing the ways in which employers conspired to limit the civil liberties and rights of labor.

It would be shortsighted to examine the proceedings of the committee without first examining the legislative context in which it arose. As discussed, the New Deal's characterization of civil liberties as positive rights to economic security and insistence on the idea of the government as a nexus of moral authority formed the investigatory foundation of the La Follette Committee. As the economist Robert R. Brooks explained in his 1939

2010), 3, <http://search.proquest.com/docview/822628095/abstract/E86A3224A3C8466EPQ/1>.

⁶³ *Ibid.*, 4.

⁶⁴ *Ibid.*, 7.

⁶⁵ *Ibid.*, 6.

⁶⁶ *Ibid.*, 7.

⁶⁷ William E. Leuchtenburg, *Franklin D. Roosevelt and the New Deal, 1932-1940* (New York: Harper & Row, 1963), 165.

⁶⁸ *Ibid.*, 339.

book, *Unions of Their Own Choosing*, prior to the moral, political, and legal changes of the New Deal, employers could legally bring their full industrial weight and resources to bear against organized labor.⁶⁹ The indifference, or support, of local, state, and federal governments allowed employers to engage in coercive, and frequently violent, methods to disrupt unionization.⁷⁰ This led to an economic and thus, human, imbalance of power, which, from the perspective of New Dealers, gravely endangered industrial democracy.

The first New Deal legislation to provide recognition to unions was the 1932 Norris-La Guardia Act. This act stated that courts could not issue injunctions in nonviolent labor disputes, which, in essence, legalized striking, picketing, and other tactics of organized labor.⁷¹ The National Industrial Recovery Act (NIRA), which Roosevelt signed into law on June 16, 1933, complemented the Norris-La Guardia Act and formed the bedrock of New Deal labor legislation. Section 7 (a) was the most salient portion of the act for labor. This section stated: "[E]mployees shall have the right to organize and bargain collectively through representatives of their own choosing."⁷² According to a 1934 article in the magazine *Survey Graphic*, labor widely viewed Section 7(a) as its own fortuitous miniature "New Deal" within the New Deal.⁷³ Section 7(a) also established the National Labor Board (NLB), which had the responsibility of ensuring compliance with the act.⁷⁴ However, the NLB was not a law enforcement agency and it referred cases of violations of law to the Department of Justice and the Compliance Board, a National Recovery Agency enforcement agency.⁷⁵

The value of Section 7(a) of the National Industrial Recovery Act to organized labor could not be overstated. According to the historian of labor, Irving Bernstein, "The passage of Section 7(a) of the National Industrial Recovery Act on June 16, 1933, was the spark that rekindled the spirit of unionism within American labor."⁷⁶ However, 7(a) also created intense employer resistance to unionization and forced government intervention into the collective bargaining process. Section 7(a) in practice proved to be a

⁶⁹ Robert R. R. Brooks, *Unions of Their Own Choosing; an Account of the National Labor Relations Board and Its Work* (New Haven: Yale University Press, 1939), 31.

⁷⁰ Auerbach, *Labor and Liberty*, 50.

⁷¹ *Ibid.*, 33.

⁷² "Our Documents - Transcript of National Industrial Recovery Act (1933)," <https://www.ourdocuments.gov/doc.php?flash=true&doc=66&page=transcript>.

⁷³ Beulah Amidon, "Section 7-A: The Clash Over the Most Disputed Clause in the Recovery Act," *Survey Graphic*, May 1934, <http://newdeal.feri.org/survey/34213.htm>.

⁷⁴ "Our Documents - Transcript of National Industrial Recovery Act (1933)."

⁷⁵ Amidon, "Section 7-A: The Clash Over the Most Disputed Clause in the Recovery Act."

⁷⁶ Bernstein, *A History of the American Worker 1933-1941: Turbulent Years*, 37.

“broken promise,” in the words of Bernstein, as the body charged with its enforcement, the National Labor Board, had little power.⁷⁷ In 1934, there were “1,856 work stoppages involving 1,470,000 workers,” a staggering number and clearly not beneficial for the economic health of the country.⁷⁸ As a result of the inability of the NLB to enforce any kind of settlement or mediation, advocates of labor looked to create a more effective legislative tool with which to secure a more solid position to bargain with employers.⁷⁹ Additionally, in a unanimous decision on May 27, 1935, the Supreme Court struck down the National Industrial Recovery Act in the case *A. L. A. Schechter Poultry Corporation v. United States*.⁸⁰

The shock of the *Schechter* decision spurred Roosevelt and his administration into action. One result of his second “100 Days” of legislative work was the passage of the National Labor Relations Act of 1935 (NLRA), frequently known as the Wagner Act after the Senator who sponsored it, Robert F. Wagner (D) of New York.⁸¹ Roosevelt signed the bill, which Leuchtenburg described as “one of the most drastic legislative innovations of the decade” into law on July 5, 1935.⁸² The Act recognized “[T]he inequality of bargaining power between employees and employers” and sought to promote economic prosperity through harmonious labor relations.⁸³ The Act created a National Labor Relations Board (NLRB), much like the NLB before it, but empowered it to take investigatory action.⁸⁴ Like the NIRA, the NLRA set out the rights of labor in Section 7 and created a list of unfair, and therefore illegal, labor practices.⁸⁵

Many employers, particularly those in the steel industry, immediately took issue with the Wagner Act and challenged it on the grounds of constitutionality.⁸⁶ Employers, such as the Fruehauf Trailer Company in Detroit, flouted the “Unfair Labor Practices” section of the Act

⁷⁷ *Ibid.*, 217.

⁷⁸ *Ibid.*

⁷⁹ Auersbach, *Labor and Liberty*, 52; “Employer Interference with Lawful Union Activity,” *Columbia Law Review* 37, no. 5 (1937): 817, doi:10.2307/1116926.

⁸⁰ Chicago-Kent College of Law of Illinois Institute of Technology, *A. L. A. Schechter Poultry Corporation v. United States*.

⁸¹ Leuchtenburg, *Franklin D. Roosevelt and the New Deal, 1932-1940*, 150.

⁸² *Ibid.*, 151.

⁸³ “Full Text of The National Labor Relations Act of 1935,” National Labor Relations Board.gov, <https://www.nlr.gov/resources/national-labor-relations-act>.

⁸⁴ National Labor Relations Board, *National Labor Relations Board First Annual Report for the Fiscal Year Ended June 30, 1936* (Washington: Government Printing Office, 1936), <https://www.nlr.gov/sites/default/files/attachments/basic-page/node-1677/nlr1936.pdf>.

⁸⁵ “National Labor Relations Act | NLRB.”

⁸⁶ Richard C. Cortner, *The Wagner Act Cases* (Knoxville: The University of Tennessee Press, 1963), 87.

after its passage and challenged it in court.⁸⁷ Employer groups strove to unfavorably depict the NLRA and the NLRB in a public relations offensive while simultaneously mounting legal challenges against them.⁸⁸ As a result of the resistance on the part of employers and lawsuits brought about by the National Lawyers’ Committee of the American Liberty League, the NLRA operated under the threat of suffering the same fate of the NIRA and the NLRB was seriously limited in its investigatory capacity.⁸⁹ However, on April 12, 1937, two years after its enactment, the Supreme Court ruled the NLRA, and thus the NLRB, constitutional in *National Labor Relations Board v. Jones & Laughlin Steel Corporation*, ending any lingering doubts about the Act’s legitimacy on paper, but not in practice as the La Follette Committee discovered in its investigations.⁹⁰

Formation of The Subcommittee Investigating Violations of Free Speech and the Rights of Labor

The La Follette Committee arose out of concern for the plight of labor from a constellation of interested groups. The publication of the book *I Break Strikes!: The Technique of Pearl L. Bergoff* by Edward Levinson in 1935 exposed employers’ use of spies to disrupt and destroy unions in industry. *I Break Strikes* created a popular and political atmosphere amenable to the La Follette Committee’s investigations. The lobbying of federal officials by church, civil liberties, labor, socialist, and progressive groups contributed to the formation of the committee.⁹¹ For example, organizers working on behalf of the Southern Tenant Farmers Union (STFU), a group of economically distressed and politically oppressed sharecroppers in Arkansas, agitated for a congressional investigation of civil liberties.⁹² A broad, progressive coalition pushed for an investigation into the state of civil liberties in the United States.

Efforts to lobby Robert La Follette, Jr. were the most immediate causes of the formation of the Civil Liberties Committee. La Follette, who had inherited a family legacy of progressive politics begun by his father,

⁸⁷ Ibid., 88.

⁸⁸ Ibid., 90.

⁸⁹ Auerbach, *Labor and Liberty*, 53–54.

⁹⁰ “National Labor Relations Board v. Jones & Laughlin Steel Corporation,” <https://www.oyez.org/cases/1900-1940/301us1>.

⁹¹ Auerbach, *Labor and Liberty*, 33–47.

⁹² Jerold S. Auerbach, “Southern Tenant Farmers: Socialist Critics of the New Deal,” *The Arkansas Historical Quarterly* 27, no. 2 (1968): 127, doi:10.2307/40018503, JSTOR. The STFU was understandably disappointed by the narrow, industrial focus of the La Follette Civil Liberties Committee.

former Wisconsin senator and governor, Robert La Follette, Sr., was a reliable advocate for workers in the Senate.⁹³ Heber Blankenhorn, an industrial economist with the National Labor Relations Board, and friend of La Follette, wrote to La Follette in December 1935 that a congressional investigation could save the National Labor Relations Act, and its agency, the NLRB.⁹⁴ While the NLRB was limited in its investigatory action due to court-ordered injunctions, Blankenhorn knew that the Senate could investigate whatever it pleased, if it passed the necessary authorizing legislation.⁹⁵

However, it was not until February 1936 that La Follette agreed to write legislation to propose a subcommittee to investigate violations of civil liberties. A dinner and conversation about the state of the Southern Tenant Farmers Union with civil liberties advocates at Washington D.C.'s Cosmos Club on February 21, 1936 inspired La Follette to draft the legislation.⁹⁶ The dinner's organizer, Gardner "Pat" Jackson, a former bureaucrat in the Agricultural Adjustment Administration, hoped the dinner would lead to congressional interest in the plight of the STFU.⁹⁷ Jackson worked with Blankenhorn and La Follette to craft the legislation that would become Senate Resolution 266, the authorizing legislation for the La Follette Committee. La Follette introduced the resolution to the Senate on March 23, 1936.⁹⁸

Much to the disappointment of Jackson and groups who wished for a broad investigation of civil liberties in all their forms, the La Follette Committee focused exclusively on labor issues.⁹⁹ The resolution appeared in

⁹³ Maney, "Young Bob" La Follette, 2; Auerbach, *Labor and Liberty*, 76.

⁹⁴ Heber Blankenhorn to Robert La Follette, Jr., December 3, 1935 in Heber Blankenhorn, *Origin of Senate Civil Liberties Committee, 1952*, (unpublished manuscript) in Gilbert J. Gall, "Heber Blankenhorn, The LaFollette Committee, and the Irony of Industrial Repression," *Labor History* 23, no. 2 (1982): 249, doi:<http://www.tandfonline.com/loi/clah20>.

⁹⁵ The Supreme Court eventually upheld the constitutionality of the National Labor Relations Act and thus the National Labor Review Board in *National Labor Relations Board v. Jones & Laughlin Steel Corporation* (1937).

⁹⁶ Franklin D. Roosevelt Presidential Library & Museum, "Gardner Jackson Papers, 1912-1965 Finding Aid," <http://www.fdrlibrary.marist.edu/archives/collections/franklin/index.php?p=collections/findingaid&id=461>; Maney, "Young Bob" La Follette, 172.

⁹⁷ Franklin D. Roosevelt Presidential Library & Museum, "Gardner Jackson Papers, 1912-1965 Finding Aid"; Maney, "Young Bob" La Follette, 172.

⁹⁸ U.S. Congress, Senate, *Invasions of Rights of Free Speech, Assembly, and Collective Bargaining S. Res. 266*, 74th Cong., 2nd. Sess., *Congressional Record*, Vol. 80, 4151, <https://archive.org/stream/congressionalrec80bunit#page/n305/mode/2up>.

⁹⁹ Benjamin Clarke Marsh, *Lobbyist for the People; A Record of Fifty Years*. (Washington, 1953), 212, <http://hdl.handle.net/2027/mdp.39015002677436>.

the *Congressional Record* as “Invasions of Rights of Free Speech, Assembly, and Collective Bargaining.”¹⁰⁰ With the resolution proposed, La Follette, along with Senator Elbert Thomas (D-Utah), and Richard Louis Murphy (D-Iowa) began preliminary hearings on April 10, 1936.¹⁰¹ In the initial hearings held from April 10-11, 14-17, 21, and 23 1936, the La Follette Committee heard testimony from 37 witnesses to demonstrate the need for a congressional inquiry into the state of organized labor in the United States.¹⁰² Of these 37 witnesses, all except one were favorable to the plight of labor.¹⁰³

The Foundation of Moral Authority

On April 21, 1936, the second to last day of preliminary hearings, the committee heard from Rabbi Sidney Goldstein, Chairman of the Social Justice Commission of the Central Conference of American Rabbis; Rev. R.A. McGowan, Assistant Director of Social Action Department of the National Catholic Welfare Conference; and Rev. W.M. Tippy, Federal Organizer of the Churches of Christ in America.¹⁰⁴ These men, as a result of their religious vocations, added a sense of moral weight, if not righteousness, to the proposed work of the La Follette Committee. Goldstein read a statement agreed upon by the Central Conference of American Rabbis: “Freedom of speech, freedom of assembly, and freedom of the press, and the right of labor to organize and to bargain collectively, are not local or State, but Federal rights.”¹⁰⁵ Goldstein’s first three claims came directly from the First Amendment to the United States Constitution.¹⁰⁶ The fourth claim, “the right of labor to organize and to bargain collectively,” however, came from the New Deal understanding of economic fairness as a fundamental right, and

¹⁰⁰ *Invasions of Rights of Free Speech, Assembly, and Collective Bargaining*. S. Res. 266, 74th Cong., 2d. Sess, *Cong. Rec.*, Vol. 80, 4151. The resolution stated: “Resolved, That the Committee on Education and Labor is authorized and directed to make an investigation of the violations of the rights of free speech and assembly and undue interference with the right of labor to organize and bargain collectively. The committee shall report to the Senate as soon as practicable the results of its investigation together with its recommendation for the enactment of any remedial legislation it may deem necessary.”

¹⁰¹ *Hearings before the Subcommittee of the Committee on Education and Labor on S.Res. 266*, April 21, 1936, i-ii. Senator Murphy played a limited role in the investigation due to his death in a car crash on July 16, 1936.

¹⁰² *Ibid.*, IV.

¹⁰³ *Ibid.*, 261.

¹⁰⁴ *Ibid.*, 243-259.

¹⁰⁵ *Ibid.*, 247.

¹⁰⁶ The full text of the Amendment is: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

thus the right to organize and bargain collectively as a composite of the First Amendment clauses.¹⁰⁷ Specifically, the origin of this claim was in the National Labor Relations Act of 1935.¹⁰⁸ Goldstein, in his statement, embodied the New Deal-era idea of civil liberties that undergirded the entire philosophy of the La Follette Committee. Civil liberties were substantive economic claims that allowed workers to achieve a sense of inherent human dignity and a decent standard of living. Workers could make claims to more than just the right to have a job; they could demand equal and fair negotiation with their employers as well. The committee's choice to hear Goldstein's testimony was not accidental; it was a move intended to mobilize a significant religious minority in support of the committee. The legal scholar, Geoffrey D. Berman, in 1994, argued that liberal Jewish groups supported the La Follette Committee because their members were frequently also members of unions.¹⁰⁹ Berman also claimed that Goldstein's testimony took on a greater significance because Jews had encountered anti-Semitism when they tried to organize and join the labor movement.¹¹⁰ As a figure of religious authority, Goldstein also gave the committee a sense of moral importance.

The La Follette Committee, in hearing from Rev. R.A. McGowan, Assistant Director of Social Action Department of the National Catholic Welfare Conference and Rev. W.M. Tippy, Federal Organizer of the Churches of Christ in America, understood the importance of cultivating moral authority in launching its investigation. Religious figures possessed a claim to a type of authority beyond that of labor figures. McGowan and Tippy both highlighted the damage propaganda and disinformation campaigns inflicted upon organized labor, civil liberties, and society in general.¹¹¹ McGowan, in his testimony, called attention to the activities of deceptive organizations that appeared to promote the public good but

¹⁰⁷ Auerbach, *Labor and Liberty*, 6. Auerbach discussed the composite nature of the right to organize and bargain: "If union organizers could not speak to workers or distribute union literature, or if workers could not hold meetings in which union preferences were freely expressed, then the "right" to organize was meaningless" (6). Additionally, the committee discussed the provenance of the right of labor in *Senate Report 6, Part 2: Private Police Systems*: "The right of labor to organize into unions without interference, coercion, and intimidation derives from the exercise of the rights of free speech, peaceable assembly, and freedom of the press enumerated in the Constitution of the United States" (3).

¹⁰⁸ "Our Documents - Transcript of National Industrial Recovery Act (1933)."

¹⁰⁹ Geoffrey D. Berman, "A New Deal for Free Speech: Free Speech and the Labor Movement in the 1930s," *Virginia Law Review* 80, no. 1 (1994): 307–8, doi:10.2307/1073600, JSTOR.

¹¹⁰ *Ibid.*, 308.

¹¹¹ *Hearings before the Subcommittee of the Committee on Education and Labor on S.Res 266*, April 21, 1936, 252.

instead worked to smash labor's rights and "violate the traditional civic freedom of America."¹¹² McGowan concluded his statement with a grim declaration that violations of civil liberties would not be ended by legislation or investigation alone, but by "determination on the part of Americans not to give in, even if it means in many cases that they go to jail and even if it means in many cases a few cracked heads or worse."¹¹³ Tippy, like McGowan, called for an investigation into authoritarian anti-labor groups that, in his view, channeled their support from the same sources as the Ku Klux Klan.¹¹⁴

The support of religious authorities from Judaism, Catholicism, and Protestantism characterized the La Follette investigation as something greater than a political investigation into union busting. From the outset, the La Follette Committee demonstrated a great deal of awareness of the need for positive public relations, as well as a belief that the investigation was a moral undertaking rooted in the basic concept of economic fairness. The testimony of religious figures served to reinforce New Deal moral authority. Additionally, their statements garnered positive press attention for the committee. "Church Groups Urge Inquiry Into Threat to Civil Liberty" read the headline to an article in the *Christian Science Monitor* on April 22, 1936.¹¹⁵ The *New York Times* headline declared: "Churchmen Warn of Liberty Curbs, They Tell Senators That Anti-Communist Agitation Is Cover for War on Civil Rights."¹¹⁶ The committee's skillful use of witness testimony was an example of what the scholar M. Nelson McGeary called in his 1940 study of congressional investigations, *The Developments of Congressional Investigative Power*, an "effort to dramatize the facts and to arouse a body of opinion to action against some of the conditions which were uncovered."¹¹⁷ Thus, the testimony of the religious authorities neatly encapsulated the implicit goals of the La Follette Committee: to garner public support for its investigation and to create a sense of moral authority based on its conception of civil liberties as substantive, positive economic rights with an end in fairness for both society and the individual.

¹¹² Ibid.

¹¹³ Ibid., 254.

¹¹⁴ Ibid., 256.

¹¹⁵ "Church Groups Urge Inquiry into Threat to Civil Liberty: Labor Angle Stressed Fear of Communism" *Civil Liberties*, *The Christian Science Monitor (1908-Current File)*, April 22, 1936, ProQuest

¹¹⁶ Louis Stark, "Churchmen Warn of Liberty Curbs" *New York Times*, April 22, 1936, ProQuest.

¹¹⁷ M. Nelson McGeary, *The Developments of Congressional Investigative Power* (New York: Columbia University Press, 1940), 32.

An Existential Inquiry

The final witness the La Follette Committee called in its preliminary hearings on April 23, 1936 was Edwin S. Smith, a member of the National Labor Relations Board.¹¹⁸ Smith, like Goldstein, Tippy, and McGowan, cast the fight for labor's rights in a context of existential crisis, once again demonstrating the greater-than-political nature of the La Follette Committee. Smith presented the efforts of employers to ignore labor legislation and to dismantle the rights of labor as propaganda that asked Americans "to sympathize with violence and the suppression of civil liberties on the grounds that democracy must be saved from the radicals," when in fact, suppression of civil liberties by employers was the real danger to democracy.¹¹⁹ Smith viewed propaganda as the basis upon which the strikebreaking and labor espionage industry existed and as the method through which employers generated enmity toward labor among people who would otherwise be sympathetic.¹²⁰ Smith told La Follette that the preliminary investigation had only "scratched the surface" and that "The testimony so far given before your committee points to a malignant growth that is widespread and must be thoroughly unearthed and uprooted."¹²¹

The parent committee of La Follette's subcommittee, the Senate Committee on Education and Labor, agreed with Smith's assessment. In its recommendation of Senate Resolution 266 for approval on May 19, 1936 in "Senate Report No. 2046," it reported: "The hearings supplied presumptive proof in abundance of violations of civil liberties secured by the Constitution and of undue interference with the rights of labor as defined in the Wagner Labor Disputes Act."¹²² The Senate officially approved Resolution 266 on June 6, 1936, granting La Follette's Committee \$15,000 to continue its investigation.¹²³

One of the main forces behind the committee, Heber Blankenhorn,

¹¹⁸ *Hearings before the Subcommittee of the Committee on Education and Labor on S.Res. 266, April 23, 1936*, 292.

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*

¹²¹ United States., *Violations of Free Speech and Assembly and Interference with Rights of Labor: Hearings before a Subcommittee, Seventy-Fourth Congress, Second Session, on S. Res. 266, a Resolution to Investigate Violations of the Right of Free Speech and Assembly and Interference with the Right of Labor to Organize and Bargain Collectively. April 10-11, 14-17, 21, 23, 1936.*, iv, 362 (Washington: U.S. Govt. print. off., 1936), 292, //catalog.hathitrust.org/Record/009990224.

¹²² Subcommittee of the Committee on Education and Labor, *Violation of Free Speech and Assembly and Interference with Rights of Labor: Recommendation of Senate Committee on Education and Labor, 74th Cong., 2nd Sess., May 19, 1936, S. Rpt. 2046, 1*, Readex U.S. Congressional Serial Set Database.

¹²³ *Invasions of Rights of Free Speech, Assembly, and Collective Bargaining. S. Res. 266, 74th. Cong., 2d. Sess. Cong. Rec., Vol. 80, p. 9186.*

ferently believed in the necessity of moral authority in advancing the cause of labor.¹²⁴ Developing media attention was crucial for the La Follette Committee because it served to amplify its claims to moral authority. Moral authority, particularly when contrasted with the lurid and violent employer actions the committee investigated, gave the committee a claim to legitimacy that employers did not have and allowed it to win public relations battles for labor.

In a letter subpoenaed by a later congressional committee investigating the National Labor Relations Board, Blankenhorn flatly stated his aims as a member of the NLRB and what he believed the objective of the NLRB should be. Blankenhorn wrote the letter, identified as “Exhibit No. 1153” in volume 20 of *Hearings Before the Special Committee to Investigate National Labor Relations Board*, on June 16, 1936, ten days after the official Senate approval of the La Follette Committee and more than a year into the frustrating investigations of the NLRB.¹²⁵ In the most remarkable passage of this letter, Blankenhorn addressed moral authority as the ultimate authority and how labor could, and should, channel it in its fight to preserve its civil liberties as substantive economic rights. Discussing the status of the NLRB and assessing its options for action in the face of its many legal challenges, Blankenhorn wrote:

NLRB at present sits on its triple throne a bit like the church shorn of its right to prosecute and hang. Despite the loss of temporal power, NLRB can still thunder from the pulpit and excommunicate from the congregation of the righteous. That comforts the flock, disconcerts the heathen—and marks down the latter against the day of wrath to come. Relegate metaphysics to the Supreme Tribunal, and get on with good works?¹²⁶

This passage, notable for its poetic nature, illustrated Blankenhorn’s personal philosophy, which became the La Follette Committee’s philosophy as well. The clarity and precision with which Blankenhorn discussed the importance of moral authority in labor investigations demonstrated the primacy of these beliefs to him on both a professional and personal level. Additionally, Blankenhorn brought more than just his personal philosophy

¹²⁴ Gilbert J. Gall, “Heber Blankenhorn: The Publicist as Reformer,” *Historian* 45, no. 4 (Fall 1983): 522.

¹²⁵ Exhibit No. 1153, Heber Blankenhorn to J. Warren Madden, John M. Carmody, Edwin S. Smith, June 16, 1936 in *Hearings before the House Special Committee to Investigate the National Labor Relations Board.*, 76th Congress, 3rd Sess., Volume 20, April 27-29, 1940, 4316-4317, HathiTrust.

¹²⁶ *Ibid.*, 4317.

with him to the La Follette Committee. As staff director of the La Follette Committee, he planned 26 of the 27 investigations of the committee, and according to his unfinished memoir, facilitated “the borrowing of more than 30 NLRB personnel to be the core of the committee’s investigators.”¹²⁷

The Moral Logic of Civil Liberties

Time was as important as moral authority for the La Follette Committee to make an impact on the situation of organized labor. However, time was not on the side of the committee.¹²⁸ In his 1939 book about lobbying in Washington D.C., *The Pressure Boys*, reporter Kenneth G. Crawford commended the La Follette Committee for investigating “With magnificent thoroughness,” as it “stripped away the curtain of pretense and told the real story.”¹²⁹ However, in a comment on the committee’s 1938 investigation of the 1937 Little Steel Strike, Crawford stated: “[T]he newspapers were not interested. Truth was too slow to catch up with untruth.”¹³⁰ Further compounding the delay between the incidents the committee investigated and its proposed remedial legislation was the fact that the committee did not release its report on the Little Steel Strike, *Senate Report 151 Labor Policies of Employers’ Associations Part IV: The “Little Steel” Strike and Citizens’ Committees*, until March 31, 1941.¹³¹

The committee attempted to portray its investigation of the Little Steel Strike as relevant in the introduction of its report by linking it to issues

¹²⁷ Heber Blankenhorn, *Origin of Senate Civil Liberties Investigation*, 1952 (unpublished manuscript) in Gall, “Heber Blankenhorn, the LaFollette Committee, and the Irony of Industrial Repression,” 251.

¹²⁸ For example, the committee released its second report, *Senate Report 6, Part 1*, on January 26, 1939. The four parts of the report were “Strikebreaking Services,” “Private Police Systems,” “Industrial Munitions,” and “Employers’ Associations.” The committee completed most of the investigation for “Strikebreaking Services” in 1936 and 1937, yet did not release the full report until 1939. As a result, the committee presented the report as a “snapshot” of labor issues in the 1930s broadly and not as a current picture. See Subcommittee of the U.S. Congress, Senate Committee on Education and Labor, “Violations of Free Speech and Rights of Labor: Report on Strikebreaking Services,” January 26, 1939, 132, http://docs.newsbank.com/openurl?ctx_ver=z39.88-2004&rft_id=info:sid/iw.newsbank.com:SERIAL&rft_val_format=info:ofi/fmt:kev:mtx:ctx&rft_dat=11F6051445546140&svc_dat=Digital:ssetdoc&req_dat=CEF00567D28B4B0DA08834B5BC79337A.

¹²⁹ Kenneth Crawford, *The Pressure Boys: The Inside Story of Lobbying in America* (New York: Julian Messner, Inc., 1939), 131.

¹³⁰ *Ibid.*

¹³¹ Subcommittee of the Committee on Education and Labor, *Violations of Free Speech and Rights of Labor Report IV: The ‘Little Steel’ Strike and Citizens’ Committees*, 77th Cong., 1st Sess., S. Rpt. 151, March 31, 1941, i, Readex U.S. Congressional Serial Set Database.

of national defense and the rise of fascist powers abroad.¹³² The committee strove to use the prospect of war to compel industry to respect labor’s right to an equitable bargaining position: “Recent events lend a new urgency to this situation. The conduct of labor relations by management in key industries according to antiquated concepts of industrial absolutism must now be recognized as a threat to national defense.”¹³³ The call for management to respect the rights of labor as a matter of national defense was a new tactic for the committee, but it did not supplant the older strategies of appealing to the moral sense of the public. The committee followed this same strategy of positioning itself as an anti-fascist crusade in its 1942 report on “Employers’ Associations and Collective Bargaining in California,” in which it claimed that those challenging labor’s right to assemble were “avowed enemies of democracy” and would target the constitution after dismantling labor.¹³⁴ The committee viewed fascism the same way it thought of employer efforts to limit labor’s exercise of its rights—threats to the moral foundation of democracy itself.

While hamstrung by the amount of time it took to finalize its reports, the La Follette Committee continued to make a moral argument clad in civil liberties claims. This level of finesse illustrated how attuned the committee was to the political current of the day, and that civil liberties as a substantive claim to economic security was not merely a matter of pragmatism, but a deeply-held belief. The committee stated: “A rejection of the process of collective bargaining, implemented as it invariably is by employer interference with organizations of workingmen is an affront to the democratic concept that a man’s rights are not to be measured by his economic status.”¹³⁵ These lines in the introduction to the 1941 report on the 1937 Little Steel Strike appealed to the New Deal aversion to financial power dominating American society. The committee deftly married this message to that of the need to provide for national defense to counter foreign fascism. In doing so, the committee highlighted the hypocrisy of the United States arming itself in defense of democracy and liberty while denying foundational liberties to workers, some of whom constructed the arms for the defense of democracy.¹³⁶ The La Follette Committee expressed its belief that it was conducting an investigation into the abuses of the rights of labor

¹³² *Ibid.*, 1.

¹³³ *Ibid.*, 3.

¹³⁴ Subcommittee of the Committee on Education and Labor, *Report on Employers’ Associations and Collective Bargaining in California II*, 5.

¹³⁵ Subcommittee of the Committee on Education and Labor, *Report IV: The ‘Little Steel’ Strike and Citizens’ Committees*, 3.

¹³⁶ *Ibid.*

as well as the evils of fascism. Heber Blankenhorn, in his unfinished manuscript on the La Follette Committee, privately admitted that a key goal of the committee, which had the “quiet support” of President Roosevelt, was to strike “directly at the latent fascism present in American capitalism.”¹³⁷

Investigating fascism was nothing new for the La Follette Committee. The novelty of the reports published in the 1940s, as opposed to the 1930s, was that the committee began to target foreign fascism in addition to what it considered domestic fascism. *Senate Report 6 Part 3, Industrial Munitions*, from 1939, contained some of the most vivid descriptions and condemnations of right wing authoritarian suppression of political freedom. The committee discussed how munitions firms used “high pressure salesmanship” and “the fear of revolution” to spur employers and local governments to purchase crowd control gas and weapons of war for labor relations purposes.¹³⁸ The committee reported that one such company, Federal Laboratories, “sends large amounts of antiradical and anti-communist literature. In all, it distributed over 1,500 copies of *The Red Network* by Elizabeth Dilling.”¹³⁹ *The Red Network*, according to the committee, was a “compendium of misinformation, distortion, and absurdity... distributed as an authority on the American radical movement and as a handbook for the purchasers of tear gas.”¹⁴⁰ Dilling had toured Germany in 1931 and 1938 and attended Nazi meetings while there.¹⁴¹ She praised Hitler for improving the state of affairs in the country.¹⁴² In *The Red Network*, Dilling claimed to have compiled the names of 1,300 alleged communists, anarchists, socialists and other subversives who had worked in some capacity for the “Red movement” in the U.S.¹⁴³ Dilling claimed Gandhi, George Bernard Shaw, Eleanor Roosevelt, and Supreme Court Justice Felix Frankfurter were among those in the “Network.”¹⁴⁴ The committee, analyzing the philosophical and practical aspects of the sales strategy of distributing copies of the *Red Network* to create a culture of fear to drive

¹³⁷ Heber Blankenhorn, *Origin of Senate Civil Liberties Investigation 1952*, (unpublished manuscript) in Gall, “Heber Blankenhorn, The LaFollette Committee, and the Irony of Industrial Repression,” 248.

¹³⁸ Subcommittee of the Committee on Education and Labor, *Violations of Free Speech and Rights of Labor: Report on Industrial Munitions*, 76th Cong., 1st Sess., S. Rpt. 6 Part 3, March 20, 1939, 156, 160, Readex U.S. Congressional Serial Set.

¹³⁹ *Ibid.*, 157.

¹⁴⁰ *Ibid.*

¹⁴¹ Glen Jeansonne, *Women of the Far Right: The Mothers' Movement and World War II* (University of Chicago Press, 1997), 13, Google Books.

¹⁴² *Ibid.*

¹⁴³ Subcommittee of the Committee on Education and Labor, *Report on Industrial Munitions*, 157.

¹⁴⁴ *Ibid.*

munitions sales, called it "ludicrous if it were not so serious a matter."¹⁴⁵

In the committee's view, Federal Laboratories' strategy of fear-mongering to drive sales was both reprehensible and extremely irresponsible.¹⁴⁶ The committee condemned Federal Laboratories and other munitions companies for their use of propaganda, like Dilling's *The Red Network*, as immoral and inherently dehumanizing to labor. The committee reasoned that workers, by virtue of their status as human beings, deserved civil liberties and civil rights as much as employers did. Munitions companies' characterizations of all members of organized labor as "reds" stripped workers of their humanity. Dehumanizing workers to this extent, in the committee's words, made them "fair game for the gas grenade or gas gun of any police officer, private guard, or munitions salesman."¹⁴⁷ Denying workers their status as human beings negated the inherent dignity of humanity as espoused by New Deal-era thought in which civil liberties were economic guarantees with moral weight ensured by the government.

One of the most striking examples of the dehumanization of labor through propaganda occurred on July 5, 1934.¹⁴⁸ The committee recounted a story in which Joseph M. Roush, a salesman with Federal Laboratories, worked with the San Francisco Police during the San Francisco General Strike of 1934. Roush stated in a report later obtained by the committee:

I might mention that during one of the riots, I shot a long-range projectile into a group, a shell hitting one man and causing a fracture of the skull from which he has since died. As he was a Communist, I have had no feeling in the matter and I am sorry that I did not get more.¹⁴⁹

The committee condemned Roush's actions in severe terms: "There is no blinking the fact that Mr. Roush's expressed attitude was one of murderous intent" it wrote, "No justification exists, in law or morals, for an intent to kill people because of their political beliefs."¹⁵⁰ The committee connected this action of "murderous intent" to Roush's own uncritical consumption and distribution of books like *The Red Network* resulting in his belief that "strikers were 'reds'" and that "reds are without even the fundamental rights of

¹⁴⁵ Ibid., 158.

¹⁴⁶ Ibid., 159.

¹⁴⁷ Ibid.

¹⁴⁸ Ibid., 161.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

citizenship.”¹⁵¹ In its investigation of the incident, the committee discovered that the man Roush shot, J.A. Engle, did not die, but was instead “seriously and permanently injured” and that he was never a member of the Communist party or any radical organization.¹⁵² Additionally, the incident took place as Engle was speaking with a friend who was sitting in a car after the conclusion of a labor demonstration earlier in the day.¹⁵³

Federal Laboratories did not punish Roush for his actions, but instead applauded his efforts by making copies of his “splendid report” and giving them to other Federal Laboratories salesmen as an example.¹⁵⁴ These actions concerned the committee because they demonstrated the ways employers flouted the rights of labor, and thus civil liberties, in both physically and ideologically violent ways. In this case, the committee did not have to do much to recast Roush’s actions as morally contemptible, as he admitted himself that he had no regard for the life of another human being based on his perception of the man’s political affiliation. This event embodied what Blankenhorn referred to when he spoke of the “latent fascism in American capitalism.”¹⁵⁵

A “Monumental Investigation?” The Legacy of the La Follette Committee

Unfortunately for Heber Blankenhorn, the efforts of the La Follette Committee did not result in a radical reorganization of the relationship between employers and labor in the United States. Nevertheless, the La Follette Committee, according to Auerbach, was immensely successful in promoting civil liberties as substantive economic rights and in establishing labor’s claims to these rights.¹⁵⁶ Indeed, the ACLU, in its annual reports from 1934 to 1940, concurred with this judgment, frequently praising the committee and its “momentous” reports.¹⁵⁷ However, the way in which the committee marshalled moral authority based on a broad conception of civil liberties, as part of the ideological project of the New Deal as claimed by

¹⁵¹ Ibid.

¹⁵² Ibid., 162.

¹⁵³ Ibid., 152.

¹⁵⁴ Ibid., 162.

¹⁵⁵ Blankenhorn, *Origin of the Senate Civil Liberties Committee 1952*, (unpublished manuscript) in Gall, “Heber Blankenhorn, The LaFollette Committee, and the Irony of Industrial Repression,” 202.

¹⁵⁶ Auerbach, *Labor and Liberty*, 217.

¹⁵⁷ American Civil Liberties Union, *In the Shadow of War: The Story of Civil Liberty 1939-1940* (New York City, 1940), 8. Under a section entitled “Balance Sheet of Civil Liberties,” the ACLU wrote: “We commend: The conclusion of the monumental investigation into violations of civil liberties by the special Senate sub-committee headed by Robert M. LaFollette, Jr.”

Czaplicki, proved a mixed record.¹⁵⁸

The committee was a failure in that its efforts did not lead to any legislation remedying the problems it exposed. La Follette proposed "S. Bill 1970: A Bill to Eliminate Certain Oppressive Labor Practices Affecting Interstate and Foreign Commerce" on March 26, 1939.¹⁵⁹ This bill, notable for seeking to protect agricultural laborers along with industrial laborers, reflecting a broad understanding of labor on the part of the committee, ultimately did not become law.¹⁶⁰ The bill specifically banned employers from using professional strikebreakers, private police forces, labor espionage, and industrial munitions consisting of machine guns and gas weapons.¹⁶¹ While S.Bill 1970 was approved by the La Follette Committee and the Senate Committee on Education and Labor, it was heavily amended (specifically by Senator Robert R. Reynolds of North Carolina) during Senate debate in the spring of 1940, becoming an anti-union and anti-labor bill that privileged national defense at the expense of the rights of workers.¹⁶² S.Bill 1970, in its amended form as a bill designed to safeguard American defense industries from internal threats (i.e. organized labor), passed the Senate 47-20 on May 27, 1940.¹⁶³ The greatly revised bill was criticized in a *New York Times* article and in a feature in *Time Magazine* as a betrayal of civil liberties in the name of national defense¹⁶⁴ Ultimately, the companion bill to S.Bill 1970 in the House of Representatives never came to a vote and S.Bill 1970 never became law.¹⁶⁵

Partly responsible for the failure of S.Bill 1970 and the decline in prominence of the La Follette Committee was the conservative backlash of Representative Martin Dies' (D-Texas) House un-American Activities Committee investigation that began in 1938. Dies' "red inquiry" examined alleged communist influence in New Deal programs and committees, including the La Follette Committee.¹⁶⁶ Martin Dies and his committee, which the *Washington Post* characterized as an investigation with no real interest in the truth, were forerunners to Senator Joseph McCarthy's later

¹⁵⁸ Czaplicki, "The Corruption of Hope," 3.

¹⁵⁹ Camille Guerin-Gonzales, *Mexican Workers and American Dreams: Immigration, Repatriation, and California Farm Labor, 1900-1939* (New Brunswick: Rutgers University Press, 1994), 130.

¹⁶⁰ Guerin-Gonzales, *Mexican Workers and American Dreams*, 130.

¹⁶¹ *Ibid.*, 131.

¹⁶² *Ibid.*, 134.

¹⁶³ *Ibid.*

¹⁶⁴ Auerbach, *Labor and Liberty*, 203.

¹⁶⁵ *Ibid.*

¹⁶⁶ John Fisher, "Class Murphy, La Follette As Agitators' Aids," *Chicago Daily Tribune*, October 22, 1938, ProQuest.

theatrical tactics in the late 1940s and 1950s.¹⁶⁷ The ACLU, in its report on the state of civil liberties for 1938-1939, roundly condemned the Dies Committee as “an organ of reaction attacking as Communist the progressive organizations and militant labor...notably in the New Deal administration and the C.I.O.”¹⁶⁸

While the Dies Committee made wildly unfounded claims—for instance, one witness asserted that child movie star Shirley Temple was a communist operative—it represented a concrete reaction to the investigation of the La Follette Committee.¹⁶⁹ Conservative congressmen, employers, and even the press participated in the backlash against the La Follette Committee’s moral crusade for the rights of labor. In a debate on the Senate floor on August 4, 1939, La Follette had to defend the merits of his committee against senators who questioned its value and biases.¹⁷⁰ William H. King (D-Utah) asked La Follette if his committee only applied the words “civil liberties” to organized labor.¹⁷¹ La Follette replied that he had not interpreted “civil liberties” as a concept applicable exclusively to labor, only to have Senator Edward R. Burke (D-Nebraska) rise and speak in opposition to the La Follette Committee.¹⁷² Burke pushed for the Department of Justice to take over the La Follette Committee’s investigation, arguing that La Follette and Elbert Thomas were too biased in support of labor to carry out an objective investigation.¹⁷³

Burke’s understated criticism of the committee stood in contrast to an editorial published several months earlier in the *Chicago Tribune* on November 18, 1938, which pulled no punches in its attack on the committee. Entitled “La Follette’s Civil Liberty Masquerade,” the author declared: “The familiar trick of making a thing virtuous by labeling it with a pretentious, misleading title was used in the beginning of the activities of what was called the La Follette civil liberties committee.”¹⁷⁴ Calling staff members of the committee “stormtroopers” and “La Follette’s henchmen,” the editorial

¹⁶⁷ Sidney Olson, “Dies, a Tough Texan, Can’t Be Laughed Off,” *Washington Post*, October 30, 1938, ProQuest.

¹⁶⁸ American Civil Liberties Union, *The Bill of Rights 150 Years After: The Story of Civil Liberty 1938-1939* (New York City, 1939).

¹⁶⁹ Olson, “Dies, a Tough Texan, Can’t Be Laughed Off.”

¹⁷⁰ U.S. Congress, Senate, *Congressional Record*, 76th Cong., 1st Sess., Volume 84, pt. 10, 11043, August 4, 1939, <https://archive.org/stream/congressionalrec84dunit#page/n455/mode/2up>.

¹⁷¹ *Ibid.*

¹⁷² *Ibid.*

¹⁷³ *Ibid.*, 11045

¹⁷⁴ “La Follette’s Civil Liberty Masquerade,” *Chicago Tribune*, November 18, 1938, <http://archives.chicagotribune.com/1938/11/18/page/13/article/la-follettes-civil-liberty-masquerade>.

challenged the moral narrative promoted by the committee, casting it as a communist body attempting to manipulate the public in a "great conspiracy against American law."¹⁷⁵ Thus, the La Follette Committee, through its use of moral investigation, suffered a similar fate of moral condemnation from those opposed to its political and ideological goals.

The Dies Committee and its accusations did not severely affect the operations of the La Follette Committee, which did in fact have communist sympathizers on its staff.¹⁷⁶ However, Dies' accusations, along with a public perception of the La Follette Committee as biased in favor of labor and the shift in national attention from domestic to foreign affairs in the late 1930s and early 1940s, all contributed to the decline of the La Follette Committee and the failure of S.Bill 1970.¹⁷⁷ According to Auerbach, in the political and social realm of the 1930s, accusations of communist influence did not carry as much weight as they did in the decades after World War II.¹⁷⁸ With President Roosevelt's support, the committee weathered Dies, but his allegations would follow members, including La Follette, to the more vicious era of anti-communism a decade later under Senator Joseph McCarthy.¹⁷⁹

La Follette, who grew increasingly concerned with the threat communism posed to a free democracy after World War II (and particularly after his loss to Joseph McCarthy for his Senate seat) repudiated his own committee in a 1947 article in *Collier's* magazine. He claimed: "In my opinion, Communist and fellow-traveler activities in America have become a serious menace to our democracy."¹⁸⁰ La Follette offered his personal experience with communist infiltration on his Civil Liberties Committee writing: "I was forced to take measures in an effort to stamp out influences within my own committee staff."¹⁸¹ La Follette chose to condemn his own committee for unclear reasons. His biographer Robert Maney described his concern for communism after he lost reelection as "an obsession."¹⁸² Maney speculated that this obsession with communism was symptomatic of mental illness, which also afflicted La Follette in the form of persistent anxiety attacks.¹⁸³ La Follette developed an extreme fear that McCarthy would call him to testify

¹⁷⁵ Ibid.

¹⁷⁶ Auerbach, *Labor and Liberty*, 166.

¹⁷⁷ Weinrib, "Civil Liberties Outside the Courts," 337.

¹⁷⁸ Auerbach, *Labor and Liberty*, 166.

¹⁷⁹ Ibid., 170.

¹⁸⁰ Robert M. La Follette, "Turn the Light on Communism," *Collier's Weekly*, February 8, 1947, UNZ.org, <http://www.unz.org/Pub/Colliers-1947feb08-00022:22>.

¹⁸¹ Ibid.

¹⁸² Maney, "Young Bob" *La Follette*, 307.

¹⁸³ Ibid., 310.

before his version of the House Committee on un-American Activities (the Senate Committee on Government Operations and Subcommittee on Investigations) due to his experience with communist infiltration on the Civil Liberties Committee. Maney implied that, at least in part, La Follette's anxiety over communist infiltration contributed to his suicide in 1954.¹⁸⁴

However, the La Follette committee's efforts were not a total failure by any means. Indeed, it would be more accurate to characterize the results of the La Follette Committee as a success, with certain instances of failure. As Auerbach wrote, the efforts of the La Follette Committee spurred Attorney General Frank Murphy to establish a Civil Liberties Unit within the Criminal Division of the Department of Justice in 1939.¹⁸⁵ The *New York Times* article announcing the creation of the Civil Liberties Unit noted: "While many cases affecting civil liberties will arise as a result of conflicts between labor and industry, officials said the field would not be confined to labor matters." Thus, the La Follette Committee's efforts would have a wide impact beyond labor issues through the Civil Liberties Unit.¹⁸⁶ The scope of the Civil Liberties Unit's mission embodied the La Follette Committee's comprehensive and extensive conception of civil liberties. Murphy, who had been governor of Michigan in the 1930s during much of the labor trouble of the New Deal and whom Roosevelt later appointed to the Supreme Court, was a champion of civil liberties as substantive, economic rights.¹⁸⁷

In his speeches as Attorney General, Murphy encapsulated the broad, economic meaning of the term the La Follette Committee applied to recast its investigations as moral inquiries. In one address to the United States Conference of Mayors and the National Institute of Municipal Law Officers on May 15, 1939, Murphy stated: "Civil liberty is simply the idea that I have mentioned – the idea of human dignity – translated into actuality."¹⁸⁸ This phrase captured exactly what the La Follette Committee

¹⁸⁴ *Ibid.*, 311.

¹⁸⁵ "Civil Rights' Unit Set Up by Murphy" *New York Times*, February 4, 1939, ProQuest. The *New York Times* demonstrated the interchangeability of "civil liberties" and "civil rights" during the New Deal in this article, using the term "civil rights" in the title and "civil liberties" in the lede: "A civil liberties unit to safeguard basic rights of individuals was established in the Criminal Division of the Department of Justice today by Attorney General Murphy."

¹⁸⁶ *Ibid.*

¹⁸⁷ Sidney Fine, *Frank Murphy: The Washington Years*, vol. 3, 3 vols. (Ann Arbor: The University of Michigan Press, 1984). Murphy, as an Associate Justice of the Supreme Court, vehemently defended civil liberties, most notably in his dissent in *Korematsu v. United States*, a case on Japanese internment during World War II. For Murphy, "[F]or the government to exclude Japanese-Americans from the West Coast and to confine them in relocation centers went beyond "the very brink of constitutional power" and fell into "the ugly abyss of racism" (448).

¹⁸⁸ Frank Murphy, "Civil Liberties and The Cities: An Address by Honorable Frank Murphy

thought civil liberties were throughout its investigation. Like the committee, Murphy believed in the economic basis of civil liberties; he claimed in a speech to the graduating class of John Marshall College in Jersey City, New Jersey on June 21, 1939: “We need to place the economic system in such a way that men may have the chance to work and to earn a living wage.”¹⁸⁹ In the exact style of the La Follette Committee, civil liberties for Murphy were claims to a “human dignity” and the ability to “earn a living wage.” The influence of the La Follette Committee and its fight for civil liberties in the face of industrial oppression lives on today in the form of the Civil Rights Division of the Department of Justice.¹⁹⁰ The Civil Rights Division traces its heritage back to the Civil Liberties Unit established by Murphy in 1939 and thus is a descendant of the La Follette Committee.¹⁹¹ Since its founding, the division has been at the forefront of federal efforts to enforce laws that prohibit discrimination and protect the civil rights of all Americans.¹⁹² The Civil Rights Division has a diverse range of responsibilities ranging from monitoring elections to bringing criminal charges against those who infringe upon the civil rights of others.¹⁹³

Conclusion

On July 2, 1937, in the caucus room of the Senate Office Building in Washington D.C., Senators Robert La Follette, Jr., and Elbert Thomas presided over the Subcommittee Investigating Violations of Free Speech and

Attorney General of the United States Before the Joint Meeting of the United States Conference of Mayors and The National Institute of Municipal Law Officers” (New York City, May 15, 1939), 5, <https://www.justice.gov/sites/default/files/ag/legacy/2011/09/16/05-15-1939pro.pdf>.

¹⁸⁹ Frank Murphy, “‘The Meaning of Civil Liberty’ An Address by Honorable Frank Murphy, Attorney General of the United States at the Commencement Exercises of John Marshall College, Jersey City, New Jersey” (Jersey City, New Jersey, June 21, 1939), <https://www.justice.gov/sites/default/files/ag/legacy/2011/09/16/06-21-1939.pdf>.

¹⁹⁰ In 1941 Victor Rotnem became chief of the Civil Liberties Unit and renamed it the Civil Rights Unit. Rotnem did so to avoid confusion with the ACLU and because, even in 1941, the phrase “civil liberties” conjured up radical action as opposed to the tamer “civil rights.” In 1957, Attorney General William P. Rogers ordered the expansion of the Civil Rights Unit to the Civil Rights Division, putting the federal protection of civil rights at the forefront of the Department of Justice. See Robert K. Carr, *Federal Protection of Civil Rights: Quest for a Sword* (Ithaca, New York: Cornell University Press, 1947), 24. And William P. Rogers, *Order No. 155-57: Order Establishing the Civil Rights Division in the Department of Justice*, December 9, 1957, <https://www.justice.gov/crt/page/file/918916/download>.

¹⁹¹ *Ibid.*

¹⁹² Wan J. Kim, The Department of Justice’s Civil Rights Division: A Historical Perspective as The Division Nears 50, March 22, 2006, 17, https://www.justice.gov/sites/default/files/crt/legacy/2008/10/21/historical_perspective.pdf.

¹⁹³ *Ibid.*, 17.

the Rights of Labor's inquiry into the Chicago Memorial Day Incident of 1937.¹⁹⁴ The testimony of Harry N. Harper, along with that of other victims, witnesses, and police officers, in addition to physical and medical evidence, led the La Follette Committee to condemn the actions of the Chicago Police in harsh terms. Senator Thomas, in an additional statement to *Senate Report 46, Part 2* wrote: "The encounter on May 30 should never have occurred. It was not necessary from the standpoint of police protection or as part of well-planned strike tactics."¹⁹⁵

Nearly 80 years later, the Civil Rights Division of the United States Department of Justice, after a year-long investigation of the Chicago Police Department in the aftermath of the fatal shooting of 17-year-old Laquan McDonald, wrote: "The Justice Department investigation found that CPD officers have engaged in a pattern or practice of using force, including deadly force, that is unreasonable, in violation of the Fourth Amendment."¹⁹⁶ McDonald, a black teenager, was shot 16 times by Chicago police officers on October 20, 2014.¹⁹⁷ McDonald's shooting spurred local and national protest of Chicago Police tactics and the reaction culminated in both the indictment for first-degree murder of the police officer who shot him and the Department of Justice's investigation into the Chicago Police Department.¹⁹⁸

While not identical situations, the parallels between the Civil Rights Division's report on the Chicago Police Department in 2017 and the La Follette Committee's report from 1937 are striking. According to the Department of Justice, the Chicago Police routinely shot at fleeing suspects who did not pose a threat to officers, used physical force to retaliate and punish individuals, escalated situations to the point where the use of force was required, and used tactics that "unnecessarily endanger officers and result in avoidable shootings and other uses of force."¹⁹⁹ These charges neatly

¹⁹⁴ Calkins, *Spy Overhead*, 17; *Hearings before the Subcommittee of the Committee on Education and Labor Pursuant to S. Res. 266, on Violations of Free Speech and Rights of Labor Part 14: The Chicago Memorial Day Incident*, 4959.

¹⁹⁵ Subcommittee of the Committee on Education and Labor, *Report on the Chicago Memorial Day Incident*, 41.

¹⁹⁶ U.S. Department of Justice Civil Rights Division and U.S. Attorney's Office of the Northern District of Illinois, *Investigation of the Chicago Police Department*, January 13, 2017, 1, <https://www.justice.gov/opa/file/925846/download>; U.S. Department of Justice, *Fact Sheet: The Department of Justice Pattern or Practice Investigation of the Chicago Police Department*, <https://www.justice.gov/opa/file/925851/download>.

¹⁹⁷ "Dash-Cam Video Shows Laquan McDonald's Fatal Shooting," NBC Chicago, <http://www.nbcchicago.com/news/local/Police-Release-Disturbing-Video-of-Officer-Fatally-Shooting-Chicago-Teen-352231921.html>.

¹⁹⁸ *Ibid.*

¹⁹⁹ U.S. Department of Justice, *Fact Sheet: The Department of Justice Pattern or Practice Investigation of the Chicago Police Department*, 1.

fit the situation the La Follette Committee investigated in 1937 and mirrored Harry N. Harper's experiences.

It is extremely dismaying to read nearly identical accounts of oppressive police practices by the same agency 80 years apart. However, it is a testament to the La Follette Committee's legacy that these practices have been brought to light. The Civil Rights Division, which investigated the Chicago Police Department in 2017, was a result of the spirit of moral investigation the La Follette Committee cultivated and wielded effectively. The La Follette Committee enacted change on institutional and philosophical levels. In its four-year investigation from 1936-1940, the La Follette Committee explored the state of the civil liberties of organized labor in the United States during the New Deal, using a broad definition of civil liberties based on a conception of a moral claim to economic fairness and opportunity. In the committee's view, the nature of a worker's status as a human being entitled him to organize and bargain with his employer. As the committee noted, due to the nature of capitalist industrial society, employers frequently commanded outsized economic, and therefore, political and material influence, putting workers in severely disadvantaged bargaining position. Thus, organization was not only a worker's right, it was also necessary for him to obtain an adequate standard of living, and the achievement of his "inherent dignity." In this accomplishment, the committee believed, existed the survival of industrial democracy. Employer and local government attacks, such as those by the Chicago Police Department, on the civil liberties of labor were, to use the committee's phrase from its *Report on Employers' Associations and Collective Bargaining in California*, "attacks on the whole fabric of industrial democracy."²⁰⁰

Examining the La Follette Committee as a body that undertook not only a political investigation, but a moral investigation, plants the committee firmly within the New Deal and allows for a greater understanding of the ideological project of the New Deal. Additionally, analyzing the moral aspect of civil liberties as the committee related them to organized labor clarifies labor's role in the development of both civil liberties and civil rights (in the twenty-first century meanings of the terms) in the United States. Understanding the La Follette Committee's defense of civil liberties as the moral foundations of democracy provides salient lessons for our own time when the institution that the committee thought should safeguard civil liberties, the federal government, actively threatens them.

²⁰⁰ Subcommittee of the Committee on Education and Labor, *Report on Employers' Associations and Collective Bargaining in California II*, 144.

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The Ideological Alignment of Free Market Liberals and Military Officials in the Argentinean Junta, 1976-1981

Fionn Adamian

By the time the military government appointed him Economy Minister on March 25, 1976, just a day after the coup against Isabel Perón, José Alfredo Martínez de Hoz felt proud of what he had accomplished. Graduating at the top of his class at the University of Buenos Aires before attending Cambridge, he had received a number of awards for his sparkling career in international arbitration, presided over the Argentine business council, and already occupied the top post at the Economy Ministry. Nevertheless, those experiences must have only seemed like preparation for this critical moment when Army General and President Jorge Rafael Videla, Navy Admiral Emilio Massera, and Brigadier General Orlando Agosti tapped him to lead the Economy Ministry amidst an unmitigated economic crisis. Inflation in Argentina had reached a rate of 900 percent, the deficit had ballooned to historic levels, and the Central Bank had only enough foreign reserves to last the week.¹ To Martínez de Hoz, the episode represented the culmination of decades of profligacy and lethargy under former president Juan Perón and his supporters. The military had historically preferred a statist mode of development, but the Economy Minister hoped he had won sufficient backing to embark on a liberal restructuring of society.²

On April 2, dressed in a pin-striped shirt and well-pressed suit, Martínez de Hoz prepared to announce his economic plan to the nation. He then received a call from Massera, who wanted to speak about the statement. Martínez de Hoz could have been forgiven for feeling nervous. A developmentalist only recently converted to the liberal agenda, Massera could have been calling to request that the Economy Minister temper his full-

¹ Luigi Manzetti, *The International Monetary Fund and Economic Stabilization* (New York: Praeger, 1991), 135.

² The “statist” or “developmentalist” stance on economic policy emphasizes government regulation of business, the promotion of state-owned industries, and insulation from foreign competition. Paul Lewis, *The Crisis of Argentine Capitalism* (Chapel Hill: University of North Carolina Press, 1990), 52.

throated commitment to the free market. But Massera had only called to wish him well. “Don’t forget to say on TV that the program you are announcing is the Armed Forces’ program,” he added.³ Thus, when Martínez de Hoz stepped in front of the cameras to announce his policy of economic liberalization, against all odds, he had the undivided support of the junta. He could not count on it for long.

Given its historic ambivalence toward the free market, why did Argentina’s military strike an alliance with economic liberals in the first place? Scholars have provided a number of explanations for the unlikely coalition. Materialist interpretations tend to focus on the military’s need to secure financial support.⁴ In this view, the military’s overriding prerogative was to procure international loans, which dwindled near the end of Isabel Perón’s administration. Without securing immediate support, the military could not pursue any of its other objectives—such as the modernization of the Armed Forces—and therefore tapped well-connected elites to lead the Economy Ministry. The concept of political legitimacy has appealed to other observers. From this perspective, military officials appointed liberals because of their “convenient contrast” to the Peronist administration. A radical departure from the previous agenda was necessary to justify the overthrow of civilian government.⁵ Martínez de Hoz signified a new direction for economic policy and, thus, built a coherent logic for military rule. Finally, a body of literature suggests that an impulse to discipline society guided both the military and the Economy Ministry.⁶ While the Armed Forces sought to suppress a perceived leftist threat, the liberals aimed

³ José Alfredo Martínez de Hoz, “José Alfredo Martínez de Hoz,” in *Argentina 1946-63: The Economic Ministers Speak*, ed. Guido di Tella and Carlos Rodríguez Braun (London: Macmillan, 1990), 166.

⁴ Manzetti, *The International Monetary Fund and Economic Stabilization*, chap 4; Stephen Nelson, *The Currency of Confidence: How Beliefs Shape the IMF’s Relationship with its Borrowers* (Ithaca: Cornell University Press, 2017); Jorge Schvarzer, *Martínez de Hoz: la lógica de la política económica*. (Buenos Aires: CISEA, 1983); Horacio Verbitsky and Juan Pablo Bohoslavsky, *The Economic Accomplices to the Argentine Dictatorship* (New York: Cambridge University Press, 2016).

⁵ Andres Fontana, “Political Decision-making by a Military Corporation: Argentina, 1976-1983” (PhD diss., University of Texas, 1987); Lewis, *The Crisis of Argentine Capitalism*, chap. 9; David Pion-Berlin, “The Fall of Military Rule in Argentina: 1976-1983,” *Journal of Interamerican Studies and World Affairs* 27, no. 2 (1985).

⁶ Adolfo Canitrot, “La disciplina como objetivo de la política económica. Un ensayo sobre el programa económico del gobierno argentino desde 1976,” *Desarrollo Económico* 19, no. 76 (1980); Federico Finchelstein, *The Ideological Origins of the Dirty War: Fascism, Populism, and Dictatorship in Twentieth Century Argentina* (New York: Oxford University Press, 1983); Donald Hodges, *The Argentine “Dirty War”: An Intellectual Biography* (Austin: University of Texas Press, 1991); Marcus Novaro and Vicente Palermo, *La dictadura militar 1976-1983: Del golpe de estado a la restauración democrática* (Buenos Aires: Paidós, 2003).

to reorient the Argentine citizenry toward productive work—objectives that functioned in tandem. This principle bound the military and Economy Ministry in spite of their differences. While all of these interpretations elucidate important aspects of the junta's rule, they fail to capture the intricate development of the two parties' worldviews. The ideological evolution of liberal officials and military generals in reaction to Peronism and successive economic crises is essential to explaining the alliance's timing, negotiation, fracture, and ultimate collapse.

Witnessing the failures of Peronism molded the belief system of the Economy Ministry officials.⁷ Some belonged to families that had long opposed Perón; some received educations that affirmed his failures; but all found the Peronist legacy deeply insidious from various government and business positions. As a result, the Economy Ministry officials developed a firm belief in the free market and the concentration of political power in the hands of a few elites, a philosophy understood as liberalism in the Argentine context. Conversely, the military's war against leftist militants shaped their approach to governing. Self-anointed protectors of Argentina's Catholic moral values, members of the Armed Forces perceived that unprecedented social unrest demanded a fundamental reorganization of society. Free market reform appeared to accomplish this aim. Furthermore, eager to align themselves with other powers in the West thought to comprise Catholicism's vanguard, military officials enjoyed the prestige of appointing an economic team popular among American and European power brokers.

Although the two groups' philosophies appeared compatible at first, the realities of governing soon threw their contradictions into sharp relief. While supportive of foreign investment, the Armed Forces refused to trim the size of government when they believed that national security was at stake. Some generals strayed back toward statist tendencies in the face of sustained economic challenges, claiming that the military was better equipped to guide production than the market. Others, including President Videla, remained confident in the long-term mission of Martínez de Hoz and continued to back the Economy Ministry. Ill-founded compromises between these factions ultimately led to economic collapse in 1980, a disaster that capped the end of the junta's first administration.

The Crisis of Peronism and the Genesis of the Unlikely Alliance

The generation of liberals of the 1970s grounded their defense of the

⁷ Peronism was Juan Perón's brand of statism. As I will demonstrate, it entailed the expansion of the role of the government in the economy, the cordoning of Argentina off from international competition, and the integration of unions into political leadership.

free market in nostalgia for Argentina's pre-World War II political economy, a structure many of their families helped to erect. They believed that the constitution of 1852, designed in the image of American and European founding documents, formed the basis of the country's early prosperity by enshrining the right to private property and security. Like the nineteenth-century president Domingo Sarmiento, who Martínez de Hoz cited as one of Argentina's great leaders, the liberals approved that the constitution extended these guarantees irrespective of nationality, encouraging the colonization of civilized Europeans in the country's interior.⁸ Many economic officials of the junta belonged to families of precisely this extraction. Johann Alemann, grandfather of Treasury Secretary Juan Alemann, immigrated from Switzerland to found the German-language daily *Argentinisches Tageblatt* (AT) in 1889 before passing the publication down to his son Ernesto. Catering to the growing German speaking population of Buenos Aires, the AT was fiercely liberal in its orientation and made its name denouncing the rise of National Socialists in Germany after World War I.⁹

According to free market advocates, the ascetic dedication to Western liberalism among competent leaders propelled spectacular economic growth in their country's early years. In their telling, a wealth of human and natural resources endowed *la patria* with "a potential rare in the world."¹⁰ Argentina's openness to international capital facilitated the construction of railways and roads, allowing farmers to ship crops tilled in the fertile pampas to urban centers. Exports of livestock to English meat-packing plants boomed, an emblem of burgeoning international cooperation. Responding to the abundance of opportunity, immigrants flocked to the open countryside to win a parcel of their own land, which, in turn, maximized the country's economic capacity.¹¹ The Martínez de Hoz family headed the Anglophile contingent of landowners who had succeeded in striking it rich. Educated at various private schools in England, including Eton College, members of the family fashioned themselves as the intellectual vanguard of rural property holders.¹² In 1866, José Toribio Martínez de Hoz

⁸ Daniel Mecca and José Alfredo Martínez de Hoz, "Entrevista a José Alfredo Martínez de Hoz," *Diario Domingo*, n.d. 2007.

⁹ Sebastian Schoepp, "Das Argentinische Tageblatt 1933-1945: Eine bürgerliche Kampfzeitung als Forum der Emigration," *Institut für Zeitgeschichte* 43, no. 1 (1995): 80.

¹⁰ Republica de Argentina Ministerio de Economía, *Memoria*, Tomo 1. 20.

¹¹ Roberto Alemann, "Argentina," in *Economic Development Issues: Latin America*, ed. Roy Blough et al. (New York: Frederick A. Praeger, 1967), 17.

¹² Mario Lattuada, "El peronismo y los sectores sociales agrarios. La resignificación del discurso como articulador de los cambios en las relaciones de dominación y la permanencia de las

founded the Rural Society of Argentina, an organization dedicated to “ensuring the country’s agricultural heritage and promoting the development of its natural resources.”¹³ Practically, the objective entailed defending landowners’ right to manage their property and industry. Liberals claimed that, by the first decades of the twentieth century, the values embodied by the Martínez de Hoz family brought growth only matched by other young countries comprising European descendants.

The election of Juan Domingo Perón in 1946 derailed the political foundation of the liberal political project. Establishing himself in diametric opposition to liberalism, Perón sought to eradicate poverty, affirm a uniquely Argentine identity, and unite workers behind a common objective. In pursuit of these goals, he expanded the role of government in the economy, cordoned Argentina off from international competition, and integrated unions into political leadership. Free market advocates deplored all three of these policy objectives. The *AT* went as far as to label Perón a “fascist student.”¹⁴ Liberals believed that government favoritism toward specific companies stifled individual initiative, as subsidies granted some businesses arbitrary and artificial advantages. The potential for government backing incentivized private enterprise to devote their time to “wooing public officials for their favors.”¹⁵ Worse still, the policy of Import Substitution Industrialization (ISI) sheltered domestic businesses from foreign competitors. Not only did high tariffs and restrictions on foreign investment keep weak firms in business, but it also prevented Argentine companies from adopting more efficient technologies that could boost production.¹⁶ Liberals also argued that organized labor, with which they had always held an antagonistic relationship, extracted wage increases and social security guarantees incommensurate to what they were actually producing.¹⁷ Labor’s demands were not limited to fair wages. In reaction to peasants’ demands, Perón asserted that he would confiscate the property of wealthy landowners. As president of the Rural Society of Argentina, Martínez de Hoz’s father lobbied the president on multiple occasions to convince him that “expropriating the estancias would be a mistake.”¹⁸ Preoccupied by these types of pressure on business profit, free market advocates lamented that “there can’t be groups with the power to twist a

relaciones de producción,” *Mundo agricultura* 3, no. 5 (2002).

¹³ “Sociedad Rural Argentina,” accessed March 17, 2017, <http://www.sra.org.ar/>.

¹⁴ Schoepp, “Das Argentinische Tageblatt 1933-1945,” 85.

¹⁵ Martínez de Hoz, “Martínez de Hoz,” 152.

¹⁶ Martínez de Hoz, *Bases*, 21.

¹⁷ *Ibid.*, 22.

¹⁸ José Alfredo Martínez de Hoz Sr., in Lattuada, “El peronismo y los sectores sociales agrarios.”

decision out of the government.”¹⁹

In the decades after Perón’s ouster in 1955, liberals graduated from Western universities and assumed prominent positions in both government and business, discovering the extent to which civil society restricted efforts to reduce the size of the state. Alongside his chief adviser Alemann, Martínez de Hoz assumed the Economy Minister post in May 1963 under the administration of José María Guido, an ostensibly civilian government propped up by the military. The new Economy Minister demonstrated flexibility from his predisposition for market-based solutions. Though Martínez de Hoz liberalized exchange controls and reduced government spending, he also installed incentives for public agencies to purchase from national companies whenever possible, a measure designed to bolster support from the military.²⁰ But Guido lasted only 144 days after Martínez de Hoz took office, stepping down to allow elections in October 1963.

On the other hand, when future Secretary of Planning Guillermo Walter Klein accepted his first federal policy post in 1968 under General Juan Carlos Onganía’s government, the conditions could not have seemed more different. Unlike Guido, who had to cater to the military’s preferences, Onganía centralized control while affording a considerable degree of latitude to the Economy Ministry. The Minister, Adalbert Krieger Vasena, suspended salary increases for two years, banned collective bargaining, and encouraged businesses to play a greater role in financing growth.²¹ However, these initiatives also proved short-lived. Reacting to falling real wages and the banning of unions from the political sphere, strikes and student protests engulfed the city of Córdoba. Demonstrations quickly spread to other cities and crippled the legitimacy of Onganía’s administration. The besieged president stepped down on June 8, 1970—liberals’ dreams of continued economic reform went with him.

To believers in the free market, the experiences of the 1960s demonstrated that democratic forces were anathema to their aims. Constrained by the military on the one hand and elections on the other, Guido could not afford policymakers the time they needed to install painful reforms. Despite Onganía’s impressive attempts to centralize authority, he fell prey to undisciplined interest groups motivated to preserve the flow of political goods that Perón first established. Due to the inexorable force of the

¹⁹ Bernardo Neustadt, Raúl Prebisch, and Juan Alemann, “Entrevista a Raúl Prebisch y Juan Alemann,” *Revista Extra*, July 1977.

²⁰ Klaus F. Veigel, *Dictatorship, Democracy, and Globalization: Argentina and the Cost of Paralysis, 1973-2001* (University Park: Pennsylvania State University Press, 2009), 50.

²¹ Ruth Berins Collier and Samuel Handlin, *Reorganizing Popular Politics: Participation and the New Interest Regime in Latin America* (University Park: Pennsylvania State University Press, 2009), 157.

majority, liberals reasoned that attempts at reforms had proven too brief, too shallow, and too vulnerable to corruption. Solving the root causes of economic malaise required a protracted effort from enlightened leaders insulated against the whims of public opinion. Friedrich von Hayek, who would later advise Martínez de Hoz, pithily summed up the perspective: a preference “for a liberal dictator and not for a democratic government lacking in liberalism.”²²

The early 1970s were dark times for those devoted to this preference. Although the military banned Perón from running in the 1973 elections, Héctor Cámpora sought the presidency as his surrogate and won the election with a decisive plurality of votes.²³ The newly elected president pursued a Peronist agenda in both its means and objectives. He pledged to enlarge workers’ share of the country’s wealth while taming inflation, an objective in line with Perón’s belief that 50 percent of the national income should accrue to workers “in the spirit of absolute fairness.”²⁴ Perón argued that such a goal situated the state as “the principal agent for the development of the nation,” since only the government had the capacity to mediate a compromise between labor and capital.²⁵ In the spirit of inter-class compromise, Cámpora and Economy Minister José Gelbard presided over wage negotiations between unions and business leaders. Labor’s newfound political strength produced a favorable outcome for workers. Cámpora announced on June 3, 1973 that the parties had agreed to a 40 percent wage hike, a freeze on price levels, and an expansion of public employment. To mollify business concerns about rising costs, Cámpora guaranteed continued access to cheap credit.²⁶ The deal proved to be his term’s signature accomplishment: after just forty-nine days in office, Cámpora resigned so that Perón could run for presidency. Selecting his wife Isabel as his vice-president, Perón triumphantly returned to office on September 23.²⁷

Though the fanfare surrounding Perón’s third term made it seem like an epochal shift in Argentine politics, the newly elected President largely followed Cámpora’s so-called Social Pact. Keeping Gelbard on as Economy Minister, Perón inherited a program that appeared to be working. During the second half of 1973, economic growth nearly doubled and virtually eliminated unemployment. Because demand for money initially climbed in

²² Friedrich von Hayek in Veigel, *Dictatorship, Democracy, and Globalization*, 51.

²³ Guido Di Tella, *Argentina Under Perón, 1973-76: The Nation’s Experience with a Labour-Based Government*, (New York: St. Martin’s Press, 1983), 50.

²⁴ Juan Perón in *ibid.*, 86.

²⁵ *La Opinión*, 12 July 1973.

²⁶ Di Tella, *Argentina Under Perón, 1973-76*, 87.

²⁷ *Ibid.*, 11.

tandem with the steep increase in its supply, inflation actually fell by two-thirds during the latter part of the year. But the economy could only sustain the equilibrium as long as labor and capital resisted the impulse to call for wage and price hikes, respectively.²⁸

The Organization of Petroleum Exporting Countries (OPEC) upset the delicate balance by announcing an embargo against the United States and other Western nations in October of 1973. Though Argentina's plentiful reserves cushioned against the ensuing jump in oil prices, the high value of oil eventually trickled into the costs of the country's raw materials. Despite protests from corporate leaders, Perón and Gelbard prevented companies from raising prices, instead insisting that higher costs ought to eat into their profits. Businesses, thus, coped with losses by reducing production, ceasing work altogether, or selling products on the black market. Inflation soared to 10.4 percent per quarter in 1974, sparking fierce protests around the country to demand commensurate wage increases.²⁹ One of the most violent strikes took place at Martínez de Hoz's steel corporation Acindar in March of 1974. Employees of the business in the Santa Fé province refused to return to work and clashed with the company's security, which ordered the kidnapping of several unionists.³⁰

Juan Perón's death on July 1, 1974 and Isabel's ascension to the presidency marked an increasingly confused response to this chaos. Juan's charisma and unassailable cult of personality held together the fractious Peronist coalition in a way Isabel simply could not sustain. Her Minister of Social Welfare and long-time confidant José López Rega belonged to the right wing of the party, which lobbied for robust action against cost-inflationary pressures. To accommodate this faction and buttress her own political position, Isabel appointed Celestino Rodrigo as Economy Minister on June 2, 1975.³¹ Like that of Krieger Vasena, Rodrigo's plan was economically liberal and politically conservative; he planned to free prices, pull the exchange to a realistically devalued rate, and increase the prices of public services. The decision to loosen prices unleashed mind-boggling levels of inflation: monthly rates from June to August reached 7 to 10 percent, more than doubling the last thirty years' monthly average of two to three percent. The annual rate of growth also nosedived to 0.9 percent per year.³² The atmosphere darkened among workers who were already coping with

²⁸ *Ibid.*, 106.

²⁹ *Ibid.*, 117.

³⁰ Lewis, *The Crisis of Argentine Capitalism*, 362.

³¹ Di Tella, *Argentina Under Perón, 1973-76*, 125.

³² Guido Di Tella and Carlos Rodríguez Braun, "Introduction," in *Argentina 1946-63: the Economic Ministers Speak*, ed. Guido di Tella and Carlos Rodríguez Braun (London: Macmillan, 1990), 20.

falling real wages. Just weeks after Rodrigo announced his plan, the Confederacion General del Trabajo (C.G.T.) organized mass demonstrations to demand the Economy Minister's resignation. Finding herself handicapped without union support, Isabel fired Rodrigo and replaced him with Antonio Cafiero, a more traditional Peronist sympathetic to organized labor.³³ Despite her change of course, Argentina's economy had clearly entered an unprecedented disaster by the end of the summer.

At this stage, mostly observing from the sidelines, liberals regarded the crisis as the chickens coming home to roost. Unconstrained government spending, cumbersome protectionism, and artificially high wages meant that the government had been issuing money without corresponding increases in real economic growth. It looked unlikely that a democratic government would address that root cause. Isabel's dismissal of Rodrigo—an economic geography professor whose views mostly paralleled those of the liberals—hardened Martínez de Hoz's belief that the incumbent government was incapable of making a painful price correction due to union pressure. "We have heard from Minister Rodrigo, we have had to undergo that adjustment," Martínez de Hoz remarked in regard to the price correction.³⁴

Meanwhile, Juan Perón's death had unleashed leftist militarism across the country. Although the Montoneros and Ejercico Revolucionario del Pueblo (E.R.P.), the two prominent leftist guerrilla organizations from the 1960s onward, believed that Juan Perón served the interests of the bourgeoisie, they acknowledged that his popularity amongst the working class would undermine the efficacy of violent tactics during his tenure. However, Isabel Perón's political weakness and antagonism toward unions boosted sympathy for the leftist militants. They ratcheted up attacks against military and police stations, seeking to lure the Armed Forces into combat and expose their supposedly fascist nature.³⁵ In response, Isabel Perón endowed the Armed Forces with unprecedented authority to annihilate leftist militants—a decision that augured the junta's indiscriminate murder and kidnapping. In February 1975, the military launched operations against Montonero and E.R.P. guerrillas in Tucumán, an offensive that resulted in 800 deaths. Nevertheless, leftist attacks persisted. The conflict reached a boiling point on December 23 when several hundred E.R.P. fighters staged open war against an Army battalion outside of Buenos Aires.³⁶ The military

³³ Di Tella, *Argentina Under Perón, 1973-76*, 127.

³⁴ Bernardo Neustadt and José Alfredo Martínez de Hoz, "Entrevista a José Alfredo Martínez de Hoz," *Revista Extra*, January 1977.

³⁵ Andrés Cisneros, *Historia de las Relaciones Exteriores Argentinas* (e-book, 2000), chap. 68.

³⁶ Di Tella, *Argentina Under Perón, 1973-76*, 80.

officials furiously pointed to the conflict to strengthen their argument that Isabel was providing insufficient material support during a time of war.

Although military officials exaggerated the threat of leftist militants, whom they had subdued as early as 1976, they firmly believed they were locked in a battle whose stakes were no less than the fate of Western Christendom. Belonging to a tradition of ties between the Catholic Church and the military, the officials believed that *la patria's* deviation from God had birthed the current subversive movement. Like the liberals, the military felt Isabel Perón was to blame. According to Videla, the rise of demagoguery in Argentine politics, "agitated for purely electoral purposes through slogans," confounded the citizenry so that it was "difficult to distinguish between good and evil."³⁷ This confusion made conditions ripe for the rise of godless Marxist movements. Freed from any moral constraints, the nihilists kidnapped, murdered, and eroded the basis of Argentine society. It was incumbent on the military officials, the guardians of society, to restore the natural order. General Juan Manuel Bayón observed, "Political sovereignty comes from God, but does not descend to those who cannot exercise it."³⁸

To the military, restoring order acquired heightened urgency in the context of the global war against Marxism. According to Agosti, people across the world were abandoning God out of a Marxist "sense of transcendence" of moral norms.³⁹ The military had to remain vigilant, because agents of the nihilistic theory were adept at catalyzing its spread. In their own country's case, General Ramón Camps asserted that the Soviet Union encouraged violent guerrilla action as part of "a strategy for extending its influence without a direct confrontation with the United States."⁴⁰ Since the United States and Europe were inoculated against the spread of Marxism, the responsibility fell on Latin American nations to wage "permanent war in the struggle against subversion on a world scale."⁴¹

This war was not only literal in the military's use of assassination, kidnapping, and torture, but also figurative in its efforts to discipline Argentine society. The military's strategy, according to President Videla, covered "politics, economics, and culture."⁴² If it was clear that the political aspect involved establishing military control, and the cultural dimension required inculcating Catholic values, it was not at all ordained that the junta would opt for a free market solution in relation to the middle component.

³⁷ Jorge Rafael Videla in *Clarín*, 25 May 1976.

³⁸ Juan Manuel Bayón in Finchelstein, *The Ideological Origins of the Dirty War*, 129.

³⁹ Orlando Agosti in *ibid.*, 127.

⁴⁰ Ramón Camps in Hodges, *Argentina's "Dirty War,"* 133.

⁴¹ *Ibid.*, 133.

⁴² Jorge Rafael Videla in *ibid.*, 124.

The military had never entirely accepted the liberal critique of the interventionist model, harboring suspicions about the morality of profit-driven decisions. In the eyes of statist officials, economic malaise reflected a diversion from national values; by correcting those deviations, “the economy improves, production grows, and investment is stimulated.”⁴³ Military officials were uniquely equipped to lead critical businesses, because unwavering discipline and rigid moral values guided their decision-making, qualities often absent in private citizens. In contrast to corporate leaders, military officials understood that “every man is an economic entity, but before that every man is a moral entity.”⁴⁴ That steadfast mantra predisposed military officials against transferring state-owned enterprises into private hands. Compounding this inclination, military officials believed that many public firms produced goods essential to the preservation of national security. In the case of a conflict, they were skeptical as to whether private businesses could mobilize resources quickly enough to satisfy the military’s needs. Historically, the combination of these factors made the military and liberal establishments wary and distant allies, united by their distaste for democratic procedure, divided by their economic prescriptions.

However, the twin crises of economic collapse and leftist militarism had swayed the military toward market solutions by the summer of 1975. More so than ever, liberals could point to evidence that cushy state subsidies corrupted “the discipline of work.”⁴⁵ In contrast, free market forces pushed civilians to earn their livelihood, a correction military officials deemed a dire necessity. Purposeful work would imbue people’s lives with a new sense of meaning. As such, they would no longer need vacant, seductive philosophies to assuage their pain. Amidst the chaos of 1975, military officials found a new alignment among the values of Christianity, discipline, and liberalism; the free market could satisfy the military’s desire to restore morality to the working life. Even statist elements of the Army and Navy exhibited increasing sympathy for liberalism, an evolution realized even before military officials began planning the coup. At a lunch on June 27, Economy Minister Rodrigo found Navy Admirals Massera and Armando Lambruschini “fully aware of the situation of the country, especially in connection with the economy.” The Admirals voiced their support for Rodrigo’s program “to formalize the reorganization of the economic

⁴³ Emilio Massera, *El camino a la democracia* (Buenos Aires: CID, 1979), 106.

⁴⁴ *Ibid.*, 107.

⁴⁵ Videla inaugural speech in Oscar Troncoso, *El Proceso de Reorganización Nacional* (Buenos Aires: Centro Editor de America Latina, 1984), 30.

situation.”⁴⁶

As the military became increasingly intent on toppling Isabel's government and began weighing candidates for head of the Economy Ministry, Martínez de Hoz emerged as the leading contender from a field of free market thinkers. The generals were set on choosing a liberal: other potential nominees included Alvaro Alsogaray, Roberto Alemann, and José Pastore.⁴⁷ In addition to his ideological flexibility, which reassured hardline statist in the military, Martínez de Hoz differentiated himself from other candidates due to his prestige in Argentine, American, and European high society.⁴⁸ Both in his capacity as an adviser for Chase Manhattan Bank and as a member of the Argentine Commercial Mission to Washington, Martínez de Hoz became acquainted with a number of economic powerbrokers. Not only did adding Martínez de Hoz to the cabinet smooth the process of obtaining loans, but it aligned the military with the leading force against communism. His nomination served the military's aim of “progress toward a mutually beneficial association [with the U.S.] under the sign of maturity and respect.”⁴⁹ The goal was a high priority to military officials, as the United States was “the first power in the Western Christian world to which we belong by origin, tradition, and cultural and spiritual formation.” From an ideological perspective, Martínez de Hoz's ministry, thus, serviced the military's self-conception as an integral part of the Western sphere.

Some months before the coup, the generals informed Martínez de Hoz that he was their first choice for the position. The decision seemed to satisfy the basic need of the economically liberal agenda: a government whose repression of democratic forces would sufficiently insulate the Economy Ministry to carry out sweeping societal changes. Presciently skeptical of the military's priorities, however, Martínez de Hoz expressed to Videla, Massera, and Agosti that “structural reform was necessary. Are you prepared to sustain that? Because if no, it's useless to begin.”⁵⁰ The three leaders of the junta replied that they guaranteed him policy continuity for several years. With their assurance in hand, Martínez de Hoz accepted the offer.

⁴⁶ Juan Carlos de Pablo and Celestino Rodrigo, *La economía que yo hice* (Buenos Aires: Ediciones El Cronista Comercial, 1986), 103.

⁴⁷ Carlos M. Túrolo, *De Isabel a Videla: Los pliegues del poder* (Buenos Aires: Sudamericana, 1996), 45.

⁴⁸ *Ibid.*, 52.

⁴⁹ *Proposición de políticas para el area in* Veigel, *Dictatorship, Democracy, and Globalization*, 49.

⁵⁰ Mecca and Martínez de Hoz, “Entrevista.”

Steps Toward Liberalization and Early Disputes, 1976-1978

The economic plan Martínez de Hoz announced on April 2, 1976 centered on three objectives: market liberalization, destatization, and monetary stabilization. Aware that he might not have the capital to accomplish comprehensive reform later, Martínez de Hoz first concentrated his efforts on the first two themes. Before reversing inflation trends, the Economy Ministry needed to reform “basic economic structures, which required time for implementation and time to fully judge its effects.”⁵¹ Officials in the Economy Ministry drafted these reforms before sending them to the Legislative Advisory Commission (CAL), a body composed of two members from each branch of the military who approved or rejected the legislation.⁵² This process inserted the military into negotiations over economic policy. But with CAL initially acquiescent to the Ministry’s aims, Martínez de Hoz initiated reforms pertaining to his first goal of liberalizing markets that were as rapid as they were sweeping. In May 1976, he eliminated price controls and froze salaries, a decision he dubbed an “*a posteriori* wage adjustment.”⁵³ Consequently, real wages plummeted to less than 40 percent of the 1972 level until the Economy Ministry determined that growth had reached an acceptable pace. Observing 6 percent GDP growth over 1977, Martínez de Hoz finally permitted “voluntary increases above the basic salary stipulated by the government, in line with productivity standards” on October 19 of that year.⁵⁴ During the same period, the Economy Ministry incrementally exposed Argentina to international competition. Regarding the exchange market, Martínez de Hoz unwound controls and allowed the peso to float freely in order to undercut the black market demand for US dollars. He then reduced export duties, which were as high as 50 percent on corn and 40 percent on meat, so that farmers could sell their products abroad more cheaply. The Economy Ministry also lowered import tariffs to improve access to cheap goods in the short-term and force domestic industry to become more competitive in the long-term. Martínez de Hoz slashed average nominal protection from 55 percent to 41 percent over his first two years in office, a measure he believed allayed “serious distortions in the allocation of resources.”⁵⁵ These actions, the Economy Minister emphasized, broke “with a 45-year habit” of Peronist

⁵¹ Bernardo Neustadt and José Alfredo Martínez de Hoz, “Entrevista a José Alfredo Martínez de Hoz,” *Revista Extra*, July 1979.

⁵² Gerardo L. Munck, *Authoritarianism and Democratization: Soldiers and Workers in Argentina, 1976-1983* (University Park: Pennsylvania State University, 1998), 27.

⁵³ Martínez de Hoz, “Martínez de Hoz,” 156-7.

⁵⁴ *Ibid.*, 157.

⁵⁵ *Ibid.*, 153.

protectionism.⁵⁶

While the Economy Ministry dismantled legal barriers between Argentina and the global economy at home, Martínez de Hoz traveled abroad to entice foreign investment. The Economy Minister made his first trip to the United States in June 1976 after the junta had pledged to resolve conflicts over the expropriation of American companies.⁵⁷ The gesture signaled that the new government would respect the property rights of foreigners, a key factor in convincing them that business in Argentina could reap profits. As the military officials had foreseen, the Economy Minister's personal relationships and ideological concordance with the financial elite solidified investors' rosy impression of Argentina's economic prospects. David Rockefeller arranged several dinners between Martínez de Hoz and American business leaders, who emerged from the meetings impressed at the "classical correctness" of the Economy Minister's outlook.⁵⁸ The connections paid off immediately: on June 18, Chase Manhattan confirmed that its Argentine consortium would lend the country US\$950 million. In exchange, junta authorities returned control of the Banco Argentino de Comercio, a Chase Manhattan subsidiary nationalized during Juan Perón's last term.⁵⁹

In addition to rallying support from private investors, Martínez de Hoz established an instant rapport with United States government officials during the same trip. As the Economy Minister inquired about the possibility of reopening credit lines between the US Export-Import Bank and Argentina, Secretary of the Treasury William Simon and Chairman of the Federal Reserve Arthur Burns publicly lauded the Argentine Economy Ministry's new direction. Government lenders took notice and followed suit. Director of the Export-Import Bank Stephen M. DuBrul Jr. assured Martínez de Hoz that he would work quickly to re-establish relations between his institution and Argentina.⁶⁰ The cumulative result of the Economy Ministry's charm offensive appeared a resounding success: flushed with cash from the United States and International Monetary Fund (IMF), the Argentine Treasury had resolved its foreign reserve crisis and evaded the possibility of default by mid-July. Due in a large part to the economic team's diplomacy, the Ford Administration also quickly built ties with Videla, who was no less than thrilled by the development. In one of his first correspondences with his

⁵⁶ Ibid.

⁵⁷ Veigel, *Dictatorship, Democracy, and Globalization*, 49.

⁵⁸ Ibid., 52.

⁵⁹ Ibid.

⁶⁰ Ibid., 55.

American counterpart, Videla loftily pledged to consolidate US-Argentine ties in pursuit of their “common objectives [...] based on similar conceptions of liberty and the dignity of man.”⁶¹

Naturally, wage suppression and opening the country to foreign investment were unpopular among workers. However, Martínez de Hoz pressed through the reforms because, unlike Rodrigo's case, the military steamrolled union opposition to liberalization. With all factions initially sharing an antipathy toward organized labor, the junta sought to fracture union power by pursuing a carrot-and-stick policy. In July 1976, the junta passed a law empowering the Labor Ministry to replace union leadership. While it only applied the tactic to a handful of groups, the unions affected represented “80 to 90 percent of Argentine workers covered by collective bargaining agreements.”⁶² More subtly, the law also authorized the Labor Ministry to extend the mandates of officials. Even if they were directly unaffected by the regulation, officials curried favor with the military government in order to preserve their positions. By revoking the authority of some union leaders, while extending perks to others, the junta encouraged labor's acquiescence to its free market policies. This approach of focusing on the upper echelons of unions worked effectively for the junta until October 1977 when rank-and-file auto, railroad, and subway employees went on strike to protest wage freezes. The junta responded by banning union political activity and dissolving the C.G.T. altogether, thereby neutering the influence of organized labor.⁶³ Freed from union lobbying efforts, the Economy Ministry could pursue their objectives without taking labor's qualms into account.

Domestic bankers connected to high-ranking military officials found greater success in airing their concerns when the Economy Ministry considered financial reform in spring of 1977. As the Economy Ministry opened Argentina to international competition and weighed the possibility of freeing interest rates, Argentine financiers protested that better capitalized foreign banks would absorb the market. Inundated with complaints, military officials assembled a commission comprising domestic bankers and economists from the Central Bank of Argentina.⁶⁴ The group concluded that the government should guarantee all deposits, a move that would bolster the security of domestic banks otherwise incapable of shouldering long balance

⁶¹ Jorge Rafael Videla to Gerald Ford, 4 July 1976, Box 1, Folder “Argentina—President Jorge Rafael Videla,” National Security Adviser's Presidential Correspondence with Foreign Leaders Collection, Gerald Ford Library.

⁶² Munck, *Authoritarianism and Democratization*, 236.

⁶³ *Ibid.*

⁶⁴ Novaro and Palermo, *La dictadura militar 1976-1983*, 222.

sheets. The Central Bank President Adolfo Diz concurred, although for different reasons. He noted that the guarantee would assuage the concerns of individual savers about the solvency of institutions, thereby mopping up excess money in circulation.⁶⁵ To Martínez de Hoz and Alemann, however, the combination of freed interest rates and guaranteed deposits was dangerous. Driven by the prospect of profit from whatever interest rates the market could carry, the two policies might incentivize banks to loan more money than they were actually capable of doing.⁶⁶ Those overleveraged banks might be prone to collapse. Despite Videla's support on the issue, Martínez de Hoz capitulated. Cornered by Diz on one side and the statist on the other, the Economy Minister decided to allow the reforms to take effect in June and wind down the guarantee in the future. He extracted a promise from the military to this effect, but C.A.L. did not pass the reduction of the guarantee from 100 percent to 90 percent until August 1979.⁶⁷ The compromise and ensuing inaction presaged future disaster, but, in 1977, bank profits thrived due to consumers' faith in the guarantee.

In regard to his second goal of reducing the size of state industry, Martínez de Hoz found qualified success during his first two years in office. Immediately, the Economy Ministry axed public investment projects that the Peronist administration had planned or failed to complete. From 1976 to 1978, Martínez de Hoz transformed several public utilities into capital stock corporations, so they would raise funds like private entities. At the same time, Alemann revoked subsidies above what he deemed a reasonable rate, pushing public firms to seek loans on the market. Complementing this initiative, he also organized boards consisting of businessmen to oversee the firms; however, these administrators lacked meaningful authority to cut costs.⁶⁸ All in all, the Economy Ministry held public expenditure to 11.5 percent of GDP over the two year period, a reduction from the 16 percent that Isabel's government had projected.⁶⁹

Moreover, military statist repeatedly cautioned against excessive privatization, viewing unemployment as a threat to their priority of defeating the leftist movement. Massera and Army General Roberto Viola claimed that unoccupied workers might become sympathetic to the E.R.P. and Montoneros.⁷⁰ This logic extended to the privatization of state-owned

⁶⁵ Juan Carlos De Pablo and Adolfo Diz, *La economía que yo hice* (Buenos Aires: Ediciones El Cronista Comercial, 1986), 119.

⁶⁶ Juan Alemann in Novaro and Palermo, *La dictadura militar 1976-1983*, 223.

⁶⁷ Martínez de Hoz, "Martínez de Hoz," 154.

⁶⁸ *Ibid.*, 157.

⁶⁹ *Memoria*, 35.

⁷⁰ Novaro and Palermo, *La dictadura militar 1976-1983*, 227.

enterprises, as relinquishing their management would inevitably lead to layoffs. Alemann grumbled that “the military heads say that there cannot be any unemployment, since every laid off worker is another potential guerrilla.”⁷¹ Directors of state-owned enterprises also lobbied military officials to resist cuts they thought threatened their positions, contributing to the Armed Forces’ hesitancy. These restraints limited Martínez de Hoz to privatizing “smaller factories, sugar mills, paper mills, hotels, and warehouses,” measures that only trimmed the edges of the government budget.

The struggle over the railway system embodied the contradiction between the ideological priorities of the Economy Ministry and those of the military. Toward the end of 1976, railway executives requested additional subsidies from the Treasury—the business was losing US\$2 million per day. Treasury officials were shocked. At the behest of the Economy Ministry, the railway system cut the number of employees from 155,000 to 97,000 and the number of stations from 2,417 to 1,405 between 1976 and 1980.⁷² But the military, intent on keeping suburban workers employed at jobs in the city, insisted on the continued subsidy of train tickets. Alemann criticized the military’s resistance, commenting that such an attitude “did not permit the installation of stabilization.” Alluding to the threat of subversion in response, statist officials remarked, “first let the companies grow and it will go well [...] we are a government of order, we do not have the political power to do as you please.”⁷³ The entanglement produced an outcome unsatisfactory to the Economy Ministry. At the beginning of 1980, the railroad system reported it had lost US\$1.7 million per day in the previous year, a substantial cut, but again insufficient to dent government spending.⁷⁴

While the Economy Ministry worked assiduously to cut the budget within the Armed Forces’ parameters, the military aggravated a long-standing territorial dispute with Chile over the Beagle Channel. On February 18, 1977, an international tribunal determined that three islands in the oil rich stretch belonged to Chile.⁷⁵ Massera summarily rejected the settlement. Despite Videla’s best efforts to negotiate a peaceful settlement, deploying diplomatic missions to Chile on July 5 and October 17, Massera called for a military buildup both to deter their rival and to prepare in the case of war.⁷⁶

⁷¹ Juan Alemann in *La Nación*, n.d. 1996.

⁷² Martínez de Hoz, “Martínez de Hoz,” 158.

⁷³ Juan Alemann in Novaro and Palermo, *La dictadura militar 1976-1983*, 227.

⁷⁴ Lewis, *The Crisis of Argentine Capitalism*, 432.

⁷⁵ “Recueil des sentences arbitrales: Affaire concernant un litige entre la République argentine et la République du Chili relatif au canal de Beagle,” Nations Unies, 18 February 1977.

⁷⁶ Jon Marco Church, “La crisis del canal de Beagle,” *Estudios Internacionales* 41, no.161 (2008):

In the eyes of the hard-liners, surrendering to their lesser neighbors would be a blow to Argentina's greatness, and a compromise was as good as capitulation. Massera proclaimed to a Navy squadron assigned to defending the Channel that "the Armed Forces will not exchange the honor and property of Argentines for the decorative praise of those who mask their weakness or their interests with false appeals to peace."⁷⁷ Massera ratcheted up tensions with Chile not only out of his ideological stance, but also to serve his personal goals. Aiming to supplant Videla as president, Massera subtly portrayed the incumbent as a feeble protector of *la patria's* interests. Videla had no other option but to concede to the hardliners and finance the military's expansion.

Warmongering magnified the military's impulse to retain control of critical industries. Early in 1978, Martínez de Hoz sought to privatize the oil industry by selling state-owned share packages of the General Mosconi firm in Bahía Blanca. The suggestion won unanimous support from cabinet ministers eager to unburden the government of a sizable enterprise. Foreseeing no objections from the military, the Defense Minister also assented. But, after consulting with officials from Fabricaciones Militares, the state-owned military manufacturing firm, he informed the Economy Minister that his proposal would not pass the legislative board.⁷⁸ Similarly, military officials rejected Martínez de Hoz's proposal to close the Rio Turbio mine, which spent US\$140 to produce a ton of coal that sold for \$40. In both instances, military officials cited the importance of the companies to the Armed Forces' stance against Chile. Lamenting certain military leaders' poor understanding of privatization, Martinez de Hoz quipped that "people in Fabricaciones Militares think that you must own the firm to make sure it will go ahead."⁷⁹ Military buildup paralleled increasing intransigent attitudes against privatization. Exempted from the liberals' frugal impulse, the Armed Forces purchased military equipment without restraint. From 1976 to 1979, military expenditure rose by 3 percent of GDP and, by 1980, accounted for a third of Argentina's foreign debt.⁸⁰

Things Fall Apart, 1978-1981

By late 1978, Martinez de Hoz and his team had opened the economy to a greater number of market forces, particularly in areas that avoided

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⁷⁷ Massera, *El camino a la democracia*, 94.

⁷⁸ Martínez de Hoz, "Martínez de Hoz," 167.

⁷⁹ *Ibid.*

⁸⁰ Di Tella and Braun, "Introduction," 24.

ideological conflict with the military. The results were mixed. Pushed upward by an influx of foreign investment, production had rebounded from the 1975 recession. In accordance with the military's objectives, unemployment remained low at 3.3 percent in 1977.⁸¹ However, the fiscal deficit and inflation remained persistently high, not only due to military opposition to privatization, but also because the Economy Ministry's efforts to jam through structural reforms superseded their goal of stabilizing inflation. The freeing of prices and devaluation of the peso more than outweighed any downward pressure on inflation from the wage freeze. Inflation continued to hover at 150 percent per year, a considerable reduction from runaway levels in 1975, but a rate still unacceptable to both the Armed Forces and the Economy Ministry.⁸² Though negotiation with the military had characterized his first several years in office, Martínez de Hoz now faced a tide of discontent from statist in the Army and Navy who thought that the experience of the first several years confirmed their suspicions of the plan. Videla succeeded in ousting Massera on September 15, 1978, but Massera fired a parting shot in his farewell address by underscoring the failures of the market: "I do not ignore that so many businesses, those of few resources, are experiencing difficulties. And that preoccupies me, just as the fact that inflation has not slowed preoccupies me."⁸³ Hinting at the greed of private businessmen, Massera claimed that the country had "arrived at the time to reject individual interests—any other course of action would only be befitting of a "mediocre country."⁸⁴ Massera's departure failed to quell these criticisms. Alongside General Viola, Massera's successor, Admiral Armando Lambruschini, persisted in criticizing the Economy Ministry's failures—mildly in public and aggressively in private.⁸⁵

Martínez de Hoz counted on President Videla, Army General Albano Harguindeguy, and the Air Force as bulwarks against these criticisms. Although they tacitly supported the military's rising expenditures and protection of industries related to national security, Videla and Harguindeguy displayed trust in the long-term outcomes of the Economy Ministry's plans.⁸⁶ Echoing Martínez de Hoz's complaints about resistance to reform, General Videla criticized "sectoral interests who have not understood that the nation is crossing a historical juncture" and refuse "to

⁸¹ Di Tella and Braun, "Statistical Appendix," 206.

⁸² Di Tella and Braun, "Introduction," 23.

⁸³ Massera, *El camino a la democracia*, 111.

⁸⁴ *Ibid.*

⁸⁵ Novaro and Palermo, *La dictadura militar 1976-1983*, 227.

⁸⁶ *Ibid.*, 228.

postpone the search for particular benefits.”⁸⁷ While members of the Air Force maintained this position out of intense dislike of Peronism and its adherents, Secretary of Commerce Alejandro Estrada remarked that Videla and Harguindeguy exhibited “more than conviction, faith that what Doctor Martinez de Hoz says should be fine.”⁸⁸ In addition, President Videla had become more reliant than ever on Martinez de Hoz for international standing. The election of Jimmy Carter to the United States presidency precipitated a renewed focus on global human rights. Carter cut off military aid to Argentina early in 1977 and empowered assistant Secretary of State Pamela Derian to take a harder line against the junta’s kidnapping and torture. Even so, investor confidence in Martinez de Hoz remained high. Capital inflows continued so strongly that Argentina compensated the IMF for its loans by the end of 1978.⁸⁹ Prospects of economic growth, as well as Videla’s personal legitimacy, rested partially on preserving investor confidence and keeping the Economy Minister at his post. Thus, President Videla and Martinez de Hoz found themselves tightly allied even as members of the Army and Navy raised concerns with the economic plan.

To placate military discontents, Martinez de Hoz understood that he had to tame inflation without risking economic dislocation. The Economy Ministry considered regulating the money supply while relinquishing control over exchange rates, but aggressively vacuuming cash from the economy would engender recession—the junta reiterated their opposition to that scenario. Eschewing the typical monetarist prescription of controlling the amount of money in circulation, Diz proposed using exchange rates as a variable for adjustment. The economic team would announce progressively smaller devaluations in the peso’s value just below those of domestic inflation, a solution that came to be known as the *tablita*. By establishing clear expectations for consumers over the medium term and attracting cheap imports, Diz found the *tablita* the best way to achieve a convergence between international and domestic prices.⁹⁰ Support for the policy, however, was not unanimous. Preoccupied with the beef and grain industries, Agriculture Secretary Mario Cadenas Madariaga argued that the *tablita* would depress the growth of exports by making them less competitive in foreign countries. Besides, he observed, focusing policy efforts on the exchange rate schedule ignored that “inflation was caused by the increase in public spending.”⁹¹

⁸⁷ Bernardo Neustadt and Jorge Rafael Videla, “Entrevista a Jorge Rafael Videla,” *Revista Extra*, July 1977.

⁸⁸ Alejandro Estrada in Novaro and Palermo, *La dictadura militar 1976-1983*, 227.

⁸⁹ Novaro and Palermo, *La dictadura militar 1976-1983*, 230.

⁹⁰ De Pablo and Diz, *La economía que yo hice*, 126.

⁹¹ Mario Cadenas Madariaga, “Los economistas argentinos: El papel de los economistas,”

Martínez de Hoz responded that the exporting sector “was enjoying a relative bonanza,” and so could shoulder a drop off in foreign purchases.⁹² Diz and Martínez de Hoz may have agreed with Cadenas Madariaga theoretically, but “the ministry also had to analyze political considerations.”⁹³ Compromise with the military’s statist factions trumped liberal orthodoxy: in December 1978, the three Commanders-in-Chief approved of the *tablita* and it went into effect.

The schedule of devaluations only contributed to a volatile financial environment. The *tablita* negligibly affected inflation during its first year and slightly brought it down in the second, but it did so at the cost of distorting the prices of tradeable goods, which fell to historically low levels relative to non-tradeables. Moreover, the schedule actually incentivized capital to flee the country. Confident that the Economy Minister would eventually abandon the policy, domestic borrowers fervently bought dollars cheaply while they could. After the *tablita*’s installation, foreign currency holdings of Argentine citizens increased by about US\$3 billion annually, reaching US\$20-30 billion by the early 1980s.⁹⁴ This feature also rendered foreign investment erratic. Investors bought large sums of pesos and waited for an exchange rate devaluation before turning around to repurchase dollars. At the same time, the sudden flood of inexpensive foreign goods crippled the competitiveness of domestic firms. Contrary to Martínez de Hoz’s assurance that Argentine business could weather a short storm, real industrial production collapsed by 19 percent from 1979 to 1981.⁹⁵ As a result, Argentina’s trade surplus of US\$2 billion in 1978 had vanished by 1979 and ballooned into a \$4.7 billion deficit by the end of 1980.⁹⁶ Indeed, businesses across the domestic industrial and agricultural sectors thus despised the *tablita*. Even the Rural Society of Argentina, despite its ties to the Martínez de Hoz family, labeled the policy “a great error.”⁹⁷ Backed by Videla, however, the Economy Ministry resolved to press ahead with the *tablita*, believing that a divergence from the plan would ruin the credibility of future government attempts to fight inflation.

However, the combination of extensive liberalization in some areas and hasty compromises in others eventually led to financial crisis. Though the most prominent premonition of crisis, the trade deficit initiated by the

Informador Público, 11 July 2015.

⁹² Martínez de Hoz, “Martínez de Hoz,” 180.

⁹³ De Pablo and Diz, *La economía que yo hice*, 128.

⁹⁴ Lewis, *The Crisis of Argentine Capitalism*, 441.

⁹⁵ Pion-Berlin, “The Fall of Military Rule in Argentina,” 62.

⁹⁶ Di Tella and Braun, “Introduction,” 24-25.

⁹⁷ Pion-Berlin, “The Fall of Military Rule in Argentina,” 63.

tablita, proved to be far from the only one. In reaction to the government's deregulation of foreign borrowing, private businesses had been borrowing at lower global interest rates before selling the debt contract and depositing the pesos at a local bank.⁹⁸ Initially, the strategy proved mutually advantageous: while the firm acquired capital at the lowest rate possible, the bank obtained more cash it could loan out. Moreover, the guarantee on deposits coupled with free interest rates prompted banks to loan far more than they had on hand, a prospect Martínez de Hoz had considered but ultimately dismissed. The Central Bank was ostensibly responsible for ensuring that creditors were properly capitalized, but the Economy Ministry failed to fund a regulatory staff.⁹⁹ The Central Bank's laissez-faire attitude also discouraged rigorous oversight. The perfect storm came to a head in spring 1980 when the Banco Intercambio Regional (BIR) fell into arrears. José Trozzo, the president of the relatively new bank that was capitalized at US\$1.2 billion, accepted a bid from Raul Pinero Pacheco, the company's managing director. As the Pinero Pacheco's auditors pored over the balance sheet, they realized that a number of the bank's largest debtors had defaulted. The rumors spread like contagion in the financial industry. In March alone, depositors withdrew between 3 and 5 billion pesos daily from the BIR.¹⁰⁰

Faced with the prospect of economic calamity, the liberals elected to let the bank fail. The prospective buyer of the BIR requested government backing, but the Economy Ministry decided that a rescue package would only encourage further delinquency. Military officials did not weigh in on the decision.¹⁰¹ They likely did not comprehend the scope of the crisis, let alone have a solution for it. Additionally, inertia strengthened the liberal hand. Rather than having to propose a policy subject to the military's approval, Economy Ministry officials could simply allow the bank to fail. Liberals, thus, stuck to their guns. On March 21, 1980, Martínez de Hoz delivered a terse statement saying that the government would refuse to bail out mismanaged banks. "Although I knew that we could be in for a financial crisis," Martínez de Hoz later reflected, "it was a point of honor and we rejected the proposal."¹⁰² Upon the Central Bank's declaration that it would liquidate the BIR, depositors panicked and withdrew money from similar banks that had grown spectacularly in recent years. On April 25, the Central

⁹⁸ Lewis, *The Crisis of Argentine Capitalism*, 445.

⁹⁹ Martínez de Hoz, "Martínez de Hoz," 174.

¹⁰⁰ Lewis, *The Crisis of Argentine Capitalism*, 446.

¹⁰¹ *Ibid.*, 447.

¹⁰² Martínez de Hoz, "Martínez de Hoz," 174.

Bank had to assume control of Banco Oddone, Banco de Los Andes, and Banco Internacional—including the BIR. These four institutions represented 8 percent of the total financial resources of Argentina.¹⁰³ Compelled to compensate the BIR's depositors, the Central Bank injected \$2 billion into the economy, wiping out the *tablita's* progress on inflation. Both foreign and local capital fled in anticipation that the peso's value would fall; in the first three months of 1981, the country lost US\$100 million per day in remittances.¹⁰⁴ The short-term dose of liquidity obfuscated the long-term damage the banking crisis had on access to loans. Cautious of the prospect of default, banks denied businesses access to credit, leading to a 6 percent contraction of GDP in 1981.¹⁰⁵

Conclusion

The recession ensured that the junta's second administration took a developmentalist stance. Winning the majority of military generals' votes in October 1980, Viola succeeded Videla as president of the military junta after a six-month transition period on March 27. While Videla had been mostly loyal to Martínez de Hoz until the conclusion of his tenure, Viola seized the opportunity to change course, tapping Lorenzo Sigaut to lead the Economy Ministry. On April 2, exactly five years after Martínez de Hoz proclaimed his ambition to liberalize the economy, the newly staffed Ministry soberly announced a 30 percent devaluation of the peso coupled with subsidies to industrial firms in an effort to lighten their debts.¹⁰⁶ The remaining confidence markets had in the peso dissipated as creditors retracted their investments. Whatever the logic of Viola's approach, he did not have long to put it into practice. General Leopoldo Galtieri ousted Viola by the end of the year, reinstalling orthodox liberals to the Economy Ministry. Financial crisis mirrored political turmoil in the junta's remaining years, as the economy retracted and wages plummeted to 79.3 percent of their 1970 level.¹⁰⁷ Martínez de Hoz would later blame statist elements of the military, domestic industry, and citizenry for the economic crisis in 1980—all involved, it seems, besides the Economic Ministry. Few outside his liberal administration would agree with him. The chaos of Martínez de Hoz's final years in office mirrored the disfunction of Argentina's economy over the next decade.

The discord between theory and practice lay at the heart of the

¹⁰³ Pion-Berlin, "The Fall of Military Rule in Argentina," 65.

¹⁰⁴ Di Tella and Braun, "Introduction," 25.

¹⁰⁵ Di Tella and Braun, "Statistical Appendix," 204.

¹⁰⁶ Di Tella and Braun, "Introduction," 27.

¹⁰⁷ Di Tella and Braun, "Statistical Appendix," 207.

junta's power struggle over economic policy, as well as the ensuing chaos of the military's successive administrations. The personal background, education, and professional experience of Economy Ministry officials shaped their convictions. They believed firmly in the virtues of the free market and, insulated from external pressures, enthusiastically drove their agenda forward. Military officials were caught between an admiration for the discipline of the free market and a belief that generals could better manage production than businessmen. Tugged more strongly by the latter belief, developmentalist military officials resisted the privatization of state-owned enterprise. These generals refused to endure immediate recession in exchange for the possibility of future prosperity. Even military officials who wholeheartedly supported liberalization balked at the prospect of cuts to their own budget. On the other hand, Economy Ministry officials repeatedly made foolhardy compromises, like the *tablita*, to ensure that they remained in office. The concessions had an immediate political logic in that they allowed liberals to continue seeking other reforms, but they also heralded economic ruin.

Overall, this study emphasizes the importance of ideology in Argentina's economic history. While financial interests shape actors' decision-making, the relationship between military and economic officials during the junta's rule illustrates that ideology functions as the lens through which certain courses of action appear attractive or infeasible. This study thus calls for renewed attention to the ideological evolution of statism and liberalism in the Argentinean context.

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