

MAXWELL M. RABB: A HIDDEN HAND OF THE EISENHOWER ADMINISTRATION IN
CIVIL RIGHTS AND RACE RELATIONS

by

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Abstract

This work examines Maxwell M. Rabb's role in the area of civil rights and race relations from January 1953 through May 1958 during the administration of President Dwight D. Eisenhower. Rabb was the first Secretary to the Cabinet, a position created by Eisenhower. In his lesser known duty, Max Rabb quietly developed many aspects of President Eisenhower's civil rights program. Chapter One describes Rabb's pivotal role in ending segregation in the military establishment to include the Navy and the Veterans Administration. In this chapter Rabb is a lone operator, personally meeting with principal actors in the Eisenhower Administration and U.S. Congress to end segregation. Chapter Two examines how Rabb participated in and helped to develop the various organizations of the White House. As the organizations within the Eisenhower White House matured, Rabb was able to use them as roads into the problem of civil rights and to use their power to advance civil rights. The final chapter focuses on the confluence of race relations and human rights on the one hand with U.S. domestic and foreign policy on the other. The chapter uses four cases studies to illustrate the growing importance of American race relations in world affairs after World War II. Max Rabb's participation in each case serves as a reminder that the American domestic sphere had become a cause of international concern and could damage the credibility of U.S. democratic values in the a world where racial sensitivity was on the rise and increasingly a factor in international relations. This work ends by concluding that Rabb's effectiveness was severely limited by President Eisenhower's narrow understanding of the limits of government. Rabb was a New Deal Republican serving in the administration of a man who rejected the activism required by New Deal Liberalism. Though Rabb served Eisenhower well, it was Eisenhower who failed to sense the full scope of the problems in U.S. civil rights and race relations.

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Dedication

To Kim. How could this not be for you?

INTRODUCTION

Maxwell M. Rabb and Civil Rights

The civil rights movement had many heroes. Some were great and well known such as the martyred Reverend Martin Luther King and Congressman Adam Clayton Powell. Others will never be known, such as the millions of local people who daily endured the indignities of racism and at times its violence. This work is dedicated to revealing one of the greatest but least known champions of the civil rights movement, Maxwell Rabb. Max Rabb is easily one of the least appreciated members of Dwight Eisenhower's presidential administration. He was known to many people in government and in the private sector for his work before, during, and after the Eisenhower administration. What was not widely known, however, was the astounding scope of his work in race relations and in civil rights on behalf of President Eisenhower. The face of the movement belonged to public figures such as Powell and King, and the body of the movement to the local people, but in the Eisenhower administration Maxwell Rabb did the work of the movement.

Max Rabb was a quiet and unheralded force whose boundless energy and commitment to racial justice improved the lives of countless American men and women of all classes, creeds, races, and origins. Max Rabb was the secret engineer of the Eisenhower civil rights program. President Eisenhower and the more prominent members of the administration, such as Attorney General Herbert Brownell, were ultimately responsible for public policy and its consequences. However, it was Max Rabb's work and influence that directly or indirectly undergirded that policy or made it possible. There were even times when the results of Rabb's initiatives became de facto administration policy. While Rabb was not involved in all of the Eisenhower civil rights

initiatives, there can be little doubt that his efforts represent great progress in a revolutionary era of improved civil rights within the nation. This work will focus on Max Rabb's personal contribution in the area of civil rights and race relations and how he worked to improve the image of the Eisenhower Administration.

A Brief Review of President Dwight Eisenhower's Civil Rights Record

The most socially and legally significant event in civil rights during the Eisenhower era was the *Brown v. Board of Education of Topeka, Kansas (Brown)* decision handed down unanimously by the Supreme Court, 17 May 1954. President Eisenhower was personally sympathetic toward the white south and ambivalent towards social integration, however, he allowed the Attorney General to file an *amicus* brief opposing school segregation in November 1953. Herbert Brownell's brief supported overturning the *Plessy v. Ferguson (Plessy)* decision (1896) which legally enshrined the notion of "separate but equal." In the *Plessy* case the Court had decided that racial segregation in public facilities did not violate the Fourteenth Amendment and that separating the races was not unreasonable. Brownell's brief signaled that Eisenhower had deferred to Brownell over the wishes of his Southern friends such as South Carolina Governor James Byrnes.¹ Eisenhower's decision to privilege Brownell over his own friendships was especially significant given that Byrnes had been advising him how best to develop a true two party system in the American South—a matter of enormous historical and electoral importance.² The *Brown* case was the culminating event of a 20 year legal struggle initiated by the National Association for the Advancement of Colored People (NAACP) to end the

¹ David A. Nichols, *A Matter of Justice: Eisenhower and the Beginning of the Civil Rights Revolution* (New York: Simon and Schuster, 2007), 59-60.

² Robert H. Ferrell ed., *The Eisenhower Diaries* (New York: W.W. Norton, 1981), 246.

segregated practices of the United States known collectively as “Jim Crow.” The *Brown* decision overturned the *Plessy* decision, ruling that “separate was inherently unequal.”

The unanimity of the *Brown* decision implied that the outcome was inevitable, but it was the sudden, and fateful, death of Chief Justice Fred Vinson, in summer 1953, that made it possible. President Eisenhower appointed California Governor Earl Warren to replace Vinson as Chief Justice. It was Warren who moved the Court towards unanimity, thereby buttressing the authority of the result. Under Vinson the Court was at loggerheads over the issue of relief—exactly how, and at what pace, the Court would order integration. Warren made the critical decision to consider relief in a separate opinion, divorced from the merits of segregation.³ The *Brown* decision did little to change the immediate situation in public schools; it would take at least another decade for actual progress to be made. Nevertheless, for the first time real social change was possible. The importance of the *Brown* decision cannot be understated. The Court was unequivocal that “separate but equal” was unconstitutional. The greater challenge was how to handle the conversion of a society long accustomed to segregation into one in which white and black members alike shared the same public and social space.

Although public school remained segregated, the cascading effects of the *Brown* decision were immediate in other areas. It was the start of a general attack on racial segregation by civil rights organizations in all public areas such as parks, swimming pools, beaches, courthouses, golf courses, theaters and in public transportation. These attacks were less contested than trying to integrate public schools, but no less important.⁴ The use of public social space by both races

³ Dennis J. Hutchinson, *Brown v. Board of Education*, Editor in Chief, Kermit L. Hall, et al., *The Oxford Companion To The Supreme Court Of The United States* (New York: Oxford University Press, 1992), 93-94. This citation covers all the preceding data.

⁴ Alfred H. Kelley, Winfred A. Harbison, Herman Belz, *The American Constitution: Its Origins and Development, Sixth Ed.* (New York: W.W. Norton, 1983), 613. Hereafter cited as Kelley et al.

was an important step towards full equality in American society and foreshadowed integration in public education.

Herbert Brownell and President Eisenhower also succeeded in pressuring Congress to pass landmark civil rights legislation—the first since Reconstruction. The Civil Rights Act of 1957, primarily authored by Brownell and revised by Eisenhower, contained three of its original four provisions. The act established a Civil Rights Division within the Department of Justice (DOJ), and created the Civil Rights Commission. It also gave the Attorney General the power to apply for injunctions on behalf of individuals deprived of the right to vote, and extended the jurisdiction of the federal district courts over actions for protection of civil rights including the right to vote. This provision also allowed those held in contempt of court for civil offenses to be prosecuted under criminal provisions. The original third provision, which did not make it into law, would have allowed the Attorney General to file suits to protect all constitutional rights.⁵

Eisenhower's legislation not only provided a precedent for federal level intervention in civil rights but also a model for the kinds of issues that future legislative acts on civil rights should address. One such future law was the Civil Rights Act of 1960. It legally obligated the states to preserve the records of federal elections and provided for federal court-appointed voter-referees to receive applications from anyone allegedly denied the right to vote.⁶ The Civil Rights Act of 1964 and the Voting Rights Act of 1965 were other examples of legislation inspired by Eisenhower's ground breaking act of 1957. The 1964 act promoted civil rights on two broad fronts. It banned discrimination in public accommodations and allowed the Attorney General to seek desegregation of public education on his own authority. The 1965 law authorized the Attorney General to send federal registrars into any area suspected of

⁵ Nichols, 168.

⁶ Kelley et al., 619, 620.

discrimination. This law more than any other really made a difference in the lives of Southern blacks; within five years—by 1969—black registration in the South almost doubled from 36 to 65 percent.⁷

Although these were absolutely essential events and occurrences in civil rights history, Eisenhower may be most remembered for what happened in Little Rock, Arkansas, in fall 1957. Arkansas Governor Orval Faubus defied a federal court order when he refused to allow black children to enroll in high school along with white children. Faubus' persistent defiance of federal authority—after a prolonged stalemate—required Eisenhower to send in federal troops and activate the Arkansas National Guard to uphold federal law and end Faubus's defiance. Even though Eisenhower ended the impasse, public schools in the South remained segregated for many more years. However, this fact should not overshadow the significance of Eisenhower's actions—no matter how reluctant he may have been. He sent federal troops into the South to enforce federal authority and support black rights, an action no president had undertaken since Reconstruction.⁸

Max Rabb's civil rights work closely shadowed Herbert Brownell's actions. Both men sought the same thing, greater and personal involvement from Eisenhower on civil rights. Each man pursued that goal through separate channels. While Brownell took a more public and visible role addressing the legal aspects of civil rights, Rabb worked discreetly on the political problems of civil rights, each man closely mirroring the progress of the other.

President Dwight Eisenhower's Systemic View

⁷ Paul Finkelman and Melvin I. Urofsky, *A March of Liberty: A Constitutional History of the United States, Volume II From 1877 to the Present* Second ed. (New York: Oxford University, 2002), 797, 798, 808, 809.

⁸ Finkelman and Urofsky, 790,791.

Dwight Eisenhower had explicit civil rights goals when he campaigned in 1952, and he made bold pronouncements about what he would do if elected. At a rally on October 9, 1952 he said, “I am for wiping out every inequality of opportunity. And I am for starting to do that right in our nation’s capital as well as in every other operation, military and civil, of our Federal government.” Later on in the presidential campaign he said, “There is discrimination. This crusade is pledged to use every single item of leadership and influence it has to eliminate it. It intends to enforce the full Constitution, not part of it.”⁹ It is clear that Eisenhower had included civil rights as part of his plan, but the way he thought about civil rights was directly related to the way he intended to solve the problem.

Almost immediately upon assuming his new office, Eisenhower gave his first State of the Union address. In this speech he revealed his systemic view of how things were interconnected. It was Eisenhower’s tendency to group certain issues and concerns together. He did not see problems as isolated but as parts of a greater whole. As a result of viewing problems and their causes broadly, he wanted to use common, general or comprehensive solutions rather than case-by-case special measures. This had important consequences for his approach to civil rights. One important example of this tendency was the way he linked national spending, debt management, and taxes together with defense and foreign policy. The budget was one of President Eisenhower’s obsessions. One of his goals was to avoid the destruction of that which he had pledged to defend, and irresponsible spending and unwise foreign policy could bring about exactly that bad end.¹⁰ The final point of the speech dealt with civil and social rights. Here

⁹ Letter, Val J. Washington, Assistant to the Chairman, Republican National Committee to Wilton Persons, Deputy Assistant to the President, 3 June 1953, in Secretary of the Navy Folder 5, Box 6, Max Rabb Civil Rights Parallel File, Dwight D. Eisenhower Library, Abilene, Kansas. Hereafter listed as DDEL.

¹⁰ John Lewis Gaddis, *Strategies of Containment: A Critical Appraisal of Postwar American National Security Policy* (New York and Oxford: Oxford University Press, 1982), 134-136.

again he exhibited the same tendency and grouped together items he believed were logically compatible. Eisenhower said he would:

use whatever authority exists in the office of the President to end segregation in the District of Columbia, including the Federal Government, and any segregation in the Armed Forces. There is one sphere in which civil rights are inevitably involved in Federal legislation. This is the sphere of immigration...[and] in another but related area—that of social rights.¹¹

It is clear that in this address Eisenhower revealed a broad definition of civil rights and in his mind linked them to social rights. Along with civil and social rights he also included the need to reform the U.S. school system, the need of the Food and Drug Administration to continue factory inspections, and the health and housing needs of the American people. This important example of his thinking demonstrates how Eisenhower regarded civil rights and race relations. To him they were a subset of a greater issue—that of human rights. This explains why he spoke about social rights, by which he meant things like social security benefits, immigration, housing, health, factory inspections, and education, right along with civil rights and desegregation. To him these topics were part of a greater and higher purpose—the general improvement of the human condition.

There was, however, at least one serious potential problem in Eisenhower's tendency to group similar items together. Thinking this way risked limiting the range of possible solutions, because Eisenhower did not try to solve specific problems but rather a set of problems. Therefore Eisenhower's campaign promises focused only on areas he believed he, as a president, could change. Arthur Larson—a trusted Eisenhower speech writer—who believed the President

¹¹ President Eisenhower, State of the Union Speech, 2 February 1953, in Robert L. Branyan and Lawrence H. Larsen, *The Eisenhower Administration 1953-1961: Documentary History Volume I* (New York: Random House, Inc., 1971), 90-106. Hereafter cited as *Documentary History*.

was not personally sympathetic to integration, acknowledged that Eisenhower was strongly committed to enforcing federal authority.¹² He wrote that Eisenhower felt compelled to:

do a conscientious job of promoting integration within areas where [he] had special legal responsibility. Desegregation in the armed forces...was largely carried through by President Eisenhower. He also eliminated segregation in the Veterans Administration hospitals, schools on military posts, naval bases, and the District of Columbia government. He...achieved desegregation in public accommodations and public housing in the District. Moreover, he put real life into measures requiring contractors...to refrain from discriminatory practices.¹³

Eisenhower promised only what he could deliver in the federal establishment and said nothing of equality of opportunity within the jurisdiction of the states. This explains why Eisenhower insisted that the best solution to civil rights problems was to ensure that blacks were enabled to exercise their constitutional right to vote. That would allow them to vote their way to a better life by participating in the American political process.

Dwight Eisenhower's statements as a candidate and later as President show that he had good intentions and clear goals in mind. However, he lacked any definite plan of action to address civil rights in order to reach those ends. Max Rabb filled the gap between Eisenhower's presidential promises and the heightened expectations they created. He was a near perfect fit for the way Eisenhower preferred to approach and to solve problems.

President Dwight Eisenhower's Hidden Approach

President Eisenhower's approach to desegregation was subtle and largely done in private in order to avoid controversy. Eisenhower wanted to seek results rather than seek publicity,

¹² Arthur Larson also served as the Under Secretary of Labor and Director of the United States Information Agency in the Eisenhower administration. While a speech writer in the White House his title was Special Assistant.

¹³ Arthur Larson, *Eisenhower: The President Nobody Knew* (New York: Popular Library, 1968), 119-120.

which he believed Presidents Harry Truman and Franklin Roosevelt had done to a fault.¹⁴ He did not believe there was real value in knowingly submitting legislation that “habitually met defeat from opposition led by members of the Democratic Party itself.”¹⁵ According to Eisenhower, Truman and Roosevelt submitted civil rights legislation every year, such as anti-lynching or equal employment legislation, but knew it had no serious chance of passage. And this he believed were false overtures to make it appear as if they wanted change. He therefore concluded that it was deceptive and for the sake of self-promotion. Rabb called this the “Roosevelt formula” of action on civil rights. Rabb later explained Eisenhower’s positions in similar words, as “simply an attempt to try to gain the passage of civil rights laws in Congress...the Congress...and the President [both] knew that this was just a routine operation from which results were not in the slightest expected.”¹⁶

According to Rabb, Eisenhower thought that race relations and civil rights “should be handled quietly and unofficially.” Rabb adopted this approach when he began his work on civil rights. There were indications that he preferred that the President pay more attention to civil rights. Nonetheless he was convinced, as was Eisenhower, that giving it open attention would begin to draw unwanted attention from those who opposed progress in the field.¹⁷ President Eisenhower envisioned Rabb working in the same manner. This did not mean that the administration would not advertise the results and try to capitalize on them, but progress would be accomplished with little fanfare along the way. Nor did it mean that Rabb lacked the official

¹⁴ Maxwell Rabb interview, October 6, 1970, Columbia University Oral History Project (COHP), OH-265, pp. 8-9, DDEL.

¹⁵ Dwight D. Eisenhower, *Mandate for Change 1953-1956: The White House Years* (New York: Double Day & Company, Inc., 1963), 234.

¹⁶ Maxwell Rabb interview, October 6, 1970, Columbia University Oral History Project (COHP), OH-265, p. 10, DDEL. Hereafter cited as OH-265, DDEL. Rabb’s feelings about the Roosevelt formula can be found in this citation.

¹⁷ Interview with Ruth Rabb, Widow of Max Rabb, by author, 13 February 2008.

backing of the President. Rather it meant that Rabb handled things through personal and often private arrangements rather than through formal and public statements such as executive orders. Even the commissions Eisenhower created through executive order worked quietly. Both Eisenhower and Rabb believed that working quietly was less likely to meet opposition because it avoided controversy, and would not stir public emotions. The added advantage of working on a problem in this manner was isolation. Rabb and Eisenhower hoped to limit the access that outsiders had to the problem. If they could achieve that they could quietly resolve the problem in the most beneficial manner to blacks. That is what Rabb did—he contained problems and compartmentalized them in order to defuse them. Taken altogether Rabb's work and methods were largely hidden from the public. This hidden approach was meant to be discreet and should not be negatively construed to mean secretive or deceptive.

To Eisenhower civil rights and race relations, along with their other socially related issues, were problems like any other. Therefore, he refused to privilege civil rights over other domestic issues. He was not unsympathetic towards minorities, but he believed that open attention would be to the disadvantage of other issues. Thus, too, he thought that civil rights issues could be worked on by any intelligent, hard-working person, and not necessarily a subject matter expert or member of a minority group. That is what Max Rabb was to Eisenhower—a well qualified, hard-working individual, who, as it happened, was a Jew and thus a member of a minority group. That was the Eisenhower approach to civil rights and that was how Max Rabb fit into Eisenhower's vision of progress. Given Rabb's personal history, it is easy to see why

Eisenhower believed Rabb was qualified to advise him and solve problems at the presidential level.¹⁸

The Early Life of Max Rabb from Boston to the White House

Maxwell Milton Rabb was born to Solomon and Rose Rabb on September 28, 1910, in Boston, Massachusetts. His parents were Jewish immigrants from Eastern Europe who met and married in the United States. His father was born in the Austro-Hungarian Empire and his mother in Russia. His maternal grandparents were wealthy lumber merchants but sensed that life for Jews in Tsarist Russia could only get worse and immigrated to the United States. Solomon Rabb was a well-to-do businessman, a wholesale food merchant, who wanted to provide his children with maximum opportunities in life. Max was one of four children, preceded by his older sister Frances, and his brother George, then followed by his younger

¹⁸ This interpretation of Max Rabb's role is in contrast to the popular conception of him as *merely* a trouble shooter. Certainly Rabb was a "fixer and troubleshooter" but limiting his role in the Eisenhower administration to that of "troubleshooter" is a gross injustice to him, his work and President Eisenhower. One historical account of the White House staff says that "most of the activities Rabb did undertake involved troubleshooting." Charles E. Walcott and Karen M. Hult, *Governing the White House From Hoover Through LBJ* (Lawrence, Kansas: University Press of Kansas, 1995), 124. Historian Herbert Parmet wrote that when Adam Clayton Powell ignited a firestorm in the White House with an offensive letter, "Eisenhower sent troubleshooter Max Rabb to see the Congressman." Herbert Parmet, *Eisenhower and the American Crusades* (New York: The Macmillan Company, 1972), 419. Rabb's own boss, Sherman Adams, even summed up his role that way. He wrote that Rabb had "the special duty of acting as trouble shooter on what we called minority problems." Sherman Adams, *First Hand Report: The Story of the Eisenhower Administration* (New York: Harper & Brothers, 1961), 335. Another historian wrote that Rabb's "primary duties were those of a political troubleshooter who assumed responsibility for containing politically embarrassing racial incidents, providing the administration's response to minority complaints, and promoting Republican interests in the black community." Robert Frederick Burk, *The Eisenhower Administration and Black Civil Rights* (Knoxville, Tennessee: The University of Tennessee Press, 1984), 70.

Rabb had much more agency in civil rights than merely cleaning up after the administration. Yes, Rabb did all the things each author says he did, however, by no means was "troubleshooting" his primary duty. To begin with, after the fall of 1953 Rabb was the Secretary to the Cabinet, which was his primary role in the administration. Furthermore, "troubleshooting" implies reactivity rather than proactivity and Rabb was very forward looking in his initiatives. The label of troubleshooter has likely stuck because historians have largely handed it down to each other but also because such an interpretation dwells on the failures or more embarrassing moments of the Eisenhower administration, which tended to be more public than its victories which were handled quietly. Furthermore Rabb's troubleshooting had immediate benefits for the Eisenhower Administration, whereas much of his other work had long-term benefits. Finally, Rabb so fully subscribed to Eisenhower's method of working quietly, behind the scenes, and with little fanfare, that tracing his actions and their effects can be difficult.

brother Warren. While having no formal education themselves, his parents stressed it as a means of improvement and sent their children to preparatory schools.¹⁹

Max graduated from Harvard University in 1932 in three years with a degree in History. After passing on an opportunity to study at Oxford he enrolled in Harvard Law School. Had he gone he likely would not have met Ruth Dryden, a Radcliffe College girl, whom he would later marry but not before graduating from law school in 1935. In that same year he was admitted to the Massachusetts Bar and entered private practice with his brother, George, from 1935 through 1937. He joined the Republican Party and through it befriended many Massachusetts Brahmins. From 1937 through 1943, Max Rabb served as the administrative assistant to Senator Henry Cabot Lodge, Jr. of Massachusetts. In 1939 Max married Ruth and Lodge was Rabb's best man.²⁰ Rabb's work with Lodge had given him access to the Republican Party and in 1940 Rabb actively supported Wendell Willkie's presidential campaign, riding the campaign train with him and Lodge.²¹ He served Lodge until the senator resigned his position to serve in World War II. Rabb continued to serve Lodge's successor, Senator Charles Sinclair Weeks, in the same capacity, until Rabb joined the Navy in 1944. Rabb was exempt from the draft because of age and fatherhood, but joined the service to contribute to the defeat of Hitler and fascism. He was the executive officer on an LSM, landing ship medium, used to transport men and cargo to and from shore. Because of his political experience he was eventually selected to be the aide to the

¹⁹ Maxwell Rabb interview, 22 February 1974, William E. Weiner Oral History Library, p. 1-1-1-3, The New York Public Library, New York City, New York. Hereafter cited as Rabb interview p. #, NYPL.

²⁰ *New York Post*, article, *Daily Closeup*, November 5 1974, Vertical File Folder, Blaustein Library, American Jewish Committee, New York City, New York. Hereafter cited as BL, AJC.

²¹ Rabb interview p. 1-43, NYPL. Rabb grew very close to Willkie and became one of his closest friends in later years. He also gained very valuable campaign experience during this time.

chief of staff of the amphibious service. He was then moved to the Department of the Navy, where he worked in the Office of the Secretary of the Navy.²²

Rabb served as a legal consultant to Secretary of the Navy James Forrestal who, in 1944, had succeeded the recently deceased Frank Knox. This is where Rabb was when the war ended. Once Navy officials discovered his legislative experience in working for Senators Lodge and Weeks, he was asked to stay on as a civilian with Navy. He worked on problems associated with unifying the armed forces under one cabinet-level secretary. In this job Rabb became acquainted with the Navy's senior admirals as well as with Forrestal. Rabb called the unification project "the greatest war almost of all times" and "a tremendous fight." Max Rabb and General Eisenhower did not meet during this time but the General was certainly aware of the Navy's position regarding unification.²³

In 1946 Rabb returned to private practice in Boston with his brother. Rabb also served part time for nine months as a minority consultant to the Rules Committee of the Senate.²⁴ He also remained active in the Republican Party and through it met Christian Herter, a future Secretary of State for Eisenhower.²⁵ Then Henry Cabot Lodge Jr., back in the Senate, asked him to be his Executive Assistant—Rabb agreed. Lodge was asked by certain powerful Republicans to manage Eisenhower's presidential campaign, thus becoming a charter member of the Eisenhower movement. Senator Lodge invited Rabb to join a group convened to explore the

²² *Who's Who In America: A Biographical Dictionary of Notable Living Men and Women* (Chicago: Marquis Publications, 1954) Volume 29, 1953-1954, p. 2092, (Hereafter cited as *Who's Who*); Rabb interview pp. 1-17 – 1-19.

²³ Rabb interview pp. 1-37 – 1-41, NYPL

²⁴ Document, *Maxwell M. Rabb*, undated, Maxwell M. Rabb (Personal), Folder 6, Box 5, Maxwell M. Rabb: Papers 1939-1989, hereafter cited as Rabb Papers, DDEL; Rabb interview 1-42, NYPL.

²⁵ Rabb also came into contact with Joseph Kennedy and his son John F. Kennedy. Rabb claimed that while Joseph Kennedy was not overly fond of Jews, he took a liking to Rabb and offered him \$30,000 a year to be John's lawyer but Rabb refused out of loyalty to Lodge and the Republicans, Rabb interview p. 1-26, NYPL.

viability of an Eisenhower candidacy for President.²⁶ Lodge then brought Rabb into the campaign. In this way Rabb became one of the original members of the same movement.²⁷

Rabb distinguished himself during the 1952 Republican convention and presidential campaign. He proved himself very useful and demonstrated many valuable political skills during this time. Lodge and Rabb busied themselves building a national organization and blocking Ohio Senator Robert A. Taft from consolidating his position in the South and thus seriously challenging Eisenhower as the Republican candidate.²⁸ At the convention, Rabb's role was to herd delegates into the Eisenhower camp. He said, "I would appeal [to the delegates] on whatever basis we could make a legitimate and effective appeal."²⁹ Rabb was very familiar with many Jewish Republicans from his work with Lodge and Weeks and many were eager to support candidate Dwight Eisenhower. A fellow Jewish Republican wrote to Rabb, first congratulating him on his work during the Republican primary and then offering to put a chain of hotels at Eisenhower's disposal. The hotels were in important American cities: Boston, Chicago, Cleveland and nothing short of the Ritz Towers in New York. More to the point was his offer to "[line Jews] up financially and otherwise for Eisenhower." This supporter further stated, "I believe it is of utmost importance to get both Jewish money and Jewish votes for the Republican Party."³⁰ Surely Eisenhower, Lodge, and Rabb agreed.

One of Rabb's least known accomplishments was his role as messenger for members of the Republican Party elite at the convention. When the party began thinking of possible running

²⁶ William B. Pickett, *Eisenhower Decides to Run: Presidential Politics and Cold War Strategy* (Chicago: Ivan R. Dee Publisher, 2000), 144.

²⁷ Senator Lodge focused so much on the Eisenhower Campaign that he failed to vigorously campaign on his own behalf and lost his Senate seat to John F. Kennedy.

²⁸ Pickett, 143.

²⁹ Rabb interview, OH-265, p.2, DDEL.

³⁰ Letter, A.M. Sonnabend to Rabb, 13 July, 1952, Eisenhower Correspondence Part IV, Folder 4, Box 4, Rabb Papers, DDEL.

mates for Eisenhower, Senator Lodge and New York Governor Thomas Dewey designated Rabb “as the go-between” with California Senator Richard Nixon. He was the only one allowed to speak with Nixon on behalf of the party so that word would not reach California Governor Earl Warren, a presidential aspirant, and keeper of the California delegates. Rabb said that, while others certainly spoke to Nixon about the possibility of being on the ticket, he was the “unofficial official liaison.”³¹

After the election but before Eisenhower assumed office, Rabb revealed one of his great talents, choosing people to serve on the President’s teams. This was a role he would reprise many times over, one that had long-lasting effects on the course of civil rights in American history. A newspaper reported that the new administration might create a commission to review segregation practices. Rabb recommended a slate of names for consideration to serve in that capacity. Among those he considered fit for membership was Nobel recipient William Faulkner. Rabb said of him, “It would be dramatic to have a Southerner...[he] won a Nobel Prize and he was never used by the Democrats.” To balance the group, he recommended a Jesuit priest, a Jew, a female, and two blacks, one being A. Phillip Randolph, the famous International President of the Sleeping Car Porters.³²

Although no such group materialized, the aim of producing this mixed slate is suggestive of progressive liberal thinking and political acumen. The diversity in race, religion, and background of the people Rabb at least ensured that every point of view might be represented on the panel. Later, Rabb held over members of some of Truman’s committees and had them serve on some of Eisenhower’s committees.

³¹ Maxwell Rabb interview, 7 May 1971, COHP, OH-309, p.8-9, DDEL. Hereafter cited as Rabb interview OH-309, DDEL.

³² Memorandum, Rabb to Sherman Adams, 23 December 1952, Old Correspondence (2), Folder 2, Box 24, Rabb Papers, DDEL.

By the end of 1952, Rabb had built an impressive resume of skills and experience. He was a Harvard graduate twice over, a practicing lawyer, and a military veteran. He was well connected in both parties by virtue of his service to Senators Lodge and Weeks.³³ He understood the legislative process on Capitol Hill, was personally acquainted with many Congressmen, and had extensive campaign experience at local, state and national levels. He participated in the great unification debate within the defense establishment and was a minority consultant to a Senate committee. Aside from a personal interest in Jewish and Israeli affairs there was nothing that overtly qualified him to work civil rights or race-related issues in the White House. Nonetheless he exhibited qualities that Eisenhower liked, such as loyalty, leadership, and intelligence, and worked well with minimal supervision.

The campaign and convention revealed Rabb's capabilities and diverse talents. In negotiating with Nixon for vice-president, he proved he could be trusted and could work discreetly. Also, he was appealing to Jewish leaders whose money and votes were needed to slice into this overwhelmingly Democratic bloc. He cultivated support among delegates at the convention and helped Lodge run the national campaign. Finally, he was making intelligent suggestions about race relations even before Eisenhower assumed office. This diversity and range of talents, abilities and traits won him a position in the Eisenhower administration. Once in the White House, Rabb became involved with the legal aspects of civil rights and race relations but was not yet the chosen instrument that he later became. He was one of several staff members who handled a multitude of issues.

³³ Rabb said, "One thing I think I did in those days was to keep a very close relationship with the Roosevelt government." Rabb was very close to David Niles, who worked minority affairs issues for Roosevelt and Truman. He also credits some of his legislative success under Lodge and Weeks to these relationships, Rabb interview, p. 1-33, NYPL.

Max Rabb did not handle civil rights or race-related issues to the exclusion of other problems, nor was Rabb the only staff member to work on civil rights. He was not brought into the White House for any previous expertise related to civil rights nor was he expected to focus solely on it as a problem.³⁴ However, an external force, in the form of Congressman Adam Clayton Powell, intervened and created the opportunity that involved Rabb in civil rights. Rabb was sent to meet and deal with Powell, who had publicly humiliated the President in an open letter. Thereafter, Rabb remained involved in civil rights and began by completing what Harry Truman had started, military desegregation. As a result of this episode, Rabb became known to many as President Eisenhower's proxy on civil rights and race relations, giving him more authority to resolve these issues. As the Eisenhower Administration matured, so did its internal organizations. Rabb contributed immensely to this process of organizational maturation and development. He demonstrated great leadership as he helped to create the necessary mechanisms, procedures and organizations required to support President Eisenhower and civil rights. An examination of how Rabb functioned in group environments reveals a different but equally important role from the one he played in completing the desegregation of the military. Either through direct service on committees or by acting as a consultant to them, Rabb gave definite shape to their outcomes and steered them towards progress in civil rights. Finally, Rabb worked on various other issues of race for the administration that had direct effects on American prestige in the cold war. Taken all together, Max Rabb's work for Eisenhower in civil rights and race relations was and remains a significant and overlooked contribution to a new and revolutionary era of progress.³⁵

³⁴ Rabb interview, OH-265, 2, 6.

³⁵ In contrast to the conventional wisdom, the Eisenhower administration was not barren in the field of civil rights, nor was the President as weak in this field as many historians have characterized it. The myth persists that Eisenhower was a failure in this field. Stephen E. Ambrose said of him, "In civil rights, as in civil liberties,

CHAPTER 1 - Military Desegregation: The End of the Beginning

General Eisenhower, Race and the Military

To best understand how President Eisenhower chose to approach civil rights and race relations, one must first understand Eisenhower's ideological boundaries. Understanding his limits helps explain the level of his willingness, or what some say was his lack of willingness, to intervene in the problems associated with race. Furthermore, President Eisenhower strongly disagreed with President Harry Truman's style of leadership and his approach to problem solving. A brief examination of some of Eisenhower's encounters with race and Harry Truman's style are essential to understanding the way in which Max Rabb would have to operate within Eisenhower's limits.

Dwight Eisenhower was born in 1890 in Texas and raised in Abilene, Kansas. He lived his entire adult life, minus his brief presidency of Columbia University, in the Army right until he resigned his commission in order to run for office. Once in the Army he lived in a segregated society everywhere he went, even though he was stationed in places where segregation was not supported by law. Americans served in a segregated Army no matter where they were stationed. Not only did blacks serve in all-black units, but they were also generally relegated to support

Eisenhower was not a reluctant leader—he was no leader at all. He just wished the problems would go away.” Ambrose went on to claim that, “Eisenhower’s refusal to lead was almost criminal,” in Stephen E. Ambrose, *Eisenhower: Soldier and President* (New York: Simon and Schuster, 1990), 542. Chester J. Pach, Jr., and Elmo Richardson wrote, “Eisenhower clearly understood the need for education and moral leadership, he provided neither,” in Chester J. Pach, Jr., and Elmo Richardson, *The Presidency of Dwight D. Eisenhower* (Lawrence, Kansas: University Press of Kansas, 1991), 157. Arthur Larson wrote, “there emerges the inescapable conclusion that President Eisenhower, during his presidential tenure, was neither emotionally nor intellectually in favor of combating segregation in general,” Larson, 119. Historian Robert Burk has written that Eisenhower’s actions were only “limited steps to promote a symbolic image of racial democracy while reducing government paternalism,” Robert Frederick Burk, *The Eisenhower Administration and Black Civil Rights* (Knoxville, Tennessee: The University of Tennessee Press, 1984), 16.

branches. These branches offered limited opportunities for promotion. Not surprisingly, Eisenhower's views on segregation and race relations were the same as other great men of his times. To him it was simply normal to have such divisions in society. That he was a career military officer also added another layer of complexity to the problem. Not only should the races be separate, and presumably equal as the law directed, but there were also distinct divisions between civil and military affairs. They were two spheres, each with its own experts, and one should not involve itself in the matters of the other. Max Rabb's careful involvement on behalf of President Eisenhower in the completion of military integration reflected this analysis. Rather than acting confrontationally, Rabb used suasion to generate change. This approach was in large part a reaction to Eisenhower's distaste for what he perceived to be President Harry Truman's reliance on frontal assaults.

General George C. Marshall's words were emblematic of the attitude of the army and its senior leaders. He wrote, in response to a memorandum from Judge William Hastie, the civilian aide to the Secretary of War: "Integration...would be tantamount to solving a social problem which has perplexed the American people throughout the history of this nation. The Army cannot accomplish such a solution, and should not be charged with the undertaking." Marshall was uncomfortable with the notion that the Army should be a social laboratory. He said, "Experiments within the Army in the solution of social problems are fraught with danger to efficiency, discipline and morale." He was patently unconcerned with how discrimination decreased the efficiency of the Army and its ability to fight and win wars or with how it affected black soldiers. Instead he believed that integration would wreck the cohesion required to win those wars. To many, cohesion could only be maintained with segregated forces. Marshall added: "The War Department cannot ignore the social relationships between Negroes and whites

which had been established by the American people through custom and habit.”³⁶ Many felt, as Marshall did, that civilian involvement—beyond the established command responsibilities of civilian authority—was a dangerous intrusion into the military sphere where they had neither the authority nor the expertise to make decisions.

Segregation proved to be a cultural flash point in the relationship between the United States and Britain during World War II. Eisenhower accepted a circular stating that the British would not adhere to segregation in public places nor would they have their police enforce the U.S. Army’s attempt to segregate black soldiers. However, to avoid trouble many British towns succumbed to pressure from Americans and barred blacks from certain places. Eisenhower issued an order that no official restriction be placed on free association, but local commanders took their own liberties and Eisenhower largely let them have their way.³⁷ In his recounting of the war in Europe Eisenhower mentioned his first press conference, which “had a curious result.” He told how he revoked a standing order to censor news items that reported racial incidents. He did so despite being warned by the very same censored journalists and reporters that such stories were used by “troublemakers [who] would exaggerate the importance of the incidents and...cause domestic dissension.”³⁸ It is hard to know who the troublemakers were, because race-related incidents could be used by both those who favored and by those who opposed integration to make their cases. At any rate Eisenhower allowed the stories to be printed.³⁹

³⁶ Memorandum, from Chief of Staff to Secretary of War, 1 December 1941, subject: Report of Judge William H. Hastie, 22 September 1941 reprinted in Bernard C. Nalty and Morris J. MacGregor, eds., *Blacks in the Military: Essential Documents* (Wilmington: Delaware, Scholarly Resources Inc., 1981), 115. Hereafter referred to as Nalty and MacGregor *Essential Documents*.

³⁷ Gerald Astor, *The Right to Fight: A History of African Americans in the Military* (Novato, California: Presidio), 244-245.

³⁸ Dwight D. Eisenhower, *Crusade in Europe* (New York: Doubleday & Company, Inc 1949), 58-59. Eisenhower did not give a date for this press conference.

³⁹ Most incidents involved social encounters between British people who refused to discriminate against black American soldiers and white soldiers who insisted that black Americans and the British abide by the American

During the winter of 1944-45 the Germans launched a counter-offensive that would be known as the Battle of the Bulge. Unsuspecting American units in contact with German forces were quickly over-taken, defeated, encircled, or in full retreat. During the crisis, American generals asked for black volunteers to fight as infantry. One field commander wrote, the “*opportunity to volunteer will be extended to all soldiers without regard to color or race.*” Perhaps predicting a great response from black troops he further instructed, that, if “the number of suitable Negro volunteers exceeds the replacement needs of Negro combat units, these men will be suitably incorporated in other organizations so that their service and their fighting spirit may be efficiently utilized.”⁴⁰ The original plan was for integration but General Eisenhower rescinded that order. Instead Americans fought as a composite force, all-black units next to all-white units. The performance of black soldiers during the Bulge was exemplary and a necessary first step in integrating the rest of the Army.⁴¹ Clearly Eisenhower needed black troops to repel the Germans but he was unwilling to test the cohesion of his fighting units by integrating them, especially since they were already under the extreme duress of German arms and a harsh European winter.

In 1946 the Army convened a panel of generals led by Lieutenant General Alvan Gillem to study the problem of racial segregation in the Army. The Gillem Board issued a report that became the Army’s policy on race and equal opportunity for the next six years. Although the Army limited the black presence in the entire Army to ten percent, the board’s recommendation

social customs of segregation. What infuriated many white soldiers was that British women openly socialized with black troops at dances, movies and other events.

⁴⁰ Memorandum, LTG John C.H. Lee to Commanding General, Southern Line of Communication et al. 26 December 1944 (emphasis in the original), in Nalty and MacGregor *Essential Documents*, 131. The emphasis was in the original document.

⁴¹ Nalty and MacGregor *Essential Documents*, 131.

did open up service to blacks in all of the Army's branches.⁴² It tried to achieve the impossible by creating equal opportunity for blacks while keeping them separate from the white force. Though the Gillem Report was a perfect example of the principle of "separate but equal," it was not without its strengths. The report recognized the vital contribution that black soldiers made to the war effort, concluded that their manpower was inefficiently used and that black troops were poorly trained. As a result, the Army took necessary steps to correct these deficiencies, thereby improving conditions for blacks but not integrating them with whites. The report recommended that black officers "be accorded equal rights and opportunities for advancement and professional improvement; and be required to meet the same standard of appointment, promotions and retention in all components of the army."⁴³ Eisenhower, then Chief of Staff of the Army, supported the conclusions of the Gillem Board and signed the Army-wide circular.

In 1948 General Eisenhower defended the policy of segregation in the military in testimony to the Senate Armed Services Committee. He repeated the standard social arguments that the Army could not change faster than the rest of American society and that integration would be too traumatic for both black and white soldiers. Eisenhower said, referring to the race problem, "It will disappear through education, through mutual respect, and so on. But I do believe that if we attempt merely by passing a lot of laws to force someone to like someone else, we are just going to get into trouble."⁴⁴ He believed either that, in such an army cohesion and therefore military efficiency were impossible or that the Army was not ready for the change. This occasion may have been the first public utterance of Eisenhower's skepticism, often

⁴² Nalty and MacGregor *Essential Documents*, 168.

⁴³ War Department Circular No. 124, "Utilization of Negro Manpower in the Postwar Army Policy," 27 April 1946, in Nalty and MacGregor *Essential Documents*, 199.

⁴⁴ Morris MacGregor, *Integration of the Armed Forces: 1940-1965* (Washington D.C.: Center of Military History United States Army, 1981), 229.

professed, that passing laws to force integration was not a good mechanism for change.⁴⁵ Such views, sincere as they might be, were nothing but unwelcome platitudes for the millions of blacks who desired that very same education and respect from the rest of America.

While campaigning with Dwight Eisenhower during the 1952 campaign, E. Frederic Morrow, at the time Eisenhower's advisor, explained his dilemma to Eisenhower. It was that, as a black man, he had great difficulty standing before black crowds and asking them to vote for Eisenhower because he was on record as having favored segregation in the military. Eisenhower turned red and said, "Son, your father's a minister, isn't he?" Morrow replied that he was and Eisenhower continued, "Did your father ever teach you anything about forgiveness?" Morrow once again replied affirmatively and Eisenhower closed with, "Well that's where I am now." Eisenhower continued to tell Morrow that when he asked his field commanders for their input he "never questioned them." He admitted that it did not dawn on him then as it did later "that most of these men had a Southern exposure." He then told Morrow that he would "never forget...the sacrifice that black soldiers made at the Battle of the Bulge when [he] had to call for every able-bodied man...to stem the tide."⁴⁶

Harry Truman, Racial Liberalism and Military Integration

To Eisenhower and conservatives in both parties, New Deal Liberalism threatened to alter the relationship between the government and its citizenry—or perhaps already had. Liberalism could alter the balance in the American federal system, usurping the rights of states.⁴⁷ Eisenhower had serious misgivings about the philosophy that underlay Franklin Roosevelt's New Deal and Harry Truman's Fair Deal. To him they were opportunistic accommodations of

⁴⁵ Sherie Mershon and Steven Schlossman, *Foxholes & Color Lines: Desegregating the U.S. Armed Forces* (Baltimore: The Johns Hopkins University Press, 1998), 266-267.

⁴⁶ E. Frederic Morrow interview, 23 February 1977, OH-#376, 15-18, DDEL

⁴⁷ Mershon and Schlossman, 267.

various interest groups such as unions, farmers, the elderly, and blacks. Each of these self-interested groups put their needs above those of the nation at large and the common good and it seemed to Eisenhower that Truman pandered to them. Eisenhower, from a farming community, was not immune to the logic behind creating social benefits in the form of welfare and policies like farm relief. However, he feared that too many years of liberal exposure had created a mindset of entitlement and that “only government can bring us happiness, security, and opportunity.”⁴⁸

What General Eisenhower may not have understood, and certainly did not feel in 1948, was the undeniable pressure to integrate the military as part of the new doctrine of racial liberalism. Harry Truman clearly did feel this pressure and took notice of the changing nature of American liberalism. Aside from the very real need to remain a shining model of democratic hope to the world during the Cold War, there was the need to address the fact that segregation was fundamentally a social problem and an issue of justice. Liberals, liberalism, and the policies they had created had nowhere to go but to turn their attention to matters of racial justice. Liberal policies—through government intervention—had alleviated, and some claimed beaten, the Depression, mobilized the nation for war, and ushered in a new era of American prosperity, dominance and world influence. With fascism and depression defeated, the postwar era saw the formation of a succinct rationale for taking deliberate action against racial discrimination, based in large part on a successful record of government action during the Depression and war.⁴⁹

The ideas and concerns long espoused by black leaders coalesced into a distinct, coherent, and politically influential shape. Most importantly, these ideas were reaching mass

⁴⁸ Chester J. Pach, Jr., and Elmo Richardson, *The Presidency of Dwight D. Eisenhower* (Lawrence, Kansas: University Press of Kansas, 1991), 30-31.

⁴⁹ Mershon and Schlossman, 174.

audiences, white and black alike. As an example of this, Harry Truman courageously issued Executive Order 9808 in 1946, establishing the President's Committee on Civil Rights.⁵⁰ The committee's report to Truman clearly expressed the new ideas that were in the political ether. The members advised him that "the national government should assume leadership in our American civil rights program because there is much in the field...that it is squarely responsible for in its own dealings with millions of persons." The members also advised Truman with respect to the international implications of American race relations. In their report they wrote that "an American diplomat cannot forcefully argue for free elections in foreign lands without meeting the challenge that in many sections of America qualified voters do not have free access to the polls. Can it be doubted that this is a right which the national government must make secure?"⁵¹ By making the international reference, they were also strongly suggesting that failures in American democracy could directly jeopardize democratic movements across the globe and strengthen communist or fascist movements.

During the Depression and the war, it was easy to assume that the problems facing blacks were simply an exaggerated version of the obstacles facing many whites, and therefore subject to the same solutions. The great majority of Depression-era policies treated poverty and unemployment only and were not aimed specifically at alleviating discrimination.⁵² The prosperity of the postwar era threw the disparities between the races into sharp relief. This condition, along with the nation's position as a leader in the Cold War became great enablers for civil rights advocates. Among whites, notions of liberty and rights took on a greater centrality in

⁵⁰ Lawson, 44.

⁵¹ Lawson, 127-128.

⁵² Alan Brinkley, *The End of Reform: New Deal Liberalism in Recession and War* (New York: Vintage Books, 1995), 165-166.

politics.⁵³ This shift created an opportunity for Truman to strike the first blow against segregation.

Truman signed and issued Executive Order 9981 on July 26, 1948 requiring equality of treatment and opportunity for all service members. Truman's courageous step was motivated by many factors.⁵⁴ However bold, nowhere did it mention segregation or integration, instead it employed vague language. The text did not actually require integration, nor did it prescribe any deadlines. Some feared that its stated intent of achieving "equal treatment and opportunity" might be reached by adhering strictly to the provisions of separate but equal facilities, based on the legal premise that segregation was not discrimination. Yes, it was vague and imprecise. It was nonetheless courageous and inspired. Truman issued it while campaigning for President, while his party was badly fractured, and while much of the legislation that Truman cared deeply about was pending in Congress. But Harry Truman dispelled any doubt about his intentions at a press conference on 29 July. He was asked, "Mr. President...does your advocacy of equality and opportunity in the Armed Services envision eventually the end of segregation?" Truman simply

⁵³ Brinkley, 269 and 167.

⁵⁴ Truman's military establishment was recalcitrant and resistant. Secretary of Defense James Forrestal advised against rapid changes in military race relations. He preferred incremental change, and believed that "progress in this field must be achieved by education, not mandate," Mershon and Schlossman, 180; Truman's political enemies isolated him with strong stands on the issue. Henry Wallace, former Vice-President, break-away Democrat, and newly turned Progressive Party presidential candidate, alleged that Truman had no sincere commitment to military integration. If he did he could simply force the resignation of any recalcitrant service secretaries that were dragging their feet on integration matters, MacGregor, 307; The Republican Party adopted a strong statement against segregation, Republicans were, "opposed to the idea of racial segregation in the armed services of the United States," Bernard C. Nalty, *Strength for the Fight: A History of Black Americans in the Military* (New York: Free Press, 1986), 240; The nation's black leaders were pressing him for action. A. Phillip Randolph hinted that blacks would not register for the draft if segregation persisted and Truman desperately wanted nothing to interfere with his plans for selective service legislation, MacGregor, 302-303; Finally, when the Southern Democrats made good on their threat to leave the party after the Democratic Party adopted a strong minority plank in its platform all serious opposition to liberal racial policies within the party were gone. Afterward Truman was free to assert his leadership on civil rights, Zachary Karabell, *The Last Campaign: How Harry Truman won the 1948 Election* (New York: Alfred A. Knopf, 2000), 157-165.

said, “Yes.”⁵⁵ Rather than explicitly ending segregation Truman’s order merely made integration in the military a possibility. As Truman was to learn, it would take more than Presidential edicts to integrate the military. It would take strong presidential action and supervision and intervention, in short, principled leadership.

Truman expected recalcitrance from his military leaders. Therefore, to ensure that the services complied with his directive, the same order also established the President’s Committee on Equality of Treatment and Opportunity in the Armed Services. Its purpose was to “examine...the rules, procedures and practices of the armed services in order to determine [how they] may be altered or improved with a view to carrying out the policy of this order.”⁵⁶ The committee, known as the Fahy Committee, represented the sum of all fears for Eisenhower. It represented the overt use of government authority to direct social change. Relations between the committee and the services were very tense, combative, and at times, bitter. Moreover, Truman was preempting social change in his military, dangerously using it as a social laboratory. To the military planners, more galling still was the fact that the military establishment was going through enough dramatic change and too much at once threatened the potency of American arms.⁵⁷ The early years of the Cold War were especially tense as the both blocs settled into an

⁵⁵ The President’s News Conference of July 29 1948, in Nalty and MacGregor, *Basic Documents Vol. VIII: Segregation Under Siege* (Wilmington: Delaware, Scholarly Resources Inc., 1977), 165.

⁵⁶ EXECUTIVE ORDER 9981, 26 July 1948, Nalty and MacGregor *Essential Documents*, 238-240.

⁵⁷ The Defense Establishment was undergoing incredible organizational change. Among the issues in a state of flux were, the creation of the Air Force from the Army Air Corps, a definitive national strategy to fight global communism, nuclear policy, ground or sea-based air power, all of which determine the size, mission and budget of the services, the role of the Secretary of Defense, the role of the Chairman of the Joint Chiefs, universal military training, the role of NATO, desegregation, and selective service. Other issues related to national defense being discussed were the creation of the Central Intelligence Agency and the National Security Council. For a detailed explanation of many of these issues see Jeffrey G. Barlow, *Revolt of the Admirals: The Fight for Naval Aviation, 1945-1950* (Washington: Brassey’s, 1998).

uneasy peace. Truman's tampering with the military establishment might render the armed forces vulnerable, weak, and unprepared, thus threatening the nation itself.⁵⁸

The language of the order positioned the committee "within the National Military Establishment." It would be an entity under its organizational umbrella and therefore answerable to the Secretary of Defense. However, in practice the committee was an instrument of the White House and was positioned under the defense umbrella to minimize the overt reliance on presidential authority.⁵⁹ The committee had no independent authority to design or implement policy. It was, nonetheless, very clear that the committee had access as a result of proximity to President Truman. To go against it was to go against Truman. To Eisenhower, the methods of the Fahy Committee were heavy-handed, relied too much on government power, and were dictatorial, confrontational, acrimonious, and altogether too public. Nonetheless Eisenhower greatly admired the strategy of invoking Executive fiat rather than involving the legislative arm of the government.⁶⁰

Max Rabb the Chosen Instrument of Change

At a press conference one day short of two months in office on 19 March, 1953, President Eisenhower was asked about the persistence of segregation in educational facilities on military bases in Texas, Oklahoma and Virginia.⁶¹ He responded by saying that he was not aware of such practices but that he would look into the matter as he had promised that federal money would not subsidize segregated practices.

The next day the Bureau of the Budget, in a memorandum to the White House, detailed the complicated dimensions of segregated schooling on military installations. The memorandum

⁵⁸ Burk, 24.

⁵⁹ Mershon and Schlossman, 189-190.

⁶⁰ Eisenhower, 234.

⁶¹ Burk, 28.

explained that three different types of schools received federal funds and that Eisenhower's desire to integrate all schools with military dependents unfortunately did not affect them all. Those directly affected were on federal land run by a federal agency. Here he had complete jurisdiction to order integration. He had no authority in schools on non-federal land run by local authorities even though they might receive federal money to offset the extra cost of educating the children of federal employees. There was a third type of school where it was unclear if the President could extend his authority. These were schools on federal land but administered by local authorities. Federal law permitted these to be segregated or integrated per state law. There were at least eighteen in that category and the Bureau of the Budget estimated the need for an additional one million dollars per year to bring them under full federal management.⁶²

The same day the Secretary of the Army, Robert Stevens, wrote to the White House expressing some of the very same findings as the Budget Bureau. He, like the Budget Bureau, wrote that the Commissioner of Education, whose office was part of the Department of Health, Welfare and Education (HEW), might have to provide more funds so that the Army could run integrated schools. The supreme irony of that suggestion was not unnoticed by Stevens, who wrote that this would obviously be challenged by many Congressmen as wasteful. One of the strongest cases for integration was that it would increase efficiency by providing one standard school system. Here was a case where integration could have the opposite effect, and increase spending once the burden was shifted from local authorities to Federal government.

Nonetheless, he told the White House that this was an option the Army was willing to use in

⁶² Letter, Assistant Director for Legislative Reference, Bureau of the Budget, to Bernard Shanley, Counsel to the President, OF-142-A-4 Negro Matters-Colored Questions-Segregation-Integration (1), Official File, Dwight D. Eisenhower Records as President (Hereafter cited as DDERAP), DDEL Two schools, those at Fort Benning Georgia and Fort Campbell Kentucky, were directly effected by President Eisenhower's order to desegregate federal agencies. They were ordered to integrate by the fall of 1953. Other schools on Army bases were already in the process of integrating.

order to comply with the President's order. He did warn the White House that any action they took could not prevent local authorities from denying teachers necessary accreditation or make off-post districts accept diplomas from children graduating into their school systems from on-post integrated schools.⁶³

The White House issued a press release on 25 March, stating that the Army and the Bureau of the Budget had both submitted reports to the White House. The Army reported that all schools would be run on an integrated basis "by the opening of the school term next fall." That was the first public statement by President Eisenhower directing or endorsing a specified action supporting the integration of schools.⁶⁴

Despite this great step, the battle had just begun. The Office of Education within HEW found twenty-one segregated schools on military bases that were not effected by the president's order because they were administered by local authorities with local money but on federal land. In a letter she wrote in early April, Secretary of HEW, Oveta Culp Hobby pointed out the difficulties posed by the President's order to jointly run schools. Exactly where federal authority started and state authority ended was not known. Also, there were jurisdictional matters, not just between the federal and state government, but also between HEW and the Department of Defense (DOD) that needed to be worked out. In conclusion she recommended delaying integration in the case of these schools until they had the "benefit of the Supreme Court's

⁶³ Memorandum, Robert Stevens to James C. Hagerty, White House Press Secretary, 20 March 1953, OF-142-A-4 Negro Matters-Colored Questions-Segregation-Integration (1), Official File, DDERAP, DDEL.

⁶⁴ Statement by James C. Hagerty, Press Secretary to the President, March 25, 1953, in Nancy Beck Young ed., *UPA Documentary History of the Dwight D. Eisenhower Presidency, Vol. 1 The Eisenhower Administration and the Brown v. Board of Education Decision, 1954-1955* (Lexis Nexis, 2005), 7. Hereafter referred to as *Documentary History*.

decision on the segregation issue.”⁶⁵ This impasse, coupled with significant actions of the Secretary of the Navy, would prove to be critical in launching Max Rabb into civil rights work.

On 1 June 1953, Rabb received a request from the President’s Deputy Assistant, Wilton Persons, asking for a suggested reply to Congressman Adam Clayton Powell of Harlem. Powell had received a letter from Robert Anderson, Secretary of the Navy, defending Notice 75. Notice 75 was a Navy directive issued in January 1952, while Truman was still in office. It stated that the naval shore establishment would remain racially segregated if “the station is subject to local laws of the community in which located, and the laws of the community require segregated facilities.”⁶⁶ Anderson’s defense was similarly worded and he claimed that the Navy’s mission—“to maintain and improve the efficiency of Navy sea power”—depended on it. He believed that integration posed a threat to that efficiency because it could lead to “disruptive employee relations, poor community relations, and an ultimate breakdown of efficiency accompanied by lower production.” Anderson said the Navy required “whole-hearted cooperation [with] the shore establishment.” That meant that the Navy would “recognize the customs and usages prevailing in certain geographical areas...[and would] conform with these customs, some of which...are backed up by law.” He also fell back on the commonly used “social laboratory” theme and wrote that the Navy could not “take the initiative in dealing with this social problem but content itself with...gradual dissolution through...social education and understanding.”⁶⁷ By no means was the whole U.S. military was against using the armed forces

⁶⁵ Memorandum, Secretary of HEW Oveta Culp Hobby to Eisenhower, 13 April 1953, in Bernard C. Nalty and Morris J. MacGregor, eds., *Blacks in the United States Armed Forces: Basic Documents, Vol. XII Integration* (Wilmington: Delaware, Scholarly Resources Inc., 1977), 350-352. Hereafter referred to as Nalty and MacGregor, *Basic Documents, Vol#*. Hobby was referring to the pending *Brown vs. Board of Education* decision that the Supreme Court was considering.

⁶⁶ OIR Notice CP75, Office of Industrial Relations, Navy Department, 23 January 1952, quoted in MacGregor, 483.

⁶⁷ Memorandum, Wilton Persons to Rabb, 1 June 1953; Robert Anderson to Persons, 28 May 1953; both in Secretary of the Navy Folder 5, Box 6, Max Rabb Civil Rights Parallel File, DDEL

to improve or change social conditions. It is important to note that many returning World War II veterans took advantage of their military benefits, such as those that provided health care, education, and job training in order to improve themselves and society in general.

Although President Eisenhower had not specifically given an order to either the Navy or the Department of Defense, Anderson erred on the wrong side of the issue. If The President did not directly order integration, he certainly made no defense of segregation in the federal establishment. In fact, Eisenhower had made general statements about integrating the whole federal establishment, which included the armed services. Therefore unknowingly or not, Anderson was in defiance of the President.

Two days later, on 3 June, Rabb and the President's Deputy Assistant received information from a member of the Republican National Committee (RNC) that Anderson's letter had been poorly received in the black community. The RNC memorandum was from Val Washington, the minority affairs assistant and a black man himself. It included excerpts from Eisenhower's public statements promising that he would end segregation and fight to equality as emphasize that Eisenhower's talk and Anderson's actions were incompatible. Washington also included newspaper clippings expressing the ire of the black community.⁶⁸ Rabb now had the added pressure of having to salvage not only Eisenhower's image but the party's as well.

That same day, 3 June 1953, Congressman Powell of Harlem took action that pulled Max Rabb into the civil rights field. Discouraged and angered by Anderson's recalcitrance and by Hobby's desire to wait on a ruling from the Supreme Court, Powell sent a telegram to the print media before sending it to the President, with no forewarning to Eisenhower. The telegram

⁶⁸ Letter, Val J. Washington, Assistant to the Chairman, Republican National Committee to Rabb, 3 June 1953; letter, Washington to Persons, 3 June 1953, both in Secretary of the Navy Folder 5, Box 6, Max Rabb Civil Rights Parallel File, DDEL

inflamed Eisenhower, not only because it embarrassed his administration, called into question his integrity, the loyalty of his subordinates and his ability to lead, but because its allegations—that federal institutions supporting segregation—were true.⁶⁹ In his memoirs, Eisenhower recalled that “Max Rabb [informed him that] some government agencies were neglecting their duty.”⁷⁰ Above all else Eisenhower was personally angered by the way in which it was publicized, as an open telegram. It was clearly more than a jab at the Republicans, or the Office of the President, or the usual partisan debunking of campaign promises. It was a poison dart aimed straight at Eisenhower. Moreover it was a deliberate act of exhibitionism. Robert Donovan, a White House reporter, wrote that no story at the time ever caused such a commotion in the White House. Worse still was the fact that the charges of blatant insubordination proved to be correct.⁷¹

Powell’s telegram was bold, provocative, risky and challenging. It was very likely designed with the intent of provoking Eisenhower into action. Powell wrote:

The hour has arrived for you to assert your integrity. You cannot continue to stand before two opposite moral poles... You abolished, by executive order, segregated schools on Army posts, [I was] assured that they were working on the abolition of segregation in Veterans Hospitals... [and] would look into... segregation... in Navy yards.

The rest of the memorandum mentioned by name those reluctant subordinates—Hobby and Anderson—and characterized their actions as insubordinate and claimed that they had undermined the dignity, integrity and power of Eisenhower’s office. Powell ended with an

⁶⁹ Burk, 30.

⁷⁰ Eisenhower, 235.

⁷¹ Robert J. Donovan, *Eisenhower: The Inside Story* (New York: Harper & Brothers, 1956), 155-156.

appeal to the President's "noble qualities" his "good insights, decent instincts, and strong moral character" and begged of him to assert strong leadership in this matter.⁷²

Eisenhower was willing to set aside his anger and address Powell's concerns but first had to confront Powell about his insulting letter. He sent Max Rabb to see Adam Clayton Powell. Within one week of the meeting between Rabb and Powell, Powell and Eisenhower had a public reconciliation for the ages.⁷³ What followed in the wake of Powell's letter was nothing short of amazing. Eisenhower later wrote that in the wake of Powell's letter he "charged Max [Rabb]...with the task of seeing that all that could be done in federal government was actually accomplished."⁷⁴

Before taking the splinter from Eisenhower's eye, Rabb went to take the plank from Powell's. Powell had violated protocol by not alerting the White House in advance of his headline-grabbing letter. Rabb had been working integration issues along with others on the staff because they were regarded as largely legal issues, and Rabb was a proven lawyer with experience handling legislation. He was given the title of Associate General Counsel to the President and began working desegregation issues and handling inquiries almost immediately.⁷⁵ Rabb had known Powell since the days when Rabb walked the corridors of Capitol Hill when he worked for Senators Lodge and Weeks that is likely the greatest reason why Rabb was directed to see Powell. Rabb went to Powell's office without even calling ahead or waiting to be asked

⁷² Telegram, Adam Clayton Powell to Eisenhower, 3 June 1953, OF-142-A-4 Negro Matters-Colored Question-Segregation-Integration (1), Official File, DDERAP, DDEL.

⁷³ Herbert S. Parmet, *Eisenhower and the American Crusades* (New York: The Macmillan Company, 1972), 419.

⁷⁴ Eisenhower, 235.

⁷⁵ Rabb interview, OH-265, 3, DDEL. Rabb came into the White House with the title of Assistant to the Assistant to the President. The Assistant to the President was Sherman Adams, former governor of New Hampshire and Republican stalwart. Adams acted as a Chief of Staff coordinating everything in the White House that was not related to the National Security Council, which had its own staff secretariat. Rabb worked for Adams his entire time in the White House.

in.⁷⁶ When Rabb walked into Powell's office, Powell said, "Well Max, I've been expecting you. What have you got to say?" Rabb addressing him by his first name said, "Adam, I'm ashamed of you. You have done irreparable harm to the United States." Rabb proceeded to berate Powell for publicly attacking the President and sowing the seeds of animosity between the people, especially blacks, and the administration. Powell said, "OK, Max, you win. What do we do?"⁷⁷

Powell was disarmed and surprised at Rabb's honest and straightforward manner and so began the negotiations between them. Rabb convinced Powell that Eisenhower's administration would be different from past administrations—which they felt had not delivered on their promises. Eisenhower, Rabb explained to Powell, intended to keep his promises and desegregate, at least in policy, the federal establishment. Rabb told Powell that Eisenhower would not seek publicity in these matters and in essence recruited Powell as an ally to work with the administration behind the scenes—much like Rabb himself. Rabb asked Powell to tour domestic and overseas bases and to report directly to the White House. Rabb asked only that Powell not publicly criticize the President. Powell was intrigued enough to accept the offer, most likely because by establishing this open line of communication he would have access to the White House.⁷⁸ This was politically satisfying to Powell because therein lay an opportunity for real change.

One could imagine the allure of a black Democratic Congressman having his voice heard in a Republican held White House. E. Frederic Morrow, the only other minority staff member in the White House, once said that Rabb was "very suave" and an able man who could "really

⁷⁶ Wil Haygood, *King of the Cats: The Life and Times of Adam Clayton Powell, Jr.* (New York: Houghton Mifflin Company, 1993), 183-188.

⁷⁷ Rabb interview, OH-265, 23-24, DDEL and Donovan, 157.

⁷⁸ Haygood, 188.

butter people up.”⁷⁹ Morrow, who did not always agree with Rabb’s method, could not argue with his results. If his description of Rabb is not entirely complimentary it is because it reflected his own inability to persuade Powell. Whatever else he may have said to Powell, Rabb won him over and arranged for the President to send a candid reply to which Powell would write a conciliatory letter in response.⁸⁰

Rabb began the letter immediately upon returning from Powell’s office. Robert Donovan called the final letter, “a model of political artful-dodging.” The letter disarmed critics by admitting that the administration had lapsed somewhat in its attention to the problem of segregation in the military and federally controlled institutions but promised not to “take a single backward step.”⁸¹ The President wrote Powell, “I shall continue to devote my earnest and unrelenting efforts to advance the frontiers of equality and I am confident that the fight to achieve this objective will be marked by increasing success.” The letter expressed a deep commitment to address racial discrimination in every way Powell had described.⁸² Rabb’s liaison with Powell and his authority to broker arrangements, speak for the President, and invoke his intent and will are clear signs of the trust and confidence that Eisenhower had in Rabb. That Eisenhower let Rabb begin writing public letters for him is also a sign of great trust and a first step on the path to becoming his proxy.

In return Powell gushed at the President’s response. He told the President that previously his confidence in him had been personal but that, after this great promise, his confidence in him was as President. Powell called Eisenhower’s letter “a Magna Carta for minorities and [a]

⁷⁹ Morrow, OH-#376, 60, DDEL.

⁸⁰ Parmet, 419. Cementing this relationship early paid great political dividends later when Powell all but defected from the Democratic Party and campaigned for Eisenhower in 1956.

⁸¹ Donovan, 158.

⁸² Draft Telegram, Eisenhower to Powell, undated, OF-142-A-4 Negro Matters-Colored Question-Segregation-Integration (1), Official File, DDERAP, DDEL.

second Emancipation Proclamation.” Clearly the hyperbole of this letter was meant to overcompensate for the severity of Powell’s first letter in which he directly questioned Eisenhower’s ability to lead. Powell then suggested a slate of topics that Eisenhower as the Chief Executive could take without judicial or legislative action. Specifically, Powell mentioned extending the life of two of Truman’s creations, the Government Contracts Compliance Committee and Fair Employment Practices Commission. Powell also wanted greater black representation in the State Department, desegregation in naval shipyards, and a halt to the flow of federal money towards segregated housing projects.⁸³ With that letter Powell became an Eisenhower ally and ended the public catharsis.

Powell’s account differs slightly from Rabb’s, but not in any significant way. Powell claims that Eisenhower instructed Rabb to call a “special Cabinet meeting” over the letter. It is easy to believe that this was an accident of memory and that Powell, who had worked with Rabb for so long, came to remember Rabb as always having been the Cabinet Secretary—a position he later earned as a result of this episode.⁸⁴ Powell admitted to Rabb that he had violated protocol but said that he was angry at the demonstrated intransigence of Eisenhower’s appointees. Powell’s account did not contradict Rabb’s version of the meeting and actually supports Rabb’s assertiveness. He said Rabb told him, “I tell you what you do: The President is going to write you a letter and I want you to reply in a complimentary way and from here we walk together. We have received orders to do everything within reason to wipe out segregation and

⁸³ Letter, Adam Clayton Powell to Eisenhower, 10 June 1953, OF-142-A-4 Negro Matters-Colored Question-Segregation-Integration (1), Official File, DDERAP, DDEL.

⁸⁴ In truth this was months before Rabb became the Cabinet Secretary, and most likely it means those members mentioned in the letter were assembled or contacted but it does not seem likely that the whole Cabinet came together. No other account can verify this. However, if this is even partially true, it suggests that Eisenhower might have designated Rabb based on his successful management of this episode, to be his Cabinet Secretary months in advance, another testament to the faith Eisenhower had in Rabb.

discrimination in the Federal government.”⁸⁵ Powell’s account describes Rabb as neither a bully nor an Eisenhower cheerleader, but as a team builder, one willing to seek a way forward towards progress, cutting through the hyperbole and seeking a quite resolution to the conflict.

It was Max Rabb’s hand that wrote the President’s letter and his fingerprints are evident in Powell’s return letter as well. That Powell suggested places where the President should take action without Congressional approval can be taken as proof that Rabb had thoroughly convinced him of Eisenhower’s approach to governance and civil rights. Eisenhower would take action where he had authority—all federal locations and activities. In order to avoid more public battles and embarrassment between Powell and Eisenhower, whom Rabb dubbed “the odd couple,” Rabb must have approved the slate of topics that Powell in turn recommended that the President take on. It seems inconceivable that after such a personal reckoning between Rabb and Powell, and the very staged and calculated responses between Powell and Eisenhower, Powell would push the envelope with the administration and suggest controversial action, or that Rabb would let him.

With Powell assuaged and preparing to tour military installations, Rabb paid the Navy a visit. He met with Secretary of the Navy Robert Anderson on June 11, 1953, the day after Powell’s second letter to the President. Rabb left no record of what he thought the outcome of the meeting with Anderson would be. However, Rabb had strong reason to believe that Secretary Anderson was going to be obstinate and would defend the Navy’s practices. Just a few days earlier, in open violation of Eisenhower’s intentions, Anderson had defended his predecessor’s position of segregation on naval bases. Anderson was not likely to be easily

⁸⁵ Adam Clayton Powell, Jr., *Adam by Adam: The Autobiography of Adam Clayton Powell, JR.* (New York: The Dial Press, 1971), 100. This footnote also covers the text from the previous footnote.

moved. At the heart of the issue was Notice 75, the Navy directive issued in January 1952, approving an accommodation with segregation, still in effect when Eisenhower assumed office.

Rabb knew Anderson's position and, the fact that he was a Texas Democrat gave Rabb more cause for concern.⁸⁶ However Rabb's greatest cause for concern was the very guidance that Rabb had for Anderson, for in it possibly lay the seeds of failure. Rabb told Anderson exactly what Eisenhower told Rabb. Rabb delivered the following words:

President Eisenhower says he wants segregation at the bases to be terminated. This is the solution he wants, unless there really is some reason that really makes this impossible. He'll accept it, but he hopes you'll come up with a decision to end segregation.⁸⁷

Rabb's message left no doubt what Eisenhower's preferred outcome was, but in no way did Eisenhower give a direct order to end segregation. Eisenhower was leaving a door open that the Navy could walk through if Anderson so chose. One could imagine Anderson, who just days earlier had written to the White House defending the segregation of naval yards, using those very same defenses against Rabb. Anderson was fully aware of Eisenhower's promises and his stated intent of desegregating all federal activities.

The short but vigorous history of opposition to Presidential promises about continuing the integration of the military started with Truman. This all changed when Rabb began handling the issue. General Eisenhower had been a part of that resistance. Thus, Anderson's recalcitrance was just the latest in a line of dissenting military officials. In fact Anderson had inherited the policies of Notice 75, meaning that at least one previous secretary had defied a President.

⁸⁶ Eisenhower, 235. Eisenhower, while still President of Columbia University, met Robert Anderson and was very impressed with him. Eisenhower thought him to be intelligent, articulate, broadly experienced, and educated. Eisenhower urged Charles Wilson, the designated Secretary of Defense, to consider him for a position in the Department of Defense. He ordered Wilson to travel to Texas and look into his qualifications. Wilson was likewise impressed and decided to offer him the position of Secretary of the Navy. Had he not, Eisenhower said he would have offered Anderson an equally important job in the administration. Eisenhower, 96-97.

⁸⁷ Rabb interview, OH-265, 25-26.

Despite inheriting the policy, Anderson promulgated it and by doing so made it his own. What chance did civil rights leaders stand against people like Anderson who resisted the President? Nonetheless it was Rabb who was able to continue and finish the integration of the armed forces. Sherman Adams, Rabb's boss for over five years in the White House, later praised Rabb for his work in ending naval segregation. He said, "Rabb had a way of taking the listener into his confidence and getting him to share the problem at hand with a sympathetic understanding. After a talk with Rabb, the Texas-born Robert Anderson...promptly abolished segregation...in the navy yards."⁸⁸ Rabb's vigorous efforts may have even changed Eisenhower's mind.

Anderson's reaction leaves very little doubt that Rabb had convinced him to desegregate the naval shore establishment. He called in Under Secretary of the Navy Charles Thomas and Rear Admiral George Holderness and ordered them to leave for Norfolk and Charleston respectively, that very night. Anderson demanded that they order those installations to be desegregated from "top to bottom." He demanded a report within three days and dismissed them so they could commence their travel.⁸⁹

There is no doubt that President Eisenhower's wishes were the most powerful component of the discussion, but some credit must be given to Rabb who did not let Anderson escape through the built-in exit. That Eisenhower did not order desegregation, that he only desired and hoped for it, and that he left an opportunity to continue segregation can be attributed to many things. Eisenhower's military experience taught him how volatile of an issue race was in the military and his experience in the Truman administration only reinforced his beliefs. Although he wanted all second-class citizenship wiped out, he was possibly afraid that the Navy's

⁸⁸ Sherman Adams, *Firsthand Report: The Story of the Eisenhower Administration* (New York: Harper and Brothers, 1961), 335.

⁸⁹ Rabb interview, OH-265, 25-26.

assessment of its shore establishment was correct. Anderson's sudden cooperation can be solely attributed to the pressure that Cabinet and sub-Cabinet members are under. They serve at the pleasure of the President and can be asked to resign at any moment. However, the speed at which he moved to integrate the Navy can be attributed to Rabb's management of the problem. Someone less sympathetic to integration could easily have delivered a soft, or deliberately confused explanation of Eisenhower's intent, thereby creating an opportunity to continue segregation or proceed slowly. Furthermore, the delivery to Anderson cannot be viewed apart from Rabb's grander scheme with Powell. However, there is no indication that Rabb discussed with Anderson the President's arrangement with Powell. There is little doubt that, if both meetings are taken together, Rabb all but closed the door on Anderson, the Navy and segregation.

A few days after Rabb's visit with Secretary Anderson, Rabb wrote to the Assistant to the President, Sherman Adams, in order to close out the Powell episode. The letter is nothing short of Rabb's action plan. The letter addressed Powell's issues, which, as it happened, were now aligned with President Eisenhower's stated position of taking action where he could. He wrote to Adams that "it certainly clears the air for trust and confidence in the President's program." Although Rabb does not say between whom, Rabb most likely meant that between Powell and Eisenhower things would be easier as each now understood the other a little better. Then he commented on the state of each of Powell's suggestions. Addressing Powell's request that the Fair Employment Practices Commission be continued, Rabb wrote:

The only real action that it requires is to take out the weak over-age members of the present Board and substitute in their places strong nationally known individuals who will give stature to the commission. I will prepare a list of possible appointees and advise you soon.

Rabb again revealed his talent and desire to make progress in civil rights by putting the right people into positions where they could make a difference. Rabb had also already been hard at work on the second of Truman's commissions that Eisenhower would continue to support, the President's Committee on Government Contract Compliance. This one would help President Eisenhower score one of the greatest victories of his civil rights, the desegregation of Washington D.C. Rabb wrote: I have been spending a great deal of time bringing this one into shape and I believe we will come out in the next three or four days with a proposition that will be a great advance on the present Committee.

This committee also benefited greatly from Rabb's involvement. The work of both committees attacked segregation in the federal government. Rabb would spend a great deal of time on both, but his immediate concern was the military establishment. Although it was too early to claim a victory with the Navy, Rabb had a confident report for Adams about the Navy's progress. He wrote:

I conferred with Secretary Anderson [and others]...at the Pentagon...last Thursday. They are now prepared to change their approach...[they] made visits to Norfolk and Charleston on Friday, and are prepared to report progress. Anderson called on Saturday to ask if you would be good enough to see Under Secretary Thomas today so that he can report on such immediate steps as they can take to implement the President's policy.⁹⁰

Rabb's visit with the Navy undoubtedly made an impression on their senior leadership. That Secretary Anderson felt that he needed to render a day-by-day account to Rabb and that he wanted Under Secretary Thomas to report on the problem as early as Monday following their

⁹⁰ Memorandum, Rabb to Adams, 15 June 1953, OF-142-A-4 Negro Matters-Colored Question-Segregation-Integration (1), Box 731, Official File, DDERAP, DDEL

Thursday meeting is proof of Anderson's newly found belief in integration. Rabb also believed very early in the process that the Navy was doing more than investigating the possibility of desegregation; otherwise he would not have written that they were prepared to change their approach.

Undersecretary Thomas did not see Sherman Adams that day or even that week. Instead he documented his findings in a memorandum to the President. In it he reviewed his personal history with the problem of segregation in the military when he served under Secretary of the Navy James Forrestal. He recounted his position that integration would ruin cohesion in the Marine Corps because of "the closeness of their units." Thomas had been strongly in favor of the status quo during the war. He further told Eisenhower how he had recommended to Roosevelt that equality could not be forced by either law or directive but had to come through evolution. Eisenhower clearly understood these arguments as he had once also espoused them. Yet, after just one face-to-face meeting with Rabb, Thomas expressed optimism about the possibility of change, even though his boss had written a vigorous defense of Notice 75 just ten days earlier. Whatever other changes Thomas may have experienced are unknown, but what is known is that one meeting with Rabb was enough to make him question and possibly revise his previous opinion.

After his trip to Norfolk, Thomas, it appeared, now believed integration was possible. The memorandum began by acknowledging the meeting between Rabb and Secretary Anderson as cause for the whole review of naval shipyards. This statement can be taken as tacit, if not outright, acknowledgement that Rabb convinced the senior leadership of the Navy how serious the President was about this issue. It also mentioned that Powell was the instigator of the whole affair and mentioned him as an "agitator." Thomas' willingness to criticize Powell, and pass on

criticisms of Powell, suggests that Rabb had not shared with Anderson or others the arrangement he made with Powell. Thomas was very likely expressing resentment at being confronted with institutional change. Had he known of the arrangement with Powell, Thomas would not have risked being openly insubordinate of the President's authority.

Thomas reported that the Navy could handle integration but he identified three areas of potential trouble—drinking fountains, toilets, and eating areas. He recommended taking down the signs that labeled each fountain as white or colored. Then “within a reasonable time” signs from the toilets. Finally after those two changes had been absorbed by the shipyard workers, cafeterias were to be integrated. Thomas believed that within six months integration could be fully realized. He concluded by adding that Admiral Holderness had toured naval facilities in Virginia, North Carolina and South Carolina and that he had found social conditions on which integration could depend to be similar.⁹¹

Rabb's initial visit to the Department of the Navy was later followed up by other meetings. Rabb continued to have a voice and presence in the on-going dialogue and action associated with naval desegregation. He communicated directly with Secretary Anderson's military aide, Captain R.D. “Tobie” Hogle, who it appears ensured that Rabb was kept up to date on the Navy's progress. Hogle wrote Rabb on one occasion, “The luncheon with you last Thursday was most enjoyable. You were very kind to think of me and I deeply appreciate it.” In the return letter Rabb told Hogle, “I want you to come over here many times, and don't be surprised if I take you up some time on your invitation to come over to the Pentagon.” Later Hogle sent Rabb an advance copy of a progress report with charts “indicating the present status

⁹¹ Memorandum, Charles S. Thomas to Eisenhower, 23 June 1953, Secretary of the Navy Folder 5, Box 6, Max Rabb Civil Rights Parallel File, DDEL. This footnote covers the three preceding paragraphs.

of segregation among various naval establishments,” reminding him that it was the chart he “discussed with [him] on [his] last visit.”⁹²

Rabb had already established “inside” relationships similar to the one with Hogle as a result of the visit with Powell. These actions demonstrated that Rabb was serious about delivering on Eisenhower’s promises to end segregation in the Navy. It also meant that Rabb subscribed fully to Eisenhower’s way of handling things discreetly and without fanfare. By forging these vital inside relationships Rabb was not breaking the rules. These *were* the rules. These were the accepted norms of a privileged few who could directly access the powerful all across the government. Rabb, just one man, was in essence doing the work of Truman’s Fahy Committee, and doing it with much less noise, friction and open controversy. He had the same presidential aura of importance as that committee albeit without the formal writ which allowed his to operate discreetly. Furthermore, establishing such amicable ties allowed Rabb to “keep in touch” with the issues over time and get faster results. Rabb facilitated integration rather than mandating it, which allowed the naval leadership to believe they were controlling the pace of change when in fact Rabb kept steady pressure on the navy to maintain progress. The following development is an example of that steady but indirect pressure.

The Chief of Naval Personnel delivered a progress report to Secretary Anderson, in September 1953, outlining the way ahead for the navy. In his letter to Anderson, Admiral J.L. Holloway described how he was going to dismantle the last vestiges of segregation in the Navy—the steward’s branch. Stewards were the cooks and dining attendants in the naval messes. The steward’s branch was a particularly contested area for civil rights leader Lester

⁹² Letters, Hogle to Rabb, 21 July 1953; Rabb to Hogle, 22 July 1953; Hogle to Rabb, 28 August 1953, all in Secretary of the Navy Folder 5, Box 6, Max Rabb Civil Rights Parallel File, DDEL. Rabb established a friendship and correspondence with Captain R.D. Hogle, Military Aide to the Secretary of the Navy. The letters between Hogle and Rabb suggest Rabb dealt directly with the Secretary via Hogle rather than through the Office of the Secretary of the Navy or its subordinate agencies.

Granger, Executive Director of the National Urban League, former advisor to Secretary of the Navy Forrestal and currently to Secretary Anderson. A diligent subordinate, Holloway informed Anderson that Granger was meeting with him (Anderson) on 3 September, 1953, and that he wished to see Anderson before that meeting to discuss the Navy's action plan. The next sentence in the memorandum demonstrates conclusively that Rabb's involvement in this issue was causing undeniable progress in U.S. civil rights and race relations: "Parenthetically, I note that Mr. Max Rabb's office is calling Mr. Granger's office on Wednesday, the 2nd, expressing the hope that Mr. Granger will drop by the White House after Mr. Granger's luncheon with you on Thursday."⁹³

Such contemporary awareness of Rabb's movements is an indication of his importance in this matter. Not only did he deliver Eisenhower's message, but his name appears on at least two occasions in high-level memoranda. It was known that he maintained an open line of communication with Secretary Anderson through Anderson's aide and that he was simultaneously in touch with prominent members of civil rights organizations. All this indicates that the navy was managing to satisfy Rabb's standard of desegregation. He was the bridge to the White House for both the Navy and civil rights organizations. He was by this time Eisenhower's proxy on the issue. This was exactly how Rabb wanted to be regarded. He knew that he had the President's full backing and that the President was not so interested in the iterative correspondence, just final results. Official reports were of course still directed to the President and not Rabb, but no doubt Rabb reviewed them in advance. Certainly naval officials must have known that any grumblings Granger had would be passed to Rabb. This explains, in part, the aggressive nature of Holloway's plan to integrate the stewards' branch. He planned to

⁹³ Memorandum, Vice Admiral J.L. Holloway, Chief of Naval Personnel to Anderson, 1 September 1953, in Nalty and MacGregor, *Essential Documents*, 304-305.

stop recruiting blacks directly for that duty. In order to do that he had to change the entire naval system of recruitment. He wrote:

I am considering ceasing for the time being at least separate initial recruitment in the steward's branch...under these circumstances, I would enlist *all* in the continental United States as seaman recruits, and assign to Stewardsman School, on a volunteer basis only *after* completion of recruit training.⁹⁴

The exceptions to this rule were Filipinos, whom the Navy would still target for direct service as stewards. Despite this exception, the change in naval policy was massive, sweeping and clearly a sign of both progress and Rabb's influence. It certainly did not prevent blacks from testing into or volunteering for the stewards' branch, but it also allowed them to qualify for other positions. That the Navy was willing to overhaul its recruiting and training is a clear indication that there would no longer be any policy barriers for blacks.

The Navy was not the only group tracking its civil rights progress. By September of 1953, within three months of Secretary Anderson's edict to desegregate naval shipyards, a local field office of the National Association for the Advancement of Colored People (NAACP) wrote a glowing note to Clarence Mitchell, Director of the Washington Bureau of the NAACP. He in turn forwarded the note to Rabb. The field director wrote:

The walls are really tumbling down, signs are being taken down all over the Naval Yard and the Naval Base...almost daily...the signs [are] being taken down in various shops. The signs are removed for the most part on Saturday...they will not just paint out the signs but rather...paint the whole side of the a building or of a room and of

⁹⁴ Vice Admiral J.L. Holloway, Chief of Naval Personnel to Anderson, 1 September 1953, in Nalty and MacGregor, *Essential Documents*, 304-305. Holloway offered only a few words about Filipinos being an exception to the rule. He wrote that they would still be target for direct recruitment into the steward's branch because "there are both commitments and pressing needs."

course forget to paint the words “White” and “Colored” on the side of the room or building. The whole matter is very pleasing to the men and women in the installations.⁹⁵

In September, after praise from the black press, Val Washington of the RNC wrote Rabb to acknowledge his role in helping the Republican Party keeps its promise to blacks.

Washington wrote, “If the Eisenhower Administration continues to show the friendly and cooperative attitudes towards Negro problems in the future that it has in the past, Negroes will come back to the Party without Max Rabb [and] Val Washington.”⁹⁶ This note obviously suggests that Val Washington believed that Rabb’s work in completing military integration had done much for the image of the party and, of course for blacks to whom they had promised as much. Though complimentary of Rabb, this statement was the product of wishful thinking.

Washington was expressing the hope that Eisenhower himself, not his proxy, would continue to take a strong stance in this area. However, Eisenhower’s short but successful record owed most to Rabb’s representing him in this area.

In November Secretary Anderson submitted his first full report to the White House. In it he cited the August progress report, the one sent to Rabb, as a source of comparison to tout the progress that followed from his own order to desegregate naval shipyards. In August, 42 shipyards in the South submitted initial reports. Twenty of those initially reported they had no segregated facilities. The 22 remaining shipyards in the South reported “all” or “some” facilities segregated. By November only one, Charleston, South Carolina, reported “some” facilities as segregated. More importantly, it seemed that the dam had broken and the U.S. Navy was really pushing hard for integration. Of the naval facilities reporting for the first time in November,

⁹⁵ Letter, Mitchell to Rabb, 15 September 1953; Norfolk Branch, NAACP to Mitchell, 11 September 1953, all in Secretary of the Navy Folder 5, Box 6, Max Rabb Civil Rights Parallel File, DDEL.

⁹⁶ Letter, Washington to Rabb, 28 September 1953, Republican National Committee Folder #8 , Box 34, Rabb Papers, DDEL

only one of the eighteen reported “some” facilities as segregated. It was in Newport News, Virginia and the subject of a later letter to Rabb.⁹⁷

Thus encouraged by this amazing progress the President issued a press release to announce the results of the report. So it was with a good amount of confidence that the President announced “that the Navy’s policy of non-segregation is completely effective.” Saying that is not the same thing as saying that the Navy was no longer segregated. He knew that it still was, but that it was also well on its way towards complete integration, in policy if not yet in practice. The President congratulated the Navy on its progress and said it was an “accomplishment of which we all can be proud...a job very well done indeed.”⁹⁸

Just after the President’s press release, Clarence Mitchell sent Rabb a copy of a letter he had written to Secretary Anderson in which he called Anderson’s action “a significant chapter in our country’s history.” So much progress had been accomplished that he was reduced to making just one substantive complaint—concerning separate washrooms located on non-federal property at the Naval facility in Newport News, a matter mentioned in Anderson’s report to the President.⁹⁹

Rewards, Conclusions, and a New Title

In the middle of handling this major and ground breaking issue, Eisenhower’s White House staff was taking a new shape. In October 1953 the President bestowed on Rabb a great

⁹⁷ Report, Anderson to Eisenhower, 1 November 1953, letter with three chart enclosures, in Secretary of the Navy Folder 5, Box 6, Max Rabb Civil Rights Parallel File, DDEL

⁹⁸ Statement by the President, issued by James C. Hagerty, Press Secretary, 11 November 1953, *Public Papers of the Presidents of the United States: Dwight D. Eisenhower, 1953* (Washington D.C.: The Office of the Federal Register, 1960), 765-766. Hereafter cited as *PPP* followed by the year of the volume.

⁹⁸ Eisenhower, 235.

⁹⁹ Letters, Mitchell to Rabb, 19 November 1953; Mitchell to Anderson, 19 November 1953; all in Secretary of the Navy Folder 5, Box 6, Max Rabb Civil Rights Parallel File, DDEL.

honor. He made Rabb the first ever Secretary to the Cabinet.¹⁰⁰ This was a position Eisenhower created to bring order to Cabinet affairs, especially the meetings.¹⁰¹ This great honor for Rabb was coincident with his recent success and role in helping to end naval segregation and in recruiting Powell. In addition to this affair, Rabb's correspondence with Sherman Adams indicated he was working on other open issues related to civil rights and race relations.¹⁰² Rabb was also negotiating on another issue of personal and Presidential importance to Eisenhower, revising the McCarran-Walter Act in order to allow a greater number of immigrants to enter the United States from Communist nations. This author suggests that Eisenhower rewarded him with this position of authority because of his demonstrated potential for greater responsibility based on past performance. Rabb was simply brilliant in Eisenhower's first year. Eisenhower later wrote in his memoirs, "because of Mr. Rabb's apparent enthusiasm and appetite for work, I later assigned him an additional duty, as Staff Secretary for the Cabinet."¹⁰³

The letter that Mitchell sent to Rabb about the Newport News washroom contained a very important point that crossed over into the issue of school integration on federal property. Mitchell called for one federal policy in cases where federal activities used local or private resources. Otherwise local communities could deny American citizens their basic rights by superseding federal laws. This gray area was of course the same issue that HEW and the

¹⁰⁰ Maxwell Rabb interview, 13 May 1975, OH-479, p.1, DDEL. Hereafter cited as Rabb interview OH-479, DDEL.

¹⁰¹ Eisenhower desired greater efficiency from his staff, as any former military officer would, this much is evident. However, Ruth Rabb said that Eisenhower modeled the position based on one of the British Cabinet systems which he had personally watched and grew to admire while in Britain during the war. Interview with Ruth Rabb, widow of Max Rabb, by author, 13 February 2008.

¹⁰² Memorandum, Rabb to Adams, 15 June 1954, OF-142-A-4 Negro Matters-Colored Question-Segregation-Integration (1), Official File, DDERAP, DDEL. This memorandum not only described Rabb's plan for Fair Employment Practices Commission, the President's Committee on Government Contract Compliance, and naval desegregation but also on engaging the State Department about increasing the visible role of blacks in prominent overseas positions and looking into discriminatory housing practices—especially those subsidized with federal money.

¹⁰³ Eisenhower, 118.

Department of Defense were facing with respect to schools and one for which the administration had no answer. Rabb's work to integrate the Navy and its shore establishment proved that there was a way to solve the problem—Newport News washrooms being the only exception.

Public schools on military installations run by the armed forces were integrated by the fall of 1953, a nine-month anticipation of the *Brown* decision and many more years before actual integration in many places in the South. As in the case of the Newport News washroom, schools on federal land or on nearby local land but operated by local authorities posed a real dilemma. There was much debate within the administration regarding the possibility of forcing these types of schools to comply with the President's order. Assuming those school districts were willing to comply, they would be in open violation of state laws which required segregation.¹⁰⁴ Secretary Hobby of HEW favored waiting to "act" until the Supreme Court handed down its decision in the *Brown* case.¹⁰⁵

Charles E. Wilson, the Secretary of Defense, suddenly ended the impasse. In yet another act which anticipated the *Brown* decision, the Department of Defense (DOD) took an aggressive approach. Wilson declared that all schools located on military property would be integrated by September 1955. He directed that every effort be made to comply with the President's directive, and with the firm support of the service secretaries the armed services all made the deadline.

Furthermore, no new school under construction would be operated on a segregated basis either.

¹⁰⁶ Even though the *Brown* decision had been handed down before Wilson's established deadline, greatly facilitating the order, the fact remains that the DOD took the initiative.

Although integration became the norm on military installations as of the 1955-1956 school year

¹⁰⁴ Mershon and Steven Schlossman, 270.

¹⁰⁵ Memorandum, Secretary of HEW Oveta Culp Hobby to Eisenhower, 13 April 1953, in Nalty and MacGregor, *Basic Documents Vol. XII Integration*, 350-352.

¹⁰⁶ Memorandum, Secretary of Defense, Charles E. Wilson to Secretary of the Army, Navy and Air Force, 12 January 1954, in Nalty and MacGregor, *Basic Documents Vol. XII Integration*, 353.

on military, off-post integration still remained a controversial problem. Nevertheless, Wilson's bold action was praised by black leaders. Walter White, Executive Secretary of the NAACP, called the decision "another milestone...in making America more truly democratic."¹⁰⁷

By all appearances it seemed that there was a rift between the DOD and HEW in the matter of school integration on military installations. In order to avoid such perceptions and perhaps to assuage the upstaged Hobby, Secretary Wilson issued a statement indicating otherwise. He wrote:

There is absolutely no truth to [the] stories...that the Department of Health, Education, and Welfare has opposed integrated schools on military bases. Quite to the contrary. There has never been any difference of opinion between the President, Mrs. Hobby or myself regarding what should be done nor any dragging of feet by any of us in regard to this matter.

Secretary Wilson closed his letter by promising the American public that both HEW and the DOD would work towards full integration by September 1955.¹⁰⁸

The curtain also quickly fell on segregation in the Veterans Administration (VA). The new Secretary was Harvey Highly, whom Rabb described as "a dyed-in-the-wool Republican who never had any interest in civil rights." Rabb believed that he might even have gotten his position because he was a close friend of Wisconsin Senator Joseph McCarthy. Despite his political allegiances, Highly quickly complied once Rabb "gave him his directions." It seems very likely that Rabb had a meeting with Highly similar to the one he held with Anderson.

¹⁰⁷ Letter, White to Wilson, 1 February 1954, in Young, *Documentary History*, 102-103.

¹⁰⁸ Press Release, Secretary of Defense Charles E. Wilson, 1 February 1954, Untitled Folder #8, Box 26, Max Rabb Civil Rights Parallel File, DDEL

Highly's actions suggest he was similarly influenced. Rabb said "he went right down the line in record time, as he was told." In all, 47 VA facilities were desegregated.¹⁰⁹

Successfully managing the consequences of the fall-out of the Powell telegram made Rabb a rising star in the White House. It is likely a reason, if not the reason, why Eisenhower made him the Secretary to the Cabinet. Robert Anderson's subsequent success following naval integration is a clue to Rabb's ascension as well.

To Eisenhower, Anderson's actions were completely in accordance with Eisenhower's own way of doing business. He was thrilled that only the final results were publicized and not any of the acrimonious debates or negativity associated with the issue. Anderson did it discreetly, and quietly and without drawing the attention of pro-segregationists.

Eisenhower was very impressed at how Secretary Anderson handled the integration of the Navy. He wrote:

His response was so immediate and so decisive as to excite my intense admiration, a feeling for him which has grown ever since. With no fanfare—in fact, with much care to avoid making an open issue of things—segregation was soon completely and almost painlessly eliminated at all naval installations.¹¹⁰

As a reward for his performance, the President made Secretary Anderson the Deputy Secretary of Defense in May 1954, a position he held until August 1955. The President then made him Secretary of the Treasury in July 1957, a post he held until the end of the Eisenhower

¹⁰⁹ Rabb interview, OH-265, p. 26. By 1956 race-related complaints about the VA were reduced to one man complaining about a one hundred mile round trip to play golf because the golf course near him at the Tuskegee VA facility was restricted to him, because he was black—so he presumed. After investigating the claim, Rabb wrote to the author of the article that documented the incident. Rabb happened to know the author because he covered race relations. In what had become, by 1956, his characteristic soft but firm manner, Rabb informed him that not only was the Tuskegee VA director black but that the golf course was restricted inasmuch as it was only for patients and employees of the VA. And not open to the public. Rabb to Theodore Poston, *The New York Post*, 10 August 1956, 124-A-1 1956 (2), Box 912, General File, DDERAP, DDEL

¹¹⁰ Eisenhower, 235.

Presidency.¹¹¹ Rabb said, “Robert Anderson became the great favorite of President Eisenhower” and that Eisenhower continually mentioned him as possible nominee for President. Eisenhower considered Anderson a candidate for president in 1956, but when Eisenhower decided to run for reelection he considered Anderson to replace Richard Nixon on the 1956 ticket.¹¹² He also thought that Anderson should be Nixon’s running mate in 1960.¹¹³ Rabb believed that Eisenhower’s esteem for Anderson “all grew out of this particular incident.”¹¹⁴ Rabb—like Anderson—earned the esteem of Eisenhower and used the success of this event to continue improving his record within the Administration. Anderson’s sudden good fortune may even explain why Secretary Wilson suddenly broke the deadlock between DOD and HEW. Wilson’s guidance to desegregate schools that served military dependents was so swift and unexpected that it appeared that the DOD was at odds with HEW. Perhaps Wilson became encouraged by his subordinate’s success, or even jealous of it.¹¹⁵ Maybe he believed that by going “one up” on HEW and Secretary Hobby, he could earn political capital and ingratiate himself with the President as Anderson had. Though no evidence exists, it would not have been beyond Rabb to have met with Wilson about this. At any rate the timing of his decision cannot be dismissed as simply an uncoordinated development. It is very possible that in addition to those other factors, he simply succumbed to the momentum of change that Rabb had caused.¹¹⁶

¹¹¹ Robert L. Branyan and Lawrence H. Larsen, eds., *The Eisenhower Administration 1953-1961: Documentary History Volume II*, Appendix, p. 1379-1380. Hereafter cited as *Documentary History Volume I or II*.

¹¹² Adams, 221. In the wake of his heart attack Eisenhower contemplated backing Robert Anderson in 1956 election before deciding he would run for reelection.

¹¹³ Ferrell, 377.

¹¹⁴ Rabb interview, OH-265, p. 24. This citation also covers Rabb’s belief that Anderson became Eisenhower’s great favorite.

¹¹⁵ Charles Thomas would later be promoted. He became the Secretary of the Navy, then the Deputy Secretary of Defense and finally Secretary of Defense. Branyan and Larsen, *Documentary History Volume II*, Appendix, 1380.

¹¹⁶ Rabb was also working on those issues mentioned in his memorandum to Adams, Eisenhower’s immigration issue and the desegregation of Washington D.C.

As of October 1953 Max Rabb conducted business with the greatest title he ever held—Secretary of the Cabinet—a title and position of unprecedented authority and reach. Henceforth, when Rabb worked on issues, negotiated outcomes, and brokered deals, he did so as the Cabinet Secretary. He was no longer a compartmentalized unofficial minority rights advisor, Assistant to the Assistant to the President or Associate Counsel to the President. From that point on, the fact that Rabb was asking for something meant that he represented the whole Cabinet. This was how Max Rabb ushered in two revolutionary periods of change in the Eisenhower Administration. Through the skillful and deliberate use of his new office Rabb was able to score victory after victory not just for minority groups but for all Americans. No one appreciated his work more than Eisenhower, on whose behalf he was tallying victories.

By completing the desegregation of the military Eisenhower preempted social change. Inasmuch as the military is part of the Federal Government, desegregation in the military also triggered massive reforms within the government. Desegregating the whole military establishment including schools, VA hospitals, and naval shipyards, led to a natural and gradual transition into other federal areas of jurisdiction, like Washington D.C. Max Rabb's work as Eisenhower's anointed proxy was essential to completing this vital work. Of his contributions Eisenhower wrote, "Thereupon, at my personal request, Max Rabb set about to track down any inconsistencies of this sort in the rest of the departments and agencies of the government."¹¹⁷

¹¹⁷ Eisenhower, 235.

CHAPTER 2 - Organizing the Organizations of Government

Max Rabb Brings Order to the White House

In contrast to the all-in-one role of messenger, enforcer, and proxy that Max Rabb played in desegregating the military, Rabb's participation within the Eisenhower White House was chiefly as an organizational leader. In this role Rabb's ability to exert influence became more direct as he acted less as a proxy and more as an executive. This is not to suggest that Rabb was an executive or that he invoked the President's authority but rather that he became more of a director of action than an action officer himself. Though he never abandoned the latter method, the former indicates a greater range of skills that allowed him to address more issues through the work of others. Rabb's ability to influence others was enhanced by his new role as Secretary to the Cabinet, which gave him access to all the issues of the government and all the policy makers in the Executive branch. Although only his Secretariat reported directly to him, Rabb, nonetheless, was able to influence many of the organizations within the White House to advance minority rights. This chapter will examine how Max Rabb channeled his energy into directing others and creating organizations through which he could access the power of the White House and the whole Eisenhower administration to advance the cause of civil rights. The result was a record of organizational achievements for progress in race relations and civil rights.

The first year of the Eisenhower administration was a time of great change within the White House. Cabinet members had to be carefully scrutinized and confirmed. Gabriel Hauge, a trusted advisor to Eisenhower, first recognized the need to quickly organize the procedures of the

Cabinet and the White House Staff. Additionally, Hauge recommended that one staff member should be dedicated to organizing the future Presidential records for archival purposes.¹¹⁸ All the staff members and White House personnel set about trying to define their roles in the new administration and adapt to the President's style. Sherman Adams recounted the chaos of the early days. He wrote that the staff was largely composed of those loyal and veteran members of the Eisenhower campaign who worked out of Denver and in the Commodore Hotel, New York City, after the election. What was less clear were the "designations of titles and terms of reference as to what their duties were going to be."¹¹⁹ The new and growing staff lacked office space. Adams described the need for space as "insurmountable." The White House was overrun with requests for patronage from the Republican Party.¹²⁰ Rabb was given the "special duty of acting as trouble shooter on...minority problems" early in the administration, but there were no established relationships, offices, ranks, or lines of authority through which to work.¹²¹ As a dutiful member of the staff, Rabb set out to establish clear lines of authority, defining how the staff would relate to each other. In some cases creating these organizations and relationships within the Eisenhower government proved vital and indispensable to Rabb's "extra duty" as the civil rights and minority problems trouble shooter. In other cases these organizations were the natural result of maturation within the White House Staff and Presidential Administration. In either case Rabb served in these organizations—creating and shaping some himself—because of his work in race relations and civil rights. Without them Rabb would forever be the lone

¹¹⁸ Memorandum, Administrative Assistant Gabriel Hauge, to Sherman Adams, 13 July 1953; Memorandum Hauge to Adams, 14 January 1953, in Branyan and Larsen, *Documentary History Volume I*, 55-59.

¹¹⁹ Sherman Adams interview, #2 of 4, April 11 1967, COHP, OH-162, p.137, DDEL. Hereafter cited as OH-162, DDEL.

¹²⁰ Adams, 76, 79, 83.

¹²¹ Adams, 335.

operator who took on Adam Clayton Powell, the Navy and VA, but have no reach beyond his own personal presence.

Max Rabb's employment history within the White House was complicated and nuanced. No matter what capacity Rabb acted in the one constant for Rabb was that his immediate boss in the White House was Sherman Adams. Adams recalled that Rabb came to the White House from the onset of the Eisenhower Administration "to serve originally as my assistant, specializing in minority group problems."¹²² Rabb's account agreed with Adams on one of the two points. Rabb said he served as an assistant to Adams, but that he did not concentrate on civil rights. Rabb further said that he was simultaneously Eisenhower's Associate General Counsel.¹²³ Eisenhower corroborated Rabb's assertion that he was his counsel—a fact not mentioned by Adams—and also verified Adams claim that Rabb worked on minority rights. Eisenhower wrote, referring to the integration of the federal government, that his "Associate Counsel, Max Rabb," informed him "that some government agencies were neglecting their duties." He further wrote that Rabb "also served as Special Assistant in charge of minority affairs."¹²⁴ Rabb never denied working minority affairs, or civil rights, but he claimed that he was not brought into the administration to work on these problems. Yet, Adams and Eisenhower seem to remember him most for this and less for principal duty as Secretary of the Cabinet.

Of the different duties Rabb had, Secretary to the Cabinet was the last duty he assumed—in October 1953. This may be why he is least remembered for this role. The gap of understanding in Rabb's roles was further widened and complicated once he became the Cabinet Secretary. Eisenhower said he assigned Rabb "an additional duty, as the Staff Secretary for the

¹²² Adams, 54.

¹²³ Rabb interview, OH-265, pp. 2-3.

¹²⁴ Eisenhower, 235.

Cabinet.”¹²⁵ Eisenhower’s statement does not lend importance to the historical and unprecedented new title and role he bestowed on Rabb. What was to Eisenhower “an additional duty” was to Rabb “more than full time job.” Rabb also recalled that “whatever I did on civil rights was, to be sure, a tremendous additional burden on my time.”¹²⁶ Eisenhower seemed to put the Secretariat on par with Rabb’s unofficial duty—that of minority rights advisor. To further complicate Rabb’s role in the White House was the fact that Sherman Adams’ office, White House Chief of Staff, assumed the level of a Cabinet level department under Eisenhower. Inasmuch as Rabb was his assistant, Rabb, too, could then be considered an “Undersecretary” or “Assistant Secretary.” Furthermore, even though Adams was his superior, Rabb’s office—at least in theory—could assign Adams’ office the same types of tasks that he could assign the other departments and agencies. Though complicated and highly nuanced all these roles actually served to enhance Rabb’s reputation rather than confuse the situation. They ultimately prove his incredible versatility and the wide range of problems he could solve.

Max Rabb and the Appointment Committee

President Eisenhower’s time was the first concern of the different staffs within the White House.¹²⁷ Sherman Adams created the President’s Appointment Committee, more commonly known as the “calendar committee,” to budget Eisenhower’s time and prioritize his requirements. Adams appointed Rabb to serve on this committee along with several other primary staff members such as James Hagerty, the Press Secretary.¹²⁸ The committee’s main task was to

¹²⁵ Eisenhower, 118.

¹²⁶ Rabb interview, OH-265, p.5.

¹²⁷ There were at least two staffs in the White House and its adjacent office building; one which controlled daily affairs, Cabinet matters, appointments and the general well being of the White House—The White House Staff—directed by Sherman Adams. The Staff Secretariat concerned itself primarily with coordinating all national security matters, and was directed by General Paul Carroll and later, upon his death, General Andrew Goodpaster. Sometimes both staffs are referred to as the White House Staff.

¹²⁸ Adams interview, OH-162, p. 140, DDEL

balance all of the President's potential appearances in and outside of the White House and respond to the thousands of requests for appointment and visits.¹²⁹ John Foster Dulles, the Secretary of State, decided when and where the President would make foreign trips, but the Appointment Committee tracked those items so as to avoid conflicts in the schedule. Rabb did triple duty on this committee because of three of his roles in the administration—assistant to Adams, Cabinet Secretary and minority rights advisor. Rabb's overlapping responsibilities on this committee made one of the greatest moments in civil rights history possible.

Max Rabb's herculean effort to bring about President Eisenhower's historic meeting of June 23, 1958, with the most prominent black leaders of the day is an example of how he used the organizations within the White House to advance civil rights. E. Frederic Morrow began suggesting the idea to Rabb as early as early January of 1955.¹³⁰ Morrow began steadily petitioning Rabb for a meeting after the murder of Emmett Till, when the black community in the South was besieged by a wave of terror.¹³¹ Till's murder in many ways signaled a change in the behavior of the black community, which was to peak in the next decade. From that moment on, blacks refused to be passive and patience was out of the question. Morrow warned Rabb of "visible indications that [they were] on the verge of a dangerous racial conflagration in the South." Morrow believed that even a meeting with just Adams or the Vice-President could

¹²⁹ Adams recalled that the President began demanding drafts of proposed comments from those who recommended that he make appearances at special events. Thereafter, Rabb and the other staff members submitted proposed speeches for appearances they recommended he make in Adams interview, OH-162, pp. 206-209, DDEL.

¹³⁰ Memorandum, Morrow to Rabb, 6 January 1955, Folder 1, Box 35, Rabb papers, DDEL.

¹³¹ See http://en.wikipedia.org/wiki/Emmett_Till. Emmett Till was 14 year-old boy from Chicago, who was kidnapped, tortured, murdered and cast into a river for whistling at a white woman in Mississippi in August of 1955. His killers were caught, tried and found not guilty. Knowing they could not be retried, the killers later gave candid interviews about the murder. They took full responsibility for the crime and showed no remorse for their heinous actions. The horrible nature of the crime and ease with which the white criminals were acquitted shocked many Americans, black and white, and made headlines across the world.

suffice.¹³² Morrow suggested the idea again in April 1956, when a similar group petitioned for a meeting to discuss resistance to integrating public schools. It was dismissed at the time but Rabb was convinced it was a good idea and tried to arrange a meeting in August—to no avail.¹³³ Morrow thought it was of utmost importance for the black community to see some sign from the White House that it was concerned about increasingly strained race relations in the South.

Morrow and Rabb tried selling the meeting to the staff by arguing that it was in the interest of the Republican Party to reach out to blacks. Morrow wrote “that the White House has consistently turned down any suggestions by Max and me that a meeting of whites and Negroes be held under the auspices of the White House to discuss the problem.” Rabb even tried to make the meeting seem less frightening to those who opposed it by making it a meeting of Southern educators, white and black, instead of civil rights leaders.¹³⁴ However, 1956 was an election year and Eisenhower was not going to risk any political catastrophes by having a meeting that would certainly alienate an already troubled Southern base of support.

Eisenhower was safely reelected in 1956, and in 1957 Rabb remained undeterred in seeking to arrange the meeting. He knew however, that the timing had to be precise. Through pure coincidence, on 5 March 1957, Martin Luther King Jr., encountered Vice-President Nixon in Ghana, Africa—both were there attending a ceremony to observe its newly awarded independence. Nixon invited King to meet with him in Washington.¹³⁵ The press widely reported the encounter. Rabb immediately sought to capitalize on the news item by advising James Hagerty, the White House Press Secretary. Rabb told him that, if the President were

¹³² Memorandum, Morrow to Rabb, 29 November 1955, Civil Rights-Official Memorandum 1960-1957, Box 10, Morrow Papers, Staff Files, DDEL.

¹³³ E. Frederic Morrow, *Black Man in the White House* (New York: Van Rees Press, 1963), 63, 83.

¹³⁴ Morrow, 93.

¹³⁵ Thomas Borstelmann, *The Cold War and The Color Line: American Race Relations in the Global Arena* (Cambridge, Massachusetts: Harvard University Press, 2001), 121; and Morrow, 133.

asked about Nixon's invitation to King to discuss "race problems in the South," he "should express pleasure that this conference will take place." Rabb also advised Hagerty that William Rogers of the Department of Justice concurred with him.¹³⁶

While Rabb and Morrow continued working on a meeting with the President, black leaders decided to plan a march on Washington in May 1957. It was apparent to them that the President was neither going to receive them nor speak out on the deplorable conditions in the South.¹³⁷ Martin Luther King, Jr., A. Philip Randolph and Roy Wilkins of the NAACP invited Adam Clayton Powell to a planning session in early April.¹³⁸ Rabb wrote Adams telling him that he had arranged for Powell to let him know what happened at the meeting. Powell shared the same concerns as Rabb. Both feared that the march could spoil Eisenhower's chances of getting civil rights legislation through Congress. Rabb also conferred with Clarence Mitchell, Legislative Director for the NAACP, who agreed that the Civil Rights Bill should not be jeopardized. Mitchell told Rabb that the black leaders "would not concentrate their fire on the Executive."¹³⁹ This promise greatly pleased Rabb and Adams, who knew that many moderate whites were beginning to feel, by this time, that black leaders were just asking too much too soon and that their behavior amounted to ingratitude.¹⁴⁰ Rabb and Adams feared also feared that direct criticism of the President might numb him to their causes. The frequency of

¹³⁶ Memorandum, Rabb to Hagerty, 6 March 1957, OF-142-A Negro Matters-Colored Questions (4), Box 731, Official File, DDERAP, DDEL.

¹³⁷ Kasey S. Pipes, *Ike's Final Battle: The Road to Little Rock and the Challenge of Equality* (Los Angeles: World Ahead Publishing, 2007), 206.

¹³⁸ Haygood, 226.

¹³⁹ Memorandum, Rabb to Adams, 2 April 1957, OF-142-A Negro Matters-Colored Questions (4), Box 731, Official File, DDERAP, DDEL.

¹⁴⁰ Morrow expressed these sentiments best to Sherman Adams. He wrote: "Undoubtedly, the present administration has done more to raise the status of the Negro to first-class citizen than any other... in American history. Any non-Negro would expect evidence of extreme gratitude on the part of the Negro race, but the average Negro feels that he has merely come into something that should have been his at the dawn of the Republic...he feels no extreme obligation to anyone for giving him what he believes to be his unalienable rights." Memorandum, Morrow to Adams, 16 December 1955, Civil Rights-Official Memorandum 1960-1957, Box 10, Morrow Papers, Staff Files, DDEL.

correspondence between Rabb and Adams indicated the concern both men had about the potential damage this could have on American race relations. Adams ordered Rabb to closely monitor any developments in this case. Rabb informed him that Powell and Mitchell would work together “to keep the meeting under control,” but Powell was fearful that King would still march on Washington.¹⁴¹ The willingness of Powell and Mitchell to help Rabb is a great example of the influence and credibility that Rabb had with them.

Rabb, Mitchell and Powell were successful in their fight to reduce the profile of the more frustrated black leaders who wanted a visit with the President or some presidential statement regarding the awful situation in the South. The attendees of the April 5 meeting agreed to forego the march, instead, they would observe the third anniversary of the Supreme Court’s May 17, 1954, landmark *Brown* decision. Rabb really felt as if they had avoided disaster. He told Adams that the meeting “held considerable danger” and that the administration had “too firm a hold on the friendship of Negroes to risk the damaging effects of a spectacular effort designed to criticize the President.” Rabb further informed Adams that Powell and Mitchell had changed the character of the proposed march into an observance to commemorate the anniversary of the *Brown* decision through prayer. Rabb was assured that the President would “not be adversely affected.” Despite these assurances Rabb remained nervous about the possibility that this could turn into a demonstration of black anger and frustration. Rabb worried that the observance might even be infiltrated by opportunistic communists. He even suggested rescheduling the Cabinet meeting so that the Cabinet Secretaries could make themselves unavailable to appointment seekers, which they could not do if it were known that they were in town.¹⁴² He promised

¹⁴¹ Memorandum, Rabb to Adams, 3 April 1957, OF-142-A Negro Matters-Colored Questions (4), Box 731, Official File, DDERAP, DDEL.

¹⁴² Memorandum, Rabb to Mr. Toner, 16 May 1957; Memorandum, Rabb to Adams, 8 May 1957, both in 124-A-1 1957 (2), Box 912, General File, DDERAP, DDEL.

Adams that he would closely monitor the situation and remain in constant contact with his team of allied black leaders.¹⁴³ Even members of the Department of Justice agreed that the President should break his silence and make a plea to Congress to support his pending legislation and to denounce the violence in the South.¹⁴⁴ Eisenhower made no such address.

Rabb continued to float “trial balloons” with the staff during that summer in order to arrange a meeting but the timing was never right. Congress was pruning the President’s budget in May, and therefore a meeting was out of the questions until that storm passed.¹⁴⁵ King had requested an appointment in May and fellow staff members asked Rabb to deal with King. Rabb called him personally to tell him that the President had agreed to see him in the future, once Congress was adjourned and the civil rights bill was safely out of the way. Rabb also explained to King that his presence would prompt Southern governors and attorneys general to seek an appointment with the President. King agreed to not to press the issue and would wait to hear from Rabb in the near future.¹⁴⁶ In June Herbert Brownell and President Eisenhower began fighting a fierce battle in Congress over the President’s proposed civil rights legislation, and Eisenhower did not want to further antagonize its opponents. Rabb agreed with this logic and told Morrow emphatically that the “civil rights bill [was] the first priority and no excuse should be provided for pro-segregationists to postpone action on [it].” However, he kept steady pressure on Adams and the President hoping to nudge them forward and commit to a meeting.

Rabb also reminded Morrow of another hurdle. This type of meeting was fundamentally at odds with Eisenhower’s concept of balance. Rabb argued that to privilege black leaders with

¹⁴³ Memorandum, Rabb to Adams, 17 April 1957, OF-142-A Negro Matters-Colored Questions (4), Box 731, Official File, DDERAP, DDEL.

¹⁴⁴ Memorandum, Warren Olney, Assistant Attorney General, to Rabb, 15 April 1957, OF-142-A Negro Matters-Colored Questions (4), Box 731, Official File, DDERAP, DDEL.

¹⁴⁵ Morrow, 160.

¹⁴⁶ Memorandum, Bernard Shanley to Rabb, 17 May 1957; Memorandum, Rabb to Bernard Shanley, 23 May 1957; Memorandum For Files, Rabb, 23 May 1957, all in 124-A-1 1957 (2), Box 912, General File, DDERAP, DDEL.

such a meeting would require the White House to entertain requests from Southern governors or attorneys general and from a whole gamut of hyphenated American ethnic groups as well. Rabb also advised Morrow that the administration had serious concerns about not being able to control what these black leaders would say in public after their meeting with the President. They were especially concerned about them directly quoting the President. Despite all this, Rabb was hopeful that they would have the meeting after Congress adjourned. Presumably he meant in the summer, when the civil rights bill was out of the way.¹⁴⁷ Rabb in no way wanted to threaten the bill, but knew that the black leaders might begin to question the sincerity of the administration due to the meeting being delayed.¹⁴⁸

These concerns however, did not preclude Nixon from meeting with King as he had promised. Vice-President Nixon informed Rabb in May that he had scheduled a meeting with King in June and that it would not be announced publicly until later.¹⁴⁹ Nixon and King met on June 13 at the Capitol. Since the Eisenhower Administration would not speak out against the South, Nixon suggested that King testify before the President's Committee on Government Contracts—of which he was the chairman and Rabb was an ex-officio member.¹⁵⁰ No doubt this approach greatly appealed to Rabb, who wanted the black leaders to know that the Eisenhower Administration cared about them and yet wanted to protect Eisenhower's legislation in Congress. It is very possible that Rabb suggested this approach to Nixon. Rabb reported to Adams that Nixon offered to take the Contracts Committee to a city in the South, New Orleans or Atlanta, where King could address it, but that Nixon had rejected making an open statement about the

¹⁴⁷ Memorandum, Rabb to Morrow, 25 June 1957, Inter-Racial Affairs Correspondence and Materials 1958-1957, Box 10, Morrow Papers, Staff Files, DDEL.

¹⁴⁸ Rabb had arranged a presentation to the Cabinet by AG Brownell and FBI Director J. Edgar Hoover on the civil rights bill and the status of violence and racial tension in the South respectively. He knew full well the extent of the atrocities befalling blacks in the South and the importance of the civil rights bill.

¹⁴⁹ Note, S.W. to Rabb, 21 May 1957, 124-A-1 1957 (2), Box 912, General File, DDERAP, DDEL.

¹⁵⁰ Pipes, 208.

South.¹⁵¹ The day after this communication, Rabb forwarded to Adams a file on A. Philip Randolph, who had written to the White House on June 10 requesting an audience with the President for himself and fifteen other black leaders. Rabb informed Adam's secretary that the Calendar Committee had "given sympathetic consideration to having the President see either 2 or 3 of the leaders" recommended by Randolph and that Randolph and King were going to be two of those seen.¹⁵²

Just before King met with Nixon, Morrow wrote to Adams to sum up how black Americans felt about the President not granting King, Randolph and others an audience. He told Adams that presently blacks felt "deserted" because he refused to meet with these acknowledged leaders, adding that the President's seeing them would greatly boost the morale of all blacks. He offered Adams his services and promised to work with Rabb if the President consented to see the black leaders.¹⁵³ Rabb wrote to Adams the very next day and concurred with Morrow's recommendation that the President grant them an appointment—after Congress adjourned or the bill was out of danger. He added that he had personally convinced King (and Morrow) that waiting was the best strategy and that King had "agreed to be patient."¹⁵⁴ In exchange for his patience it is very likely that Rabb suggested to Nixon that he pitch King the invitation to testify to the Contracts Committee when they met the next week.

One of Rabb's greatest traits was his loyalty to the President. Rabb may or may not have agreed with Eisenhower's views on maintaining balance and not privileging one group over another, but the fact is that Rabb enforced the President's views. In July, Reverend King

¹⁵¹ Memorandum, Rabb to Adams, 24 June 1957, 124-A-1 1957 (2), Box 912, General File, DDERAP, DDEL.

¹⁵² Memorandum, Rabb, not written to anyone, perhaps just for record, 20 June 1957; Memorandum, Rabb to Helen Colle, 25 June 1957; both in 124-A-1 1957 (2), Box 912, General File, DDERAP, DDEL.

¹⁵³ Memorandum, Morrow to Adams, 4 June 1957, OF-142-A Negro Matters-Colored Questions (5), Box 731, Official File, DDERAP, DDEL.

¹⁵⁴ Memorandum, Rabb to Adams, 5 June 1957, OF-142-A Negro Matters-Colored Questions (5), Box 731, Official File, DDERAP, DDEL.

cleverly requested an appointment with President Eisenhower to off-set the meeting that Georgia Senator Richard Russell, Jr., had had with Eisenhower. Rabb explained to King that Russell, in due course of executing his duties as a United States Senator, had a right to see the President and that it was not the same as seeing Southern governors or attorneys general. Rabb then flatly told King that his presence would actually hinder the administration.¹⁵⁵ In this Rabb may certainly have been right, as the legislation was still pending in Congress and was a matter of great debate. He was skillfully trying to time the meeting of black leaders with the President and not jeopardize the first piece of civil rights legislation since Reconstruction.

In late August, Congress passed the Civil Rights Act of 1957 and Eisenhower signed it in early September. The way was open for a meeting at the White House, until external forces intervened to divert the meeting. By late September 1957 the resistance to public school integration in Little Rock had reached crisis levels. Although heavily involved in the management of the Little Rock crisis, Rabb—along with Morrow—continued to plan a meeting. Morrow wrote to Adams to let him know he would contact Roy Wilkins of the NAACP to arrange the meeting. He expressed concern that there was no agenda, goal, or date set for the meeting.¹⁵⁶ Morrow did not have Rabb's authority to make decisions. In response to Morrow's questions, Rabb wrote to Adams that he had been meeting privately with Powell, Wilkins, and Jackie Robinson, the first black man to play in baseball's Major Leagues in the modern era. Rabb determined that Eisenhower should meet with King, Powell, Wilkins, Robinson and Randolph. Rabb even suggested to Adams that women be represented in the group. Rabb set the meeting for October 15, but they all agreed that it might be more prudent to have as much

¹⁵⁵ Memorandum, Rabb to Morrow, 13 July 1957, Civil Rights-Official Memorandum 1960-1957, Box 10, Morrow Papers, Staff Files, DDEL

¹⁵⁶ Memorandum, Morrow to Adams, 12 September 1957, OF-142-A Negro Matters-Colored Questions (5), Box 731, Official File, DDERAP, DDEL.

separation from the Little Rock crisis as possible. The crisis had peaked in late September. Rabb proposed a quid-pro-quo agenda for the meeting, in which the black leaders would request the appointment of a Civil Rights Commission in return for their help coordinating what Rabb called “a calm and orderly approach to the integration problem.”¹⁵⁷ Then the Soviet Union launched Sputnik into orbit right on the heels of Little Rock, causing panic in the West and consuming Eisenhower’s full attention and energy. Suddenly, a fatigued and over-burdened Eisenhower fell victim to the rigors of the Presidency and had a stroke in late November.

In winter 1958 Rabb continued to pressure Adams and other trusted members of the staff to hold the meeting. In February, Rabb’s frustration became evident in his writing. He no longer sounded as optimistic as previously. In one response to the President’s appointment secretary on how to address a request from black leaders for a meeting, Rabb said that it “depends entirely on settling a policy question; do we give the appointment to the Negro leaders on which we are committed?” Rabb told him that the Calendar Committee must decide one way or the other.¹⁵⁸ In March, exhausting every possible way to get the President to meet with black leaders, Rabb even suggested that Eisenhower might meet with Negro publishers—who had requested an appointment in May—in lieu of King and the others. Far from trying to give the President an out, Rabb had evidently come to the realization that Eisenhower was very disinclined to meet with King, Randolph and others, and believed *a* meeting, was better than *no* meeting.¹⁵⁹

¹⁵⁷ Memorandum, Rabb to Adams, 27 September 1957, OF-142-A Negro Matters-Colored Questions (5), Box 731, Official File, DDERAP, DDEL. Rabb decided not to include Thurgood Marshall because that would over represent the NAACP. Rabb recommended that Mrs. Irene McCoy Gaines, President of the National Association of Colored Women, a Republican, and strong supporter of Eisenhower attend the meeting.

¹⁵⁸ Memorandum, Rabb to Bob Gray, 22 February 1958, OF 142-A-Negro-Matters Colored Questions (6), Box 731, Official File, DDERAP, DDEL.

¹⁵⁹ Memorandum, Rabb to Tom Stephens, 25 March 1958, OF 142-A-Negro-Matters Colored Questions (6), Box 731, Official File, DDERAP, DDEL. Tom Stephens had replaced Bob Gray as Eisenhower’s appointment secretary.

Rabb's records clearly demonstrate his support for a meeting between Eisenhower and some of the black leaders of the nation. He carefully managed the whole process and tried to balance all the competing requirements. Even Rabb's influence had its limits, however, and he was not able to bring a meeting about during his tenure despite nearly two and half years of work on it. All the while he was nudging and gently pushing the White House to make good on its commitment.

Max Rabb resigned from the Eisenhower Administration in May 1958. His successor in minority affairs, Rocco Siciliano, noticed how frequent the requests for a meeting had been as he went through Rabb's files. He asked Adams if he could finish what Rabb had started, and Adams told him to plan the meeting. Siciliano called King, who readily agreed, and scheduled a "trial run" meeting on June 9. Once there King assured those gathered that the most important thing about the meeting, was the meeting itself, a point that Rabb and Morrow had continually underscored.¹⁶⁰ On June 23, Reverend Martin Luther King Jr., Lester Granger, A Philip Randolph, and Roy Wilkins met with President Eisenhower and Attorney General William Rogers. The President and Attorney General listened to each man as each man spoke the words he had been waiting to deliver for over two years. At the conclusion of the meeting—contrary to the fears of some on the White House staff—each man gave the press a glowing review of the President.

Max Rabb and the Equality Committee

Max Rabb was always concerned with public perceptions of the president's performance of his duties, especially in the area of civil rights. To better gauge this he directed a group that called itself the Equality Committee. It had no formal authority or charter. It was in actuality

¹⁶⁰ Pipes, 264.

just an ad hoc gathering of concerned Eisenhower men. It is not clear whose idea it was to form the group. Rabb said it was either Val Washington of the RNC or E. Frederic Morrow who suggested the idea.¹⁶¹ Sherman Adams—who was very sympathetic to civil rights—claimed that Rabb organized and led the group on his behalf, but he referred to it as the “kitchen cabinet.”¹⁶² The group was composed of the top black members of the Eisenhower administration and Republican Party in Washington. Rabb was its only non-black member. They discussed those issues most important to the black community and how the administration could address them. Rabb called their meetings “concerned check[s] on how things were going” and remembered them as generally very positive. The group had no formal authority and thus could not recommend change but it allowed Rabb a chance to hear for himself the concerns of the black community. Informally, it gave him direct access to a different and underrepresented point of view in the White House. Although they lacked any formal authority, the advice they passed to Rabb was in turn forwarded to Adams and other members of the staff and party. They also discussed current events and future civil rights initiatives.¹⁶³

Morrow recalled one meeting which Rabb called on December 19, 1955, as the administration was dealing with the aftermath of the killing of Emmett Till. Morrow recalled that Rabb was under intense pressure from “factions within the administration” for insisting that the President mention the mob violence in Mississippi in his state of the union address. The group unanimously agreed that the Republicans were missing an opportunity to take a moral stand on civil rights in this case. No one in the party or White House had deplored the murder of Till, or the violence that followed, or the economic sanctions taken against blacks who protested

¹⁶¹ Rabb interview, OH-265, p. 29 DDEL.

¹⁶² Adams interview, OH-162, p. 140, DDEL.

¹⁶³ Rabb interview, OH-265, pp. 29-31.

the whole affair. Ironically, Morrow said they intended to have more meetings such as these but wanted to keep them and the matters they discussed secret so as not to be labeled as a “kitchen cabinet” or “negro spokesmen.”¹⁶⁴

Another member of the committee and member of the Executive Staff within HEW, Joseph Douglas, wrote Rabb a detailed memorandum. He included an analysis suggesting why the party had failed to win over black voters despite a good and growing record in the civil rights field. He wrote that “the administration moves quietly but solidly...this is commendable [however] some horn blowing is necessary.” He further advised that the party would benefit from a stronger stance on civil rights from President Eisenhower, especially in the State of the Union address or some special address to the Congress. He also suggested the use of more black speakers, and urged the administration to both initiate civil rights legislation and to rebut immediately any criticism of its record rather than remain silent.¹⁶⁵ Rabb certainly forwarded these ideas, suggestions, and concerns to Adams, who had requested that Rabb and his committee explore this question.¹⁶⁶ Though informal and without its own authority there is evidence that Rabb’s committee was able to influence the President. Adams later wrote that President Eisenhower “took a bolder step than many of his close counselors deemed advisable when he asked Congress to establish a Civil Rights Commission.” The commission would investigate “unwarranted economic pressure” being placed on blacks and charges that blacks

¹⁶⁴ Morrow, 29-31. Stores in the South had cut credit off to blacks, who generally paid their food bills weekly, in order to starve them out. Val Washington, Director of Minority Affairs; RNC, J. Earnest Wilkins, Assistant Secretary of Labor; Samuel Pierce, Assistant to the Undersecretary of Labor; Joseph Douglass, A staff member in the office of the Secretary of HEW; E. Frederic Morrow, Administrative Officer of Special Projects; and Scovel Richardson, Chairman of the Federal Parole Board were members of the Equality Committee. All this information is also found in the given citation. There is no evidence of any of the members called this group a kitchen cabinet.

¹⁶⁵ Memorandum, Joseph H. Douglass, Special Representative of the Secretary HEW, to Rabb, 22 December 1955, Civil Rights Committee, Folder 7, Box 27, Max Rabb Papers, DDEL.

¹⁶⁶ Nichols, 120.

were being deprived of their right to vote.¹⁶⁷ These were some of the very suggestions that Douglas had made to Rabb and though they reflected a very common sentiment in the black community, it was Rabb who gave them greater credibility.

Max Rabb the First Cabinet Secretary

Max Rabb's primary duty in the White House after October 1953 was serving as the Secretary to the Cabinet. The creation of the Cabinet Secretariat was a direct result of Eisenhower's perception that the previous two presidents had mismanaged their Cabinets. Eisenhower had attended cabinet meetings during Truman's presidency and was thoroughly unimpressed. He believed those meetings were uncoordinated, haphazard and fostered an organizational climate that made cohesion impossible. He further believed that the embarrassing public rivalries that erupted between cabinet members under Truman were the natural result of this poorly managed organization.¹⁶⁸ Eisenhower laid out his plan in a post-election and pre-inaugural meeting at which were gathered many future members of the Cabinet and White House staff. He told those assembled that he was going to have all the major questions of domestic policy laid in front of him and did not want anyone delivering an *ex parte* presentation to him.¹⁶⁹

Eisenhower wanted his cabinet members to come prepared to deliver thoughtful and honest insight and dispense timely advice to him in order to help him make administration policy. This required not only active but systematic management. In order to handle these requirements he created the Cabinet Secretariat and named Rabb its first secretary. Eisenhower

¹⁶⁷ Adams, 335.

¹⁶⁸ Donovan, 67.

¹⁶⁹ Kenneth W. Thompson ed., *Portraits of American Presidents Volume III: The Eisenhower Presidency, Eleven Intimate Perspectives of Dwight D. Eisenhower* (New York: University Press of America, 1984), 123.

was very impressed with the amount of work that Rabb could manage and the diversity of topics that he deftly handled.¹⁷⁰

It was left entirely to Rabb to develop this new office.¹⁷¹ Rabb defined its process and established and implemented new forms of communication to support the President. Rabb managed the affairs of the Cabinet in three phases that were largely dictated by timing and the President's desires. In order, these phases were: development of the agenda, pre-meeting coordination, and post-meeting follow-up. The actual Cabinet meetings were not themselves labor-intensive and were guided largely by the President himself. These were not neatly contained phases that ended before the next meeting cycle began. Many times issues from meetings took weeks and months to resolve or weeks and months to develop for future meetings.

The most important duty of the secretary was to suggest and develop topics for the agenda. Max Rabb, and his assistant Bradley Patterson, suggested potential topics and broached them with Sherman Adams. If he approved them then the President would have the final word.¹⁷² Making these suggestions required that Rabb keep well abreast of domestic politics and foreign affairs. Researching possible agenda topics for the Cabinet required Rabb to become familiar with nearly every domestic policy issue and many foreign policy issues so that the President and the Cabinet could stay ahead of them.

The office the Secretary of the Cabinet, if not the actual secretary, had great potential to shape the collective thinking and actions of the departments. Patterson recalled that many times it took forceful persuasion to get departments to discuss certain topics as they "were indisposed to hasten to suggest items for discussion." It was left to Rabb "to dig, wheedle, persuade and

¹⁷⁰ Eisenhower, 118.

¹⁷¹ Larson, 26. Arthur Larson, wrote that "The post of Cabinet Secretary was created and was ably administered by Maxwell Rabb."

¹⁷² Thompson, 76.

finesse cabinet members to bring to the common table what were clearly common matters, but which [the departments] would much prefer to bring privately to the Oval Office.” According to Patterson, not once in Rabb’s tenure as Cabinet Secretary did Eisenhower ever complain that an item proposed for discussion was one that he did not want to discuss at a meeting.¹⁷³ Rabb also said that the advantages of a secretariat included avoiding repetition and exposing topics for wider discussion that might otherwise have been avoided for various reasons by the departments.¹⁷⁴

Once agendas were approved Rabb and his staff began pre-meeting coordination. They had to ensure that any work associated with developing any of the topics was assigned to the appropriate department or agency. As the secretary, Rabb tasked the Cabinet departments to come prepared to deliver talking points and brief position papers on topics of presidential interest. Even if reticent, they knew he was fully backed by the President and therefore complied.¹⁷⁵ Rabb was however a fair man, and if a department needed more time to develop a position he was able to help them, unless the President really wanted to hear from them. Once Rabb’s office received these papers, they were distributed along with the agenda well in advance of the usual Friday morning meetings. This way the Cabinet members arrived forewarned and ready to deliver considered commentary and have the productive and substantive discussions that Eisenhower wanted.¹⁷⁶

¹⁷³Fred I. Greenstein, *The Hidden-Hand Presidency: Eisenhower as Leader* (Baltimore: The Johns Hopkins University Press, 1982), 114-117.

¹⁷⁴Rabb interview, OH-479, p. 2. Some Cabinet member relished the chance to showcase the work of their departments. Arthur Larson, Director of the United States Information Agency (USIA), wrote that these presentations were in fact opportunities. Larson, 26.

¹⁷⁵Greenstein, 114.

¹⁷⁶Donovan, 66.

At the behest of Ezra Taft Benson, Secretary of Agriculture, it became the convention to open each meeting with a silent prayer.¹⁷⁷ Once the meetings began, Rabb's staff kept a written record complete with attendance rosters and notes capturing the general arc of a conversation or thread.¹⁷⁸ Many times Eisenhower had already made up his mind about certain topics and used the time to educate his secretaries at these meetings. Benson said that the President did not dominate the discussions but led them. And in those rare moments when participants were not forthcoming Eisenhower would ask his Cabinet Secretaries direct questions to incite discussion.¹⁷⁹ The focus of many meetings was to solidify the administration team rather than to seek alternatives, but Eisenhower was open to persuasion.¹⁸⁰ Once a presentation was concluded, Eisenhower might tell everyone present that they were to adopt those points of view and speak about them and sell them as their own, even if they had no apparent vested interest in the topic or program.¹⁸¹ Often, cabinet members appreciated being privy to high-level information outside of their departmental domains, which fostered a sense of cohesion among the cabinet members, giving them further incentive to support the administration's positions.¹⁸² Arthur Larson wrote, "thus we not only were kept systematically briefed on events of the day, but over a period of time came to know in some depth the plans and problems of our colleagues'

¹⁷⁷ Parmet, 176. One meeting opened up without a prayer and Max Rabb dutifully slipped the President a note to remind him that the convention had been overlooked. Eisenhower blurted out to all those at the table, "Oh, goddammit, we forgot the silent prayer." This vignette is also found in the given citation, the following is not. Ezra Taft Benson was one of the Mormon Church's Quorum of the Twelve Apostles, Adam, 65. He later became president of the Mormon Church.

¹⁷⁸ Rabb's staff was careful not to take verbatim notes or mention names because Rabb wanted to capture the general spirit of a meeting and encourage honest comments and that members not censor themselves for fear of being of being on record with an unpopular position. Furthermore Sherman Adams prohibited the practice of distributing verbatim notes at any of the staff meetings; Rabb was permitted only to distribute a summary of the meeting. Memorandum, Sherman Adams to the White House Staff, 20 August 1954, Branyan and Larsen, *Documentary History, Volume I*, 84.

¹⁷⁹ Ezra Taft Benson, *Cross Fire: Eight Years with Eisenhower* (New York: Doubleday 1962), 134.

¹⁸⁰ Greenstein, 114-115.

¹⁸¹ Donovan, 67 and Rabb interview, OH-479, p.10.

¹⁸² Greenstein, 116.

departments.”¹⁸³ Larson was describing in part one of Eisenhower’s expressed intentions—that his Cabinet members view themselves as general statesmen and not just defenders of their departments.¹⁸⁴ Rabb’s organizational efforts, in directing the thoughts of the members, were essential to the President’s goals of teaching and unifying his Cabinet.

The final phase began when the Cabinet meeting ended. The secretariat implemented any of the President’s decisions and generally tracked the requirements generated by Cabinet meetings.¹⁸⁵ To ensure accountability Rabb or someone else in the secretariat would meet with the sub-cabinet level action officers of each department—a so called “junior cabinet.” Many of these men were the assistant or deputy secretaries. At these meetings Rabb or his staff members handed out any requirements generated by the meeting so that each representative could take back their tasks and begin working on them.¹⁸⁶ The final management technique Rabb employed to ensure closure was a “scorecard” which tracked the number of outstanding or unresolved issues each department or agency had and their current status. No Cabinet member wanted to be singled out in front of the President or peers in this way, thus giving each greater impetus to complete their assigned tasks.¹⁸⁷

President Eisenhower not only demanded the creation of this structure to manage the affairs of the Cabinet. He also elevated other positions to Cabinet level rank and status. Those positions were the Ambassador to the United Nations, Director of Defense Mobilization, Budget Director, Director of Mutual Security, and one Presidential Special Assistant for each of the following: the White House Staff, Cold War psychological planning, and national security affairs. Eisenhower believed these positions to be critical in his government but their lack of

¹⁸³ Larson, 26.

¹⁸⁴ Greenstein, 116.

¹⁸⁵ Greenstein, 113.

¹⁸⁶ Donovan, 66 and Rabb interview, OH-479, p. 13.

¹⁸⁷ Rabb interview, OH-479, p. 14.

rank in previous administrations diminished the importance of their work and allowed the departments to relate to them on merely a clerical level.¹⁸⁸ Elevating these positions and functions was another indication of Eisenhower's integrated systemic approach to organization and problem solving. It fell on Rabb and his office to integrate them into the Cabinet structure.¹⁸⁹

Ultimate proof of the efficiency of this system was revealed in the wake of President Eisenhower's heart attack.¹⁹⁰ When Eisenhower fell ill in Denver, in September 1955, Vice-President Nixon, Sherman Adams, and others decided to hold a Cabinet meeting within a week of the heart attack—without an advance agenda—if just to prove to the world that the business of government would go on and ensure continuity in White House Staff and Cabinet operations.¹⁹¹ Nixon told every member of the Cabinet and staff that the greatest tribute they could pay to the President was to continue to serve as they had before his illness.

He also urged them to make public comments about President Eisenhower's skill in having formed an effective administrative machine. All these are indirect compliments to Max Rabb, whose primary job was the organization of the Cabinet and all its affairs. Sherman Adams worked out of Denver during the President's convalescence, while the Vice-President and the staff remained in the White House. During this time Rabb sent Eisenhower summaries of the Cabinet proceedings, which boosted his morale and gave him a great sense of continuity

¹⁸⁸ Adams, 61. In the order mentioned, these positions were first held by Henry Cabot Lodge, Jr., Arthur Flemming, Joseph Dodge, Harold Stassen, Sherman Adams, C.D. Jackson, and Robert Cutler.

¹⁸⁹ To better manage and control the requirements of the Cabinet, Rabb, Adams and the Staff Secretariat also implemented a series of official formats that prescribed how the staff would produce, track and circulate written materials. Built into these formats were controls on timeliness, routing, accountability, priority of work and other things to help close the action out. Memorandum, Sherman Adams to the White House Staff (Adams was addressing both staffs that resided in the White House—his and the Staff Secretariat), 20 August 1954, in Branyan and Larsen, *Documentary History, Volume I*, 72-89.

¹⁹⁰ Eisenhower was diagnosed with an anterior myocardial infarction.

¹⁹¹ Donovan, 368-372.

and participation.¹⁹² Much of the credit must go to Rabb not only for keeping Eisenhower informed but for what must have been an increased work load in the absence of his immediate boss. Sherman Adams remained on the phone constantly with the White House making every manner of arrangement to ensure that there was no break in the performance of the administration.

Everything about this position was new and Rabb had only theoretical models and staff studies to guide him in the management of cabinet affairs. Despite this, his performance was a brilliant and simultaneous act of leadership and creation. The importance of these organizations—official or unofficial—was that they were the only mechanisms of change that Rabb had access to within the Eisenhower White House. There were few pathways to exercise power in the early period of the administration, and virtually none for civil rights. As the Eisenhower Administration matured so too developed the opportunities to exercise authority and power—and this Max Rabb did.

When asked, years after his service in the Eisenhower Administration, if he had ever used his ability to set the agenda to promote civil rights he emphatically answered, no.¹⁹³ It is true that civil rights as an agenda item only appeared seven times during Rabb's tenure as secretary.¹⁹⁴ However, Rabb could and did use his influence in other ways and there is evidence that he did. Rabb was never officially designated as the race relations, civil rights or minority advisor.¹⁹⁵ That point is moot because Rabb did the work anyway. Rabb acted in different capacities as a member of the staff. Part of his staff identity was as a minority rights advisor, and this was inseparable from his other roles. What developed was a pattern of Max Rabb

¹⁹² Donovan, 374-382.

¹⁹³ Rabb interview, OH-479, p. 23.

¹⁹⁴ Finding Aid, *A Guide To Civil Rights Studies At the Dwight D. Eisenhower Library*, DDEL. The guide has no page numbers.

¹⁹⁵ Rabb interview, OH-265, p. 2.

influencing everyone in the White House from the President on down, perhaps not overtly in a Cabinet meeting but in his capacity as the Assistant to Sherman Adams or as Assistant Counsel to the President.

There is evidence that Rabb openly tried to influence the Eisenhower Administration through the agenda on at least one occasion. Just prior to the announcement of the unanimous Supreme Court decision in the *Brown* case in April 1954, Rabb tried to establish a committee that would proactively respond to the decision. He clearly anticipated that the decision would trigger complex problems and that various groups from Southern governors to civil rights groups would look to the White House for guidance. It is very likely that he or Bradley Patterson proposed the creation of the committee in a tentative agenda used at a planning meeting to set the Cabinet agenda. The item on the agenda read as follows:

President Eisenhower and his Administration should extend a sympathetic understanding of the problem which will be created in the Southern states and, more importantly, have ready about the time of such decision a constructive program that will assist them in rebuilding their public school systems. It is necessary to take some steps to avoid the appearance of an after-thought. The way this can be done is the establishment of a subcommittee to be prepared to go into action immediately to handle this matter. It is suggested that...Budget, HEW, Justice, Defense and the White House (Rabb) be appointed to it.¹⁹⁶

The same suggestion also appeared in another tentative agenda prepared for the same planning meeting. The essence of the suggestion remained intact but lacked the urgent justification set forth in the other tentative agenda. It is shorter and more consistent with Eisenhower's expressed preferences on the limits of federal involvement, and therefore may

¹⁹⁶ Tentative Agenda, sub-Cabinet Planning Board Meeting, 23 April 1954, reprinted in Young, *Documentary History*, 143-144. Rabb's name appears in parenthesis in the original, this was not added by the author.

have been a revised edition of the other draft. This tentative agenda suggested that, “when the Supreme Court hands down its decision, the Administration will look good if it is immediately announced that it is prepared to meet the federal aspects of this problem.” It also recommended the creation of a subcommittee but this suggested committee omitted two of the five agencies—that had been recommended in the other agenda. This tentative agenda did not recommend the inclusion of the Bureau of the Budget or of the White House—this left Rabb out of the group.¹⁹⁷

Since both documents are labeled “tentative agenda” and have the same date it is not clear which was discussed at the planning meeting. Nor is it clear who wrote the proposals, or which was authored first. Since the Cabinet Secretariat convened the planning meetings it is almost impossible that Rabb or Patterson (with Rabb’s approval) did not author one or both agendas. It is most likely that Rabb changed the longer first entry in order to make it more agreeable to the other members of the planning committee and ultimately to the President himself. The phrasing of the second agenda directly reflected Eisenhower’s campaign promises, promises with which Rabb was very familiar. Furthermore, Rabb, who by this time had submitted many agendas, presided over many meetings, and had already been heavily involved in civil rights, knew the mind of Eisenhower and how to work within his limits. Finally, Rabb so fully subscribed to Eisenhower’s “quiet” method that he may have stricken his own name from the proposed subcommittee but still intended to attend as an *ex officio*, in order to attract less attention to the subcommittee.¹⁹⁸ Despite Rabb’s intentions this committee was never created.

These two documents also mention another agenda topic and reflect, from the second to the first, the same changes as the previously mentioned proposed committee. Both mentioned

¹⁹⁷ Tentative Agenda, sub-Cabinet Planning Board Meeting, 23 April 1954, reprinted in Young, *Documentary History*, 142.

¹⁹⁸ There is strong evidence for this reasoning. Max Rabb’s name appears in nearly all of the minutes of the President’s Committee on Government Contracts as an *ex officio*. Minutes can be found in the Jacob Seidenberg Papers, DDEL.

that Rabb was on, yet, another committee with other White House staff members called the Organization for Inspection and Investigation. Both agendas mentioned that the organization had met several times to study a program that would “assure high standards of ethical conduct” in the Executive branch. The document also mentioned the occurrence of unnamed “disclosures” within one of the Executive branch agencies that highlighted the need for this organization to take action. Presumably the committee was to prevent the reoccurrence of these infractions and then make a presentation to the whole Cabinet.¹⁹⁹

Both agendas indicate Rabb’s willingness to serve the administration in different capacities and the increasing amount of responsibility he had. Even the in-house committees and groups not directly related to civil rights were important in his work in civil rights and race relations. Rabb’s service in these organizations reinforced his credibility and authority, increased his visibility in the White House, and was a sign of the trust and confidence that more important actors like Sherman Adams and the President had in Rabb.

In the strictest sense, Max Rabb the Cabinet Secretary did not advance civil rights, but Max Rabb the unofficial minority rights advisor did.²⁰⁰ Because he was never appointed to this position in writing or given the title or responsibility in any formal way, it was left up to him to

¹⁹⁹ Tentative Agenda, sub-Cabinet Planning Board Meeting, 23 April 1954, reprinted in Young, *Documentary History*, 142-144, this citation refers to both tentative agendas of the same date.

²⁰⁰ Although the examples of the overt use of his position as Secretary to the Cabinet to advance civil rights are not abundant, the matters spoken of in both “tentative agenda” documents and the two examples below, suggest that there are more, left unrecorded and unknown to posterity. Fred Morrow recalled a meeting with Rabb in which Rabb “outlined the difficulty he was having in trying to get prominent members of the White House Staff who are close to the President to go along with him on the matter of civil rights,” Morrow, 30. At a Cabinet meeting, in 1956, Attorney General Brownell commented that civil rights issues were the greatest issues in the social field faced by the nation in a long time. Rabb disagreed and said, “This is not just the biggest issue in the social field, it is the biggest issue of any kind in the United States today,” Adams, 336.

devise ways to implement change. Creating and serving on committees, groups and subcommittees was the best way to help initiate change.

The case of Max Rabb and the transformation of the Fair Employment Board is another example of Rabb using an organization to advance the cause of civil rights. The remade Fair Employment Board—like the Cabinet Secretariat—along with the board’s roles, responsibilities, and procedures were all defined by Rabb. It was another simultaneous act of organizational leadership and creation which prefigured Rabb’s role as the Cabinet Secretary and many of his later accomplishments. It is also another reason why Eisenhower believed Rabb capable enough to be the Cabinet Secretary. Despite Eisenhower’s aversion for heavy-handed committees he was not afraid to use his authority to enforce federal laws. Nor was he averse to creating committees that functioned within his sense of the proper role and limits of Presidential power and authority. Rabb carefully stayed within the President’s limits and was able to rescue the Fair Employment Board by remaking it to mirror Eisenhower’s political and personal preferences.

Max Rabb Remakes the Fair Employment Board

When Eisenhower assumed office he inherited President Truman’s Fair Employment Board. The board lacked independent enforcement powers. However it possessed the authority to bypass agency chiefs and take complaints directly to the President when the agencies were unwilling to carry out its recommendations.²⁰¹ Eisenhower was very uncomfortable with this arrangement, which he believed to be another example of Truman’s coercive use of authority to

²⁰¹ This board operated almost exactly like another of Truman’s committees, the Fahy Committee. Both were intermediary bodies without any enforcement powers of their own but could take issues right to the President for final adjudication. Mershon and Schlossman, 190-191.

drive change. He was not comfortable with its presence in his administration because of its potential to embarrass the administration and bring problems right to his desk.²⁰²

President Eisenhower privately expressed doubts about the effectiveness of making change in this manner after a visit from Governor James Byrnes of South Carolina, a former Associate Justice of the Supreme Court and Secretary of State. Eisenhower considered Byrnes a “great friend...in whose company [he] always [found] a great deal for enjoyment.” That day in July 1953, he came to brief Eisenhower on Southern sentiments regarding the pending *Brown* decision which threatened to end segregation not just in schools but in all society. Eisenhower’s words reveal the complexity of civil rights issues and his attitude about government involvement in the field.

Eisenhower wrote in his diary that he believed Byrnes knew of his belief “that improvement in race relations [was] one of those things that [would] be healthy and sound only if it start[ed] locally.” He expressed more private doubts about using laws to force change. He wrote, “I do not believe that prejudices...will succumb to compulsion. Consequently, I believe that federal law imposed upon our states in such a way as to bring about a conflict of the police powers of the states and of the nation, (sic) would set back the cause of progress in race relations for a long, long time.”²⁰³

The Fair Employment Board—operating under its original charter—immediately justified the fears of President Eisenhower by investigating a complaint against the Treasury Department. The complaint initiated by the NAACP alleged that the Bureau of Engraving and Printing—a subordinate agency of the Treasury—had fired several black apprentices in an “economy

²⁰² Burk, 68, 71.

²⁰³ Ferrell, 246-247.

move.”²⁰⁴ It was obvious that the way this body operated was inconsistent with Eisenhower’s preferred methods—and Rabb knew it. It could not continue to exist in its present form. It had to be dissolved or changed. Rabb realized the possibility that President Eisenhower might abolish it and took action to prevent that.²⁰⁵ Rabb expressed his opinion in writing to Sherman Adams. The memorandum lacked the kind of succinct title usually associated with White House Staff work, but a brief title could not have explained Rabb’s purpose any better. The subject was “A Brief Summary of Some Reasons Why It Is Important to Establish a President’s Committee on Government Employment Policy.”

Rabb did not attack the board or the reasons for its existence. Instead he attacked the rules under which it operated. This approach allowed Rabb to make a case later for changing the rules rather than dissolving the board. He wrote that Truman’s order contained “provisions that have been and will continue to be embarrassing to the Administration.” He explained that Truman’s board could overrule a Cabinet member and appeal right to the President—a procedure that was inconsistent with Eisenhower’s preferences. Rabb reported to Adams that they needed to create a new committee because abolishing Truman’s board, without creating a new one, would result in “very severe and justified public criticism.” Rabb then reminded Adams of the pending complaint against the Treasury Department and admitted that he and others “kept the report from being published” and that preventing its publication much longer was

²⁰⁴ Burk, 71.

²⁰⁵ Document, entitled (in handwriting), A Suggested Statement on FEPC, in the Rabb Papers highly suggests that Rabb wrote the document. Even if he did not, it would seem likely that Rabb knew the thoughts expressed in the document to be Eisenhower’s. The document reads: “I do not think forced legislation is the answer to this problem, especially if it encroaches on the rights of any individual...I am for fair employment for all and will work religiously to that end...Whatever legislation is necessary to implement this concept of fairness once I am convinced it is necessary, will be advocated. It is a far cry from glibly saying you will have certain legislation, because it makes a popular appeal to some certain groups.” In Eisenhower Campaign III, Folder 3, Box 2, Max Rabb Papers, Civil Rights Parallel file, DDEL.

“questionable.” He advised Adams that this situation could be solved by terminating the old board and chartering a new but similar board with different powers.

In the committee that Rabb proposed, the President would cease to be the appeal authority. Rabb would have each Cabinet Secretary or agency chief make the final decision in each case. Truman’s board was able to take its recommendations to the President if an agency did not favorably act on its recommendation. The new committee—like Truman’s—would remain an advisory body, but its only contact with the President would be the annual reports it made to him. Rabb concluded by informing Adams that he had staffed the proposal among the Civil Service Commission, the Department of Justice and the Treasury Department and that it met with their approval.²⁰⁶

The creation of the new committee was another example of Max Rabb’s leadership within the Eisenhower Administration. His work in this process, as with the development of the Cabinet Secretariat, was another example of creative leadership and of brilliant orchestration. Although creating the committee depended heavily on the involvement of several other critical staff members, it was Rabb who coordinated all the separate facets to ensure the plan’s final fruition. Max Rabb had been working on this issue since he met with Congressman Powell in summer 1953. After Rabb, the most important other administration official in the process was Philip Young of the Civil Service Commission. Rabb had commenced coordination with Young on the issue as early as summer 1953. In a memorandum to Sherman Adams written in June of that year, Rabb informed Adams that he had “already discussed the matter several times with Philip Young.”²⁰⁷

²⁰⁶ Memorandum, Rabb to Adams, 20 September 1954, 103-U President’s Committee on Government Employment Policy (1), Box 473, Official File, Central File, DDEL.

²⁰⁷ Memorandum, Rabb to Adams, 15 June 1953, OF-142-A-4 Negro Matters-Colored Question-Segregation-Integration (1), Box 731, Official File, DDERAP, DDEL.

Young, for his part, had the Civil Service Commission conduct a comparison between Truman's board and the new proposed Eisenhower committee.²⁰⁸ Given that Rabb was Eisenhower's chosen instrument for civil rights, and Rabb's statement to Adams, it would have been inconceivable for Rabb not to have been consulted on the new committee. The differences between them directly reflected Eisenhower's expressed preferences, especially his desire to use persuasion over force. Young incorporated all of Rabb's recommendations. The most significant difference in Young's proposal was to remove the President as the appeal authority. If the chief of an agency refused to act on the recommendation of the proposed committee, it could not appeal to the President—as it could under Truman. Both Truman's board and Eisenhower's proposed committee were primarily advisory in their capacity. However, in Eisenhower's committee a case was closed once an agency chief accepted or refused the recommendation of the committee, there simply was no appeal or review authority. Young's plan also called for a smaller body, five members instead of the seven on Truman's board.²⁰⁹

Once Rabb was confident that Young was making the necessary changes to the new committee he began choosing its members. Here he required the help of Charles F. Willis, Jr., another of Sherman Adams' assistants, who worked on personnel issues for the White House staff.²¹⁰ Rabb made most of the recommendations to serve on the new committee and he believed they were a diverse group of talented people. Rabb passed the names of the proposed members to Willis in a memorandum and urged a speedy processing of this staff action. He told

²⁰⁸ Document, entitled Comparison of Executive Order 9980 Establishing The Current Regulations Governing Fair Employment Practices Within The Federal Establishment And The Proposed Executive Order Establishing The President's Advisory Committee On Government Employment Practices, undated, 103-U President's Committee on Government Employment Policy (1), Box 473, Official File, Central File, DDEL.

²⁰⁹ Memorandum, Young to Eisenhower, 15 March 1954, 103-U President's Committee on Government Employment Policy (1), Box 473, Official File, Central File, DDEL.

²¹⁰ Sherman Adams called Willis' job an "endless chore of trying to fill government jobs with people who were both competent and acceptable." He said that "in the early years of the administration, this was by far the most worrisome headache of the President's office," Adams, 54.

Willis that the “sooner the Committee was announced, the better off we will be.” Rabb’s conscience was troubled because, as he wrote to Willis, he (Rabb) was still “sitting on the present Committee’s report...and it was dangerous to leave such a recommendation in abeyance.” Rabb felt that once the new committee was announced the White House would not have to take action on the recommendations of the previous report.²¹¹ This would spare the President from any more embarrassment.

As Willis began processing the names through the usual battery of checks—security, background and political affiliations—Rabb continued to pour time and energy into creating the new committee. Rabb contacted every member of the group to ensure that they would serve on the committee if asked by the President. Once the checks were complete, Willis forwarded to Adams the whole staff action including a draft of the Presidential Executive Order (EO) creating the new committee. In his memorandum, Willis told Adams that Rabb had advised him “that he (Rabb) spoke personally with the President on this, and that the President ha[d] given his OK on the EO and the slate.”²¹² As Willis worked on the personnel issues, Rabb had the draft of the Executive Order and was “bringing it up to date.” Rabb, to avoid any more delays, wanted the order establishing the committee signed the same day that its members were appointed.²¹³ Willis

²¹¹ Memorandum, Rabb to Willis, 17 September 1954, 103-U President’s Committee on Government Employment Policy (1), Box 473, Official File, Central File, DDEL. The members that Rabb recommended were mixed and diverse group of generally well known people. Among the recommended members was Maxwell Abbell, a Chicago businessman, Jane Warnock (by far the least known) of Eagle Butte, South Dakota, recommended by South Dakota Senator Karl Mundt, and one of its two black members, Archibald Carey, Jr., of Chicago, Philip Marfuggi, Vice-president of the Lionel Corporation. The remaining three were public members already serving in the administration. They were Charles Kendall, Office of Defense Mobilization, J. Ernest Wilkins, Assistant Secretary of Labor and the second black member, and W. Arthur McCoy, Chairman of the Fair Employment Board.

²¹² Memorandum, Willis to Adams, 28 December 1954, 103-U President’s Committee on Government Employment Policy (1), Box 473, Official File, Central File, DDEL..

²¹³ Document entitled, President’s Committee on Government Employment Policy, undated, strongly believed to be written by Charles Willis. Evidence supporting Willis’ authorship is found in the hand-written portion of the document which says, “Work with Max Rabb on this. He wants EO signed and members appointed at the same time.” Furthermore, the document has four enumerated bullet comments written in a “notes-to-self” style—two mentioned Rabb—and it was found in between drafts of Willis’s memoranda to Sherman Adams, 103-U President’s Committee on Government Employment Policy (1), Box 473, Official File, Central File, DDEL.

sent Adams the final staff action in January 1955. Three of its seven enclosures had been written by Rabb. One was the memorandum he sent to Adams explaining the need to for the new committee; the second was a letter indicating that everyone agreed to serve; and the third was the Executive Order he had helped to write.²¹⁴

James Hagerty, the President's Press Secretary, was the final ingredient in the mix. Rabb requested that they take advantage of the Congressional recess—most likely to minimize confrontation—to issue a press release. Rabb wanted the release to “simultaneously make public (1) the new Executive Order and (2) the new membership of the committee.” Rabb explained to Hagerty that the dual step was required to clear out the present members, “who operate under a dangerous Executive Order.” It permitted them “to bring messy minor problems to the President as a court of final resort.”²¹⁵ It appeared that Rabb believed he needed to impress upon Hagerty how uncomfortable the situation was for the President.

The President's Committee on Government Employment Policy was created on January 18, 1955, when President Eisenhower signed Executive Order 10590. The new committee catered to President Eisenhower's vision of limited government and restraint in the exercise of Executive authority. Its focus was to forestall complaints by educating federal agencies and persuading them to adopt fair employment practices rather than forcing change—which it could not do. The committee also listened to complaints but had no authority to force any agency to address a grievance. Within five months the committee wrote and distributed its

²¹⁴ Memorandum, Willis to Adams, 14 January 1955, 103-U President's Committee on Government Employment Policy (1), Box 473, Official File, Central File, DDEL.

²¹⁵ Memorandum, Rabb to Hagerty, undated, 103-U President's Committee on Government Employment Policy (1), Box 473, Official File, Central File, DDEL. Attached to this memorandum, Rabb also sent a copy of the EO, the memo he had written to Adams justifying the need to change the present board, and the memorandum he had written to Willis with the proposed members. Found in the same place as the given citation.

procedures for investigating complaints.²¹⁶ They immediately began considering cases and by the end of 1955 had convened 21 times.²¹⁷ When the committee submitted its first annual report to the President it came through Rabb. He wrote to the President informing him that the committee had “moved cautiously in this first year, but in such a way as to gain the respect and confidence of the agencies and departments with which it works.” Rabb asked the President to give them “encouragement” through his “acknowledgment of their report.”²¹⁸

Max Rabb must have had some sense that this committee was weak. Despite this it was one of the few organizations which was dedicated to civil rights and that could be used for some positive good. Rabb knew that Eisenhower preferred voluntary change through persuasive means, which explains why Rabb wrote so many letters to the Cabinet Departments and their sub-agencies on behalf of this committee. He expressed his delight at their use of uncompelled educational policies.²¹⁹ The committee proposed to Rabb, for his guidance, that a full-time compliance officer hired in each agency to handle complaints and implement the policy of agency—per its own chief.²²⁰ Rabb’s initial inclination was to put it off until after the election in November, and he told Abbell that in a memorandum. However, he thought about it and then

²¹⁶ Memorandum, Maxwell Abbell, Chairman of the President’s Committee on Government Employment Policy, to Heads of Department and Independent Establishments, 3 June 1955, 103-U President’s Committee on Government Employment Policy (2) [1], Box 473, Official File, Central File, DDEL.

²¹⁷ Agenda for 20th and 21st meeting of the President’s Committee on Government Employment Policy, 15 and 16 December 1955, 103-U President’s Committee on Government Employment Policy (2) [1], Box 473, Official File, Central File, DDEL.

²¹⁸ Memorandum, Rabb to Eisenhower, 6 June 1956, 103-U President’s Committee on Government Employment Policy (2) [2], Box 473, Official File, Central File, DDEL.

²¹⁹ As an example, Rabb wrote memos to the Secretaries of the Army, Navy, Air Force, VA, and Civil Service Commission, congratulating them on implementing voluntary fair employment practices. He informed each secretary that he was going to bring the progress of each to the attention of the President. They may have considered this a hefty recommendation as, by this time, some of these same men had witnessed the rise of Robert Anderson, in fact, Charles Thomas, the Undersecretary of the Navy under Anderson whose initial report said desegregation in the shipyards was possible, was at this time the Secretary of the Navy. Letters, Rabb to Sec. Army, et al, various dates, 103-U President’s Committee on Government Employment Policy (2) [2], Box 473, Official File, Central File, DDEL.

²²⁰ Letter, Abbell to Rabb, 24 May 1956, 103-U President’s Committee on Government Employment Policy (2) [2], Box 473, Official File, Central File, DDEL. The committee was frustrated that in each agency it someone’s extra duty—more often perceived as an extra burden—to field complaints and implement policy.

recommended to other staff members that it might be worth considering “because of the impact it would have on those who are interested in combating discrimination and as to the sincerity of the government in this field.”²²¹ Here again Rabb demonstrated his genuine willingness to improve the situation for minority members of society. The record does not indicate if this recommendation was ever acted on, but it was likely not even considered beyond those that Rabb asked to consider it.

When Maxwell Abbell resigned, due to poor health, Rabb recommended that Archibald Carey succeed him.²²² There was value in having a black man serve as the chairman of a Presidential Committee but Rabb also believed him to be “a moderate, understanding member of the Administration.” This meant that Carey would take his direction from Rabb, who would ensure that the committee work for change within Eisenhower’s comfort range. He also recommended as Carey’s replacement, Branch Rickey, who Rabb believed would “direct favorable attention to the committee.”²²³ As a final means of strengthening the committee, he recommended that one of the alternate memberships be converted into a permanent membership in the wake of Philip Marfuggi’s resignation. Rabb said these changes “would strengthen the committee from the Administration’s point of view” and bring a “greater degree of acceptance of

²²¹ Letter, Rabb to Abbell, 31 May 1956; Memorandum Rabb to Philip Young, Fred Morrow, Bob Gray, 31 May 1956, both in 103-U President’s Committee on Government Employment Policy (2) [2], Box 473, Official File, Central File, DDEL.

²²² See http://en.wikipedia.org/wiki/Archibald_Carey,_Jr. Archibald Carey was a well known and respected black leader from Chicago. He represented Chicago’s Third Ward as an alderman from 1947 through 1955. He was a graduate of John Marshall Law School in Chicago. From 1953 to 1956 he was an alternate delegate from the United States to the United Nations, where he no doubt met Henry Cabot Lodge, Jr. It may have been Lodge who recommended Carey to Rabb. In 1966 Carey became a circuit Court Judge until he was forced to retire from the bench at the age of 70 in 1978. He was widely known in Chicago for his contributions to civic improvement.

²²³ See http://en.wikipedia.org/wiki/Branch_Rickey. Although no other information was found in Rabb’s papers about Branch Rickey, it makes sense that it is the same Branch Rickey who helped Jackie Robinson break the color barrier in Major League Baseball. That Branch Rickey signed Robinson to play for the Brooklyn Dodgers in 1947 and later signed superstar Roberto Clemente, one of the first Latin Americans in the Major Leagues. This fact fits well with Rabb’s statement that Rickey would “direct favorable attention to the committee and represents an effective spokesman in this field.” Who better to serve on a fair employment committee than a man who helped integrate an entire profession.

this group by the public.”²²⁴ After Adams ordered Rabb to confer with the Vice-President on these changes—and Nixon readily agreed—Rabb forwarded his recommendations to the President, who approved them and made Carey the new chairman.²²⁵ Overwhelmed, Carey expressed his gratitude to the President. He also told Eisenhower that Rabb had “made immeasurable contributions to the committee by many hours of labor and a great capacity for dealing with problems in human relations.”²²⁶ This was only official verification of what Eisenhower already knew, as he had never once addressed the board in person nor sent them any other communications except for the annual letter thanking them for their report. Rabb had been directing the committee since he first created it. Rabb guided it and met with it on occasion and always remained in constant communication with them.

Rabb’s final intercession on behalf of the committee came just months before his own resignation. He tried to schedule an appointment for the board to meet with the President. His words, as with trying to make an appointment for the prominent black leaders, indicate a level of frustration. He wrote:

Through the years I have kept this and my other Presidential-level committees from visiting with the President. My problem here is that this policy has not been followed with reference to other groups. While I am intent on keeping these committees far from the President, I believe...that a visit...might be given favorable consideration. This committee had been in existence almost since the President first took office and it has never had any direct word or visit from him in that time. They have quietly and effectively carried out their work. If it could be arranged, the presentation of their

²²⁴ Memorandum, Rabb to Adams, 13 March 1957, 103-U President’s Committee on Government Employment Policy (4), Box 473, Official File, Central File, DDEL.

²²⁵ Memorandum, Adams to Rabb, 13 March 1957; Memorandum (for record), Rabb, 19 April 1957; Letter, Bob Gray to Archibald Carey, 15 August 1957, all in 103-U President’s Committee on Government Employment Policy (4), Box 473, Official File, Central File, DDEL.

²²⁶ Letter, Carey to Eisenhower, 6 August 1957, 103-U President’s Committee on Government Employment Policy (4), Box 473, Official File, Central File, DDEL

Annual Report which would not take more than five minutes would have a very helpful effect.²²⁷

There is no indication that the President ever met with this committee when Rabb left the administration in May 1958. It is likely that he did not given the troubles that Eisenhower had gone through with Little Rock, Sputnik, and his own stroke. Whatever weaknesses the committee had were not accidental flaws but characteristics designed by Rabb. He knew that the nation and the federal government needed a board like this, no matter how weak it was. Any board was better than no board at all. Some historians have criticized this committee as being only of symbolic value, but, if analyzed from Rabb's point of view its existence was a triumph in and of itself. This is why Rabb spent those long hours, to which Carey had referred, trying to strengthen the board, all the while working within Eisenhower's conception of Executive authority.

Conclusion

All of Max Rabb's work within the organizations of the Executive Branch clearly indicated his desire to advance civil rights. The common component of all of his actions within these organizations, whether he created them or just served in them, was that once a part of them, he tried to expand his role in them. As he gained influence, through his great job performance and multitude of roles, he began gradually to push the Eisenhower Administration forward on civil rights. He also worked to expand the narrow conceptions he believed that many other staff members had about the relationship between a government and its people. He never frontally assaulted any idea or person in the Eisenhower Administration. Instead, Rabb went about his

²²⁷ Memorandum, Rabb to Mary Burns, 28 January 1957, 103-U President's Committee on Government Employment Policy (4), Box 473, Official File, Central File, DDEL.

duties the “Eisenhower way,” quietly and without fanfare or attention. All the while he was making progress in civil rights, staying safely within Eisenhower’s comfort zone but seeking to expand it.

CHAPTER 3 - American Race Relations on the World Stage

Introduction

Long before President Eisenhower assumed office in January 1953, race had become an undeniable element in international relations. In 1944 Gunnar Myrdal, a Swedish economist—and later Nobel recipient—published his highly acclaimed work, *An American Dilemma*.²²⁸ To Myrdal, the democratic values of the “American Creed” were not just one among several competing public belief systems, but rather, the essence of the national ethos. The creed was a moral gauge to measure public and private actions. In short, the dilemma was the utter failure of whites to live up to professed national values.²²⁹ This failure had implications beyond the borders of the United States. To the dark-skinned people of the world the treatment of black Americans was a telling glimpse of the treatment they might in turn receive from the United States. Whether true or not, those perceptions greatly damaged the reputation of the United States, at a time when the future of the world was very uncertain and the U.S. counted on its democratic prestige to wage the Cold War.

The most significant reason for the growing importance of race in world politics in the post-World War II era was the emergence of many new states in Africa and Asia. These new nations were former colonies or clients of European states. Although everything that Max Rabb did had value for its own sake, his work in race relations took on special significance given that American race relations had become a matter of international concern. And much of the world

²²⁸ Gunnar Myrdal, *An American Dilemma: The Negro Problem and Modern Democracy* (New York: Harper and Brothers, 1944).

²²⁹ Burk, 11.

was more race-conscious than ever before. America's history of racism and its practice of segregation were so potent that these conditions seriously threatened America's credibility and prestige in the early part of the Cold War. In an indirect way, Max Rabb's work in domestic race relations and civil rights was important in countering Soviet propaganda aimed at discrediting the United States and discouraging emerging third world nations from allying themselves with the U.S. However, some of the issues on which Max Rabb worked involved the confluence of race relations and human rights on the one hand with U.S. domestic and foreign policy on the other. It was increasingly clear to Rabb, and many others, that race relations in the United States were no longer confined to the domestic sphere. Furthermore, Eisenhower linked human rights to race relations and civil rights. Not surprisingly, then, Rabb was assigned to work on human rights issues and other race-related issues that directly and indirectly affected America's international prestige.

After World War II, race relations in the U.S. were no longer confined to the domestic sphere and issues of race increasingly permeated American foreign policy. As the United States emerged from the war as the presumptive leader of the free world, race relations became a matter of international concern. In order to be a beacon of democracy during the Cold War and provide an alternate model of development to those nations emerging from colonialism the United States could no longer discriminate against minorities within its own borders.²³⁰ Nor could the United States afford to dismiss race as a factor of supreme importance when dealing with old and new states in the world. And Eisenhower was aware of these possibilities. Four case studies in particular show the way in which race became a factor of greater consideration in situations involving U.S. foreign and domestic policy and what that meant for the United States in the Cold

²³⁰ Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy* (Princeton: Princeton University Press, 2000), 3.

War. Max Rabb's role and the level of involvement in each case vary and though they are not directly linked, they are related in a grander sense. In each, there is an element of race which necessitated Rabb's involvement. These examples help to prove that Rabb was an underappreciated member of the Eisenhower White House whose reach went far beyond the walls of the White House and the shores of the United States.

Max Rabb Beats the Immigration Quota

One of the facets of President Eisenhower's legislative agenda was to repeal the McCarran-Walter Act of 1952, which became law in the last year of the Truman Administration.²³¹ Harry Truman took a courageous stand against both the bill and many members of his party when he vetoed it, only to have the Democrat-controlled Congress override his veto and pass the legislation. Defeating this act or renegotiating it were a part of President Eisenhower's broadly conceived social plan, which correlated civil and social rights to human rights. Eisenhower even made immigration reform a campaign issue. In September 1953, during the campaign, Eisenhower poignantly spoke out against the McCarran bill. He said:

Most importantly, we must strike from our own statute books any legislation concerning immigration that implies the blasphemy against democracy that only certain groups of Europeans are welcome on American shores.²³²

President Eisenhower had many ideas in mind when he announced in his first State of the Union Address that "civil rights [were] inevitably involved in Federal legislation...[in] the sphere of immigration." The President called for Congress to fairly reassess the number of immigrants that the nation could absorb. He further said:

²³¹ This act was also known as the Immigration and Neutrality Act of 1952, Eisenhower, 216.

²³² Merlo J. Pusey, *Eisenhower The President* (New York: The Macmillan Company, 1956), 37.

Existing legislation contained injustices. It does, in fact discriminate. I am therefore requesting the Congress to review this legislation and to enact a statute that will at one and the same time guard our legitimate national interests and be faithful to our basic ideas of freedom and fairness to all.²³³

At least two foreign leaders made direct appeals to President Eisenhower to absorb more immigrants. Italian Prime Minister Alcide De Gasperi contacted President Eisenhower and told him that the situation in Italy was desperate. De Gasperi relayed to Eisenhower that unemployment rates were high (and rising) and that these conditions fostered the perfect environment for communists to exert pressure and influence. In addition, Queen Juliana of the Netherlands petitioned Eisenhower to allow a greater influx of Dutch and Indonesians into the United States. Her state—like Italy—was still suffering from the destructive effects of the war.²³⁴ Both leaders feared that their nations were too weak to stave off communist agitation and feared internal economic collapse.

When he assumed office, President Eisenhower assigned Max Rabb the duty of overturning this law. Rabb said: “while this [was] not civil rights, it [was] the field of human rights, so closely akin to it, and it demonstrate[d] how I entered this area.” Rabb’s words seem to confirm Eisenhower’s systemic grouping of things, and it appeared that Rabb also agreed with the correlation. The White House legislative group, who normally would have drawn the task and who jealously guarded their assigned area of responsibility, readily passed it to Rabb. Rabb recalled that “there was not the slightest reluctance whatsoever in passing this red hot potato of civil and human rights over to [him].”²³⁵

²³³ State of the Union Speech, President Eisenhower, 2 February 1953, reprinted in Branyan and Larsen, *Documentary History*, 103-104.

²³⁴ Eisenhower, 216, and Rabb interview, OH- 479, p. 25.

²³⁵ Rabb interview, OH-265, p. 3-4, DDEL.

Rabb felt abandoned by his fellow staff members as he began this task. He later suggested that they were all too glad to rid themselves of this because anyone assigned this mission was sure to fail. For example, General Wilton Persons, director of the White House legislative group, did not want to begin his career in the White House with a loss in his portfolio.²³⁶ However, Rabb said that Sherman Adams and the President gave him their full support.²³⁷ William Ewald, a White House staff member, verified Rabb's belief that Eisenhower fully backed him. He wrote that Eisenhower:

listened to Jewish civil rights liberal Max Rabb and backed him to the hilt in the summer of 1953 as he walked the corridors of Congress to persuade Eisenhower's rickety one-vote Republican Senate majority to override their own inclinations and the poisonous tooth-and-claw enmity of reactionary Democrat Pat McCarran of Nevada, and open the flood-gates of the United States to 215,000 European refugees—East German, Dutch, Italians, Greeks, and other assorted victims of Europe's high birth rates, glutted labor markets and inpourings (sic) from Iron Curtain satellites.²³⁸

As Ewald suggested, President Eisenhower had multiple reasons for supporting new legislation in this field. It was clear to Rabb that Eisenhower believed that the benefits of American society should be made available to more people, especially those in dire need. However, Eisenhower was also motivated by a desire to check the spread of communism and its propaganda. Rabb's approach to convincing each Senator to support the President was the same approach he took in dealing with Adam Clayton Powell and Secretary Anderson—and equally as masterful. He went and met with each man on an individual basis, just as he gathered delegates

²³⁶ According to Rabb, Persons had served as General George Marshall's legislative aide during World War II, Rabb interview, pp. 2-74, 2-75, NYPL.

²³⁷ Rabb interview, OH- 479, pp. 26-27, DDEL.

²³⁸ William Bragg Ewald, Jr., *Eisenhower The President: Crucial Days 1951-1960* (Englewood Cliffs, New Jersey: Prentice-Hall, 1981), 66. Ewald served as Eisenhower's research assistant for his memoirs, *Mandate for Change and Waging Peace*, Ewald, 5.

into the Eisenhower camp in the 1952 convention, and made personal appeals to them. He started with a visit to Democratic Senator Pat McCarran of Nevada, who Rabb knew to be the key actor on the committee. Rabb later recalled what the senator told him in his office, that the President “won’t even get it out of the Senate, and what is more, he’s not going to get it out of the committee.” Then he literally laughed Rabb out of his office.²³⁹

Rabb then reached out to the Republican members on the committee to garner support and generate the required momentum to change the law. He began with Republican Senator Arthur Watkins of Utah, an ally of Senator Joseph McCarthy. Rabb hid from Watkins the fact that Eisenhower considered him impossible, telling him only that Eisenhower was counting on him. Then Rabb, a Jew, knowing Watkins to be a devout Mormon, began discussing faith and religion with him. Rabb guessed that these topics might appeal to him on a deeper level than politics. Rabb impressed Watkins and won his trust, which in turn won Rabb his vote and helped turn him to Eisenhower’s point of view.²⁴⁰ Rabb then sought out Senator Everett Dirksen of Illinois. Dirksen was a staunch supporter of Senator Robert A. Taft of Ohio to receive the Republican nomination for President in 1952 and was, although a Republican, not yet an Eisenhower Republican. Rabb, present at the convention, knew that Dirksen had made public derogatory comments about Eisenhower’s campaign and his chances of winning.²⁴¹ Rabb sensed that Dirksen was feeling regretful and seized the moment to offer him a way into Eisenhower’s good graces. Rabb correctly predicted Dirksen’s mood. Dirksen, hoping to rehabilitate himself,

²³⁹ Rabb interview p. 2-77, NYPL.

²⁴⁰ Rabb interview p. 2-79, 80, NYPL. Watkins gave Rabb two Mormon holy books, the Book of Mormon, and the Book of the Pearl. Rabb considered them among his prize possessions.

²⁴¹ Adams, 35, and Rabb interview NYPL, 2-77. Adams and Rabb both recalled that Dirksen attempted to link Eisenhower’s 1952 campaign with Thomas Dewey’s defeats of 1944 and 1948. In a speech at the convention Dirksen, referring to Dewey’s support of Eisenhower, said as he pointed to Dewey, “re-examine your hearts before you take this action. We followed you before and you took us down the path of defeat.”

leapt at the opportunity and immediately pledged his vote and support for the issue.²⁴² Rabb's peace offering to Dirksen had legislative implications far beyond the current case Rabb was working on. At a breakfast meeting requested by Dirksen, and arranged by Rabb, Eisenhower made peace with Dirksen and offered him a role in his administration. Eisenhower later wrote that he asked Dirksen to be "the verbal leader of the middle-of-the-road philosophy in the Senate."²⁴³ From that point on Dirksen remained a close supporter of President Eisenhower's legislative agenda, largely because Rabb saw an opportunity to recruit him into Eisenhower's corner.

Using this personal approach and making direct appeals to some specific characteristic of each man, Rabb converted one senator after another. The next to be turned in this fashion were Senator John Marshall Butler of Maryland and then North Dakota's William Langer, until finally Rabb had enough votes in the Senate.²⁴⁴ Having secured the necessary votes in the Senate, Rabb took on the House members and found them much easier to convince than the Senators. The final act, signed into law on August 7, was renamed the Refugee Relief Act of 1953 and allowed 215,000 immigrants, refugees and orphans to enter the United States over three years.²⁴⁵ The *New York Times* "credit[ed] [Rabb] for the extremely difficult job of Congressional persuasion needed to get the Refugee Relief Act passed in 1953."²⁴⁶ Rabb later believed that having this law "was an invaluable aid when the Hungarian Revolt broke out because [the U.S.] had some

²⁴² Rabb interview p. 2-80, NYPL and Rabb interview, OH- 479, p. 30, DDEL.

²⁴³ Ferrell, 245, and Rabb interview p. 2-80, NYPL.

²⁴⁴ When the Eisenhower Administration was searching for a place to permanently settle the CIA, Senator Butler told Rabb he would deeply appreciate "any renewed attention you might be able to render in behalf of Maryland." It was Butler's second letter. His use of the word "renewed" suggests that Rabb tried influencing the outcome to favor Butler once before. Letter, Butler to Rabb, 29 September 1955, Bu(2), Box 20, Rabb Papers, DDEL.

²⁴⁵ Eisenhower, 218.

²⁴⁶ *New York Times*, 27 June 1955. The article is entitled "White House Dynamo Maxwell Milton Rabb."

quick way to get people in without having to wait for Congress to act again.”²⁴⁷ On two counts this legislative victory helped counter communism. First, it took some pressure off the shattered European nations still trying to rebuild after the war and it offered a haven to those fleeing from communist persecution.

The U.S.S. Midway Pulls into Port

The early Cold War provided many examples of the growing importance race in the international arena. The case of *U.S.S. Midway*, an aircraft carrier, making a port call in Capetown, South Africa, in mid January, 1955, is another example of the confluence of U.S. race relations with foreign policy that had Cold War propaganda implications. Max Rabb’s role in this case was one of trouble-shooting and “fixing.” His skill in handling the aftermath of the *Midway* visit to South Africa helped the Administration turn the potentially embarrassing episode into a victory for the image of American race relations in the eyes of the world. Perhaps what was more important than the work Rabb did to capitalize on the success of the event was the influence Rabb had on its most key player, with whom he previously had worked.

The dilemma was that as the *Midway* was moored and taking on supplies, the disembarking black and white crew members were subject to the segregated practices of South Africa. Many groups expressed their disapproval of the *Midway*’s port call and wrote the White House, State Department and Department of the Navy to protest, including some of the leading liberal senators of the day. Senator Herbert Lehman of New York strongly objected to the stopover, calling it “official acquiescence...to the infamous apartheid laws of the Union of South Africa.” Minnesota Senator Hubert Humphrey demanded either equal treatment of all American

²⁴⁷ Rabb interview p. 2-85, NYPL

sailors or a termination of the port call.²⁴⁸ In a reply to Senator Humphrey, a State Department official said that the port call was for routine purposes. The official explained that the *Midway* left the East Coast on its way to the Far East and would go by way of Capetown, Colombo, and Singapore to its final destination. The official also reminded the senator that it was customary that visiting foreign military personnel observe and respect the local laws and customs but that doing so did not constitute endorsement or approval of those laws.²⁴⁹ One could imagine Rabb having mixed feelings about this. On the one hand, the U.S. Navy that Rabb had so recently helped to integrate provided a shining example of social justice to the South Africans and the world. However, it must have weighed on him that, after winning hard fought freedoms at home, blacks would have to endure segregation abroad as they still did in many places at home.

His feelings did not prevent him from seizing the occasion and turning it into a “propaganda boomerang,” as one newspaper described Rabb’s handling of the matter. He was able to do so largely because the port call was free of incident. Even Rabb expressed his surprise at that when he responded to a letter from Senator John Adams of the Nebraska State Legislature. He wrote that the whole event “turned out much more favorably than was anticipated.” He also stressed that South African visitors to the *Midway* witnessed a first-hand demonstration of an integrated military.²⁵⁰

Fittingly, Rabb was not alone among those whose work in desegregating the Navy came full circle in this case. The Captain of the *Midway* was none other than R.D. “Tobie” Hogle. Hogle was Secretary Anderson’s aide in the summer of 1953 when Rabb first approached the Navy about integration. No one could have understood the importance of this trip more than

²⁴⁸ *New York Herald Tribune*, 15 January 1955, article entitled On Carrier at Capetown.

²⁴⁹ Letter, Walter K. Scott, Executive Secretariat, Department of State, to Senator Humphrey, 20 January 1955, USS *Midway*, South Africa Visit (1), Box 58, Rabb Papers, DDEL. Scott provided Rabb with a copy of the response.

²⁵⁰ Letter, Rabb to John Adams, Sr., Senator fifth district, Omaha, South Africa Visit (2), Box 58, Rabb Papers, DDEL.

Hogle, who dealt directly with Rabb in 1953 to integrate the Navy. Columnist Drew Pearson wrote that it was Hogle who ordered his sailors not to provoke any situations by their mere presence in any establishment while on shore leave.²⁵¹ The Consul General reported to the State Department that the trip was a tremendous success and that the Minister of Justice had ordered all Capetown recreational facilities and social establishments to suspend their laws and serve the non-white members of the *Midway*—which they did. This was because Hogle had negotiated some terms with South African authorities in order to avoid incident. Meanwhile, the *Midway* received more than 20,000 visitors of all races and treated them in an integrated manner while touring the ship. Finally, the Consul wrote that Captain Hogle had acted in the “highest American tradition [and] handled [the] situation impartially and extremely well.”²⁵²

In order to capitalize on the uneventful port call, managed by his former contact Hogle, Rabb immediately met with two leading black journalists, Alice Dunigan of the Associated Negro Press and Ethel Payne of the *Chicago Defender*. Max Rabb told them that the visit served as a “demonstration to the South Africans of how non-segregated democracy works.” Rabb advised the Navy to explain the port call the same way.²⁵³ Rabb reported to James H. Smith, Assistant Secretary of the Navy, that he had met with the Negro Newspaper Publisher’s Association and they were “unanimous in agreeing” with him that the visit was necessary and beneficial. Furthermore, the publishers agreed to counter any adverse publicity of the event.

²⁵¹ The *Washington Post and Times Herald*, 2 February 1955, Column entitled the “Washington Merry-Go-Round,” by Drew Pearson.

²⁵² Telegram, Consul General Stone to State Department, 18 January 1955, USS *Midway*, South Africa Visit (2), Box 58, Rabb Papers, DDEL. The Consul also pointed out that the Ambassador noted South African contributions to the recently ended Korean War. The Consul wrote, “South Africans also died [in] Korea in defense [of the] free world with [the] Second Air Squadron being [the] only foreign Air Force serving without interruption under American command.

²⁵³ The *Washington Post and Times Herald*, 2 February 1955, Column entitled the “Washington Merry-Go-Round,” by Drew Pearson.

Smith thanked Rabb for his involvement and advised him that the Navy was handling it the same way Rabb was, by declaring it a successful trip and a “net gain” for integration.²⁵⁴

Whatever gains might be made in showing off an integrated Navy—argued Adam Clayton Powell—were not worth the sacrifices blacks would have to endure at home. In a private telegram to the White House—remaining true to his word and not openly criticizing the President—he demanded the name of the individual who scheduled the port call and further demanded that the *Midway* leave immediately. He effectively argued that, by the Navy’s accepting local customs abroad, segregationists at home could argue that the Navy must accept local customs in the American South.²⁵⁵ Rabb may or may not have agreed with Powell’s logic, but he did not respond to it directly. While it was still too early to declare it a victory—as he later would—he was cautiously optimistic in his response to Powell. He wrote “that [the] incident may have rebounded to our credit and may actually have done much to advance the cause of justice and equality far beyond our own borders.” He wrote to Powell, that over 23,000 had visited the *Midway* and were treated equally and that an integrated American team had played an exhibition game of baseball against an all-white South African team. In conclusion he wrote that the “Navy policies made a tremendous impact on the people of the Capetown community.”

Rabb did not exaggerate those claims. They were also reported by independent news sources. The long-term importance of the visit may have been exaggerated but there is no doubt that the immediate results were positive. Rabb was able to capitalize on that good fortune and disseminate the story of naval integration, which he had had a hand in completing. There is no

²⁵⁴ Memorandum, Rabb to James H. Smith, 10 February 1955; Memorandum, Smith to Rabb, 11 February 1955, both in USS *Midway*, South Africa Visit (1), Box 58, Rabb Papers, DDEL.

²⁵⁵ Telegram, Powell to The White House, 17 January 1955; Memorandum, Rabb to Powell, undated, both in USS *Midway*, South Africa Visit (2), Box 58, Rabb Papers, DDEL.

evidence of communication between Hogle and Rabb during this time. Despite that, it is safe to assume that Hogle understood how damaging a disastrous port call would have been to U.S. prestige abroad and how it might have negatively affected its ability to influence foreign nations. Indeed, Hogle had already been treated to a front-row seat in the summer of 1953 as he watched Rabb quietly guide the Navy towards integration. He had in fact been more than a spectator; he had facilitated the communication between the White House and Navy. Yes—Hogle knew the importance of this port call.

The *New York Times* reported that the event had a “wholesome aftermath” and that the South Africans substantially lowered their racial barriers to accommodate the American sailors. The *Times* also credited Captain Hogle and Consul John P. Stone for negotiating with the South African authorities to ensure that the visit was smooth and without blemish. The report concluded that the visit “ended with thorough satisfaction and expressions of goodwill on both sides” and that “Capetown would not mind if the *Midway* paid another visit.”²⁵⁶

Max Rabb, Jewish, American, and Republican

Max Rabb—as a Jew—was aware of his own minority status in the United States and that of his people in the world. He was always mindful that there might come a time when he might have to choose between being a Jew, an American Jew, and an American Jewish Republican. As Max’s concentric rings of identity became more layered and complex over time, so also arose the greater possibility of a conflict among them. In addition to his unofficial role as the “minority rights advisor,” Rabb was also the “unofficial official” point man to the Jewish-American

²⁵⁶ The *New York Times*, 23 January 1955, article entitled, “Capetown Eased Law for *Midway*.”

community.²⁵⁷ It is very clear that even if Max Rabb had never touched civil rights or race-related issues in the White House, he would certainly have had this assignment. Rabb was so well known in Jewish circles that he drew the attention of American Jews by default. Potential conflicts did arise when Rabb was required to defend the Eisenhower administration when it made policy decisions either unfavorable to Israel or unpopular with American Jews—or both.

Rabb admitted that he vociferously defended Israel but that “there were times when [he] knew that a Jewish demand was absolutely wrong.”²⁵⁸ He later said he very carefully “tried not to be a Jewish representative.”²⁵⁹ In all likelihood that is because he agreed with Eisenhower that no group should have a designated special representative in the White House and because such labels might constrict his ability to get things done. Rabb was at once a devout Jew and Eisenhower Republican. But at times these loyalties competed against each other. As in civil rights, the Eisenhower Administration wished to keep its support of Israel less than well known, and very often did not publish its pro-Israeli actions. Rabb wished to publicize these pro-Israeli actions but the State Department refused to allow it. It is unclear why, but evidence suggests that what Eisenhower and John Foster Dulles, Secretary of State, wanted were equal relations with the Arab and Jewish worlds.²⁶⁰ Open support of Israel jeopardized the United States’ chances of

²⁵⁷ Rabb interview, 3-124, 125, NYPL. Eisenhower was consistent in his belief that no group should have special representation in the White House, but someone had to field the questions and act as the point of contact, and Rabb—being Jewish—was ideally suited, as such Rabb handled the concerns of Jewish Americans.

²⁵⁸ Rabb recalled that many Jews were against the U.S. and the U.K. loaning money to Egypt for the construction of the Aswan Dam, thus implying that Israeli, American, and British Jews alike were partially to blame for the Suez Crisis that later ensued. When denied this money the Egyptians were forced into exploring alternate means of raising the required capital. In need of capital, Egypt seized the Suez Canal and nationalized it as a means of raising revenue for the dam. The French, British and Israelis staged an invasion of Egypt in order to recover the canal and nearly caused a general war. The Soviets eventually funded the dam in 1958 and provided badly needed technical assistance for the project. Rabb interview, 3-127, NYPL.

²⁵⁹ Rabb interview, 3-126, 127, NYPL.

²⁶⁰ Statement released by the White House, President Eisenhower said: While we continue willing to consider request for arms needed for legitimate self-defense, we do not intend to contribute to an arms competition in the Near East...our goal is a just peace. I authorized...the United States join in formal treaty...to prevent...either side to alter by force the boundaries between Israel and its Arab neighbors. Statement by the President, James Hagerty, Press Secretary, 9 November 1955, Israel-Jewish Matter (1), Box 59, Rabb Papers, DDEL.

having a balanced relationship with each competing bloc. What was especially alarming to Eisenhower and Dulles was that portions of the Arab bloc had made friendly overtures toward communist nations, which threatened to alter the delicate balance of power in the early Cold War.²⁶¹

By the fall of 1956 the State Department had aroused the ire of Jewish Americans in two ways. First, the State Department prohibited Jewish Americans from serving in Arab nations—either as service members or as State Department employees. And Jewish Americans increasingly began to feel that the United States was promoting Arab issues at the expense of Israel. The State Department, using the same logic to defend the *Midway* port call, argued that it was bound to obey the laws of foreign nations even if it meant discrimination against Americans. John Foster Dulles expressed his regrets about that sad truth in a response to a letter from Helen Rogers Reid, former President and Chair of the Board of Directors for the *New York Herald Tribune*. He wrote that his efforts were “circumscribed by the fundamental principle that sovereign states have the right to control their internal affairs in such manner as they deem to be in their own best interest.” He added that forcing our view on Arab nations would only cause resentment and that he believed “an equitable and just peace settlement” of the Arab-Israeli dispute would ease those restrictions upon Jews. Although addressed to Reid, Dulles provided a copy of the response to Rabb and Adams.²⁶²

Rabb also pleaded Reid’s case to Adams. He told Adams that if Dulles only publicized his own achievements on behalf of American Jews then there would be less negative publicity on

²⁶¹ Egypt made an arms deal with Czechoslovakia, conferred with the Soviets in order to build a dam on the Nile and withdrew recognition of Chang Kai-shek and Free China in order to recognize Communist China, Walter LeFeber, *America, Russia, and the Cold War, 1945-2006* 10th Ed. (New York: McGraw-Hill, 2008), 188-189.

²⁶² Letter, John Foster Dulles to Mrs. Ogden M. Reid (Helen Rogers Reid), 17 September 1956, Israel-Jewish Matters (3), Box 59, Rabb Papers, DDEL; Memorandum, John Hanes, State Department, to Adams, 18 September 1956, Israel-Jewish Matters (2), Box 59, Rabb Papers, DDEL

the topic and anger from the Jewish community. He said Dulles' "fine efforts...to prevent discrimination among American citizens on the basis of religion should be revealed to the public." He further advised Adams that a future meeting he was going to discuss Dulles' "very fine record" and mention how he negotiated with "France and Canada to provide Israel with jet planes." To Rabb, the sum of Dulles' actions amounted to a fine record of achievement. The military aid, Dulles' protests against discrimination and a recently negotiated export-import loan were, to Rabb, great examples of that record. He was confident that were it only more widely known, it would secure more "votes and friends in large numbers." He, therefore, wished to "exploit [this record] in [his] speeches around the country," because for reasons unknown—or unspoken—the State Department "keeps it quiet."²⁶³

Rabb expressed the same sentiments to the State Department the very next day. Rabb named four states he had spoken in and another six he was going to speak in. Rabb's speeches focused on the Eisenhower Administration's general accomplishments, but "at least 50% and at least two (speeches) in every state are directed at the handling of the Israel question." Then Rabb could contain himself no more and said that while he hinted at Dulles' fine record he felt "like a criminal every time [he spoke] on this subject because [he did] not feel at liberty to speak freely about his accomplishments." Then Rabb openly asked for permission to speak on the favorable marks of Dulles' record on Israel. Rabb specifically wanted to openly tout the negotiation of jets for Israel from France and Canada and the previously mentioned import and export loan arrangement. He also wanted to mention the fact that Dulles had protested Arab restrictions on American Jews in their lands.²⁶⁴ Despite not being able to go public with such

²⁶³ Memorandum, Rabb to Adams, 2 October 1956, Israel-Jewish Matters (2), Box 59, Rabb Papers, DDEL.

²⁶⁴ Memorandum, Rabb to John Hanes, State Department, Israel-Jewish Matters (2), Box 59, Rabb Papers, DDEL. Rabb and other members of the White House staff were campaigning for Eisenhower's reelection in fall 1956, that was the reason for Rabb's country-wide speeches.

praise, Rabb did share these accomplishments with at least one concerned Congressman. Rabb told him that Israel was stronger because of American support, to include the sharing of knowledge in the area of atomic energy.²⁶⁵ Despite his desire to strengthen the Republican image among Jewish Americans, even Rabb had his limits and he was no match for Dulles. It appeared that he quietly withdrew his attempts to trade the silence of the State Department for the ringing praise he felt they deserved.

Max Rabb and the Virgin Islands

In early May 1954 Walter White, Executive Secretary of the NAACP, sent Nebraska Senator Hugh Butler of the Insular Affairs Committee a telegram. He, on behalf of NAACP, strongly opposed and urged Butler not to support Senate Bill S3378, which sought to amend the Virgin Islands' governing document—the Organic Act of 1936. White argued that the bill “reduce[ed] [the] partial autonomy granted [the] islanders in...1936” because it transferred power from the *elected* legislature to the *appointed* governor and Secretary of the Interior. Furthermore, White argued that the islanders—overwhelmingly black—had “master[ed] the democratic process” and this indicated they were ready to elect their own governor and resident commissioner. Then White tried to leverage Butler into not rescinding those privileges by appealing to the world situation. He said he was convinced that, given the “world wide rebellion against colonialism” in Asia, South America, and Africa, this was a backward step. White believed it would “do irreparable harm to America’s reputation and prestige.”²⁶⁶

Butler was “surprised and puzzled” at White’s claim. Butler believed the revised act empowered the islanders because it provided measures to make them less dependent on

²⁶⁵ Letter, Rabb to Tom Pelly, Seattle Washington, 18 October 1956, Israel-Jewish Matters (1), Box 59, Rabb Papers, DDEL.

²⁶⁶ Telegram, Walter White to Hugh Butler, Chairman Insular Affairs Committee, 5 May 1954, Virgin Islands (3), Box 59, Rabb Papers, DDEL.

government appropriations to make up for their yearly deficits. Butler conceded that the only power taken from the Legislature and given to a Governor—in the revised act—was the authority to “fill non-policy posts in the local government.” Then Butler cited convincing data that suggested the islanders were either against the election of their own Governor or indifferent to it.²⁶⁷ Kirk Coulter, the clerk to Butler’s committee, sent Rabb White’s telegram and Butler’s response and asked him if he advised publishing both to a greater audience. Rabb in turn asked E. Frederic Morrow his opinion on the whole matter and gave his own. He believed that Butler’s legislation was a vast improvement but acknowledged that the bill did take away some powers from the islanders. Rabb further hinted that the Organic Act of 1936 might have sentimental value to blacks—especially the NAACP. It was “a result of [Judge William] Hastie’s efforts”—who had been the first African American Governor of the Virgin Islands.²⁶⁸ Therefore, the Organic Act of 1936 might be imbued with symbolic value because it had been crafted by a black man for black people and, despite its deficiencies, was a source of pride for many in the black community. Morrow later confirmed the accuracy of this sentiment.

Morrow was very disturbed by Butler’s desire to publish the response and urged Rabb to advise the committee not to release it to a greater audience.²⁶⁹ Morrow acknowledged that Hastie’s connection precipitated the situation and added an emotional element to the situation, but firmly believed that there was genuine merit to White’s final claim. Morrow said that the Administration could not just “slough off or argue down...the whole matter of the enlightened islander’s desire for autonomy and self-government.” He predicted that the NAACP would put

²⁶⁷ Letter, Butler to White, 6 May 1954, Virgin Islands (3), Box 59, Rabb Papers, DDEL.

²⁶⁸ Memorandum, Rabb to Morrow, 10 May 1954, Virgin Islands (3), Box 59, Rabb Papers, DDEL. Hastie was the first African-American Governor of the Virgin Islands, and first black Judge on a Federal Appeals Court. During World War II Hastie was a civilian aid to the Secretary of the War Department, Henry Stimson, and was a tireless advocate for the integration of the armed forces. He was also the former head of the legal staff of the NAACP and a Harvard Law graduate like Rabb.

²⁶⁹ Telephone message, Morrow to Rabb, 11 May 1954, Virgin Islands (3), Box 59, Rabb Papers, DDEL

up a spirited fight and perhaps try to embarrass the administration because the bill repudiated the “Republican philosophy of more, instead of less, democracy for all the people around the world.” Morrow believed that the “salient peg” of White’s argument—linking the matter to the world situation—was brilliant and unassailable. Despite this, Morrow did not condemn the bill. He merely pointed out that it would be unpopular among the black elite. Finally, Morrow worried that the timing of this affair might have repercussions in view of upcoming state visits by two prominent black leaders, Emperor Haile Selassie of Ethiopia and President William Tubman of Liberia.²⁷⁰ Clearly, Morrow believed that even the perception of denying Virgin Islanders democratic freedoms might damage relations between the United States and potential or current African allies.

Rabb had quickly become a lightning-rod for this issue with different groups focusing their attention on him. Evidently, Rabb’s reputation was known as far as the Virgin Islands and interestingly he was courted by both sides in the fight. Rabb was clearly considered as a powerful potential ally in this fight and every group wanted him as an advocate. Rabb received a plea from the Virgin Islands asking him not to support the bill because it stifled the aspirations of the people for self-government.²⁷¹ Then he received a friendly but urgent plea from the Government Secretary of the Virgin Islands asking him “to make every effort” to bring the act to the Floor of the House of Representatives.²⁷² Rabb was not as concerned as Morrow was with perceptions. He believed it would deliver the efficiencies it promised even though it would deny the islanders the right to elect their Governor. Despite the improvements the new

²⁷⁰ Memorandum, Morrow to Rabb, 11 May 1954, Virgin Islands (3), Box 59, Rabb Papers, DDEL

²⁷¹ Telegram, Valdemar Hill and Herbert Heywood, Delegates, Virgin Islands Assembly, to Rabb, 11 May 1954, Virgin Islands (3), Box 59, Rabb Papers, DDEL

²⁷² Letter, Charles K. Claunch, Government Secretary, Virgin Islands, to Rabb, 8 June 1954, Virgin Islands (3), Box 59, Rabb Papers, DDEL

bill would afford, Rabb appreciated and could not easily dismiss the element of race in what might otherwise be a beneficial piece of legislation.

The revised act, according to Senator Butler, equalized the standing of the Virgin Islands with that of the United States' other territories—Guam, Hawaii, and Alaska. With the exception of Puerto Rico, which did elect its own Governor, the revised act afforded the Virgin Islands the same treatment as those other lands. The consistency in American policy towards its territories was itself a form of equality. This greater purpose may have prevailed in Rabb's mind to offset the loss of those privileges which, it appeared, only a few islanders might miss.²⁷³

The revised act took most of the month of June to get through both houses. Amazingly, French Stewart, Counsel to the Insular Affairs Committee, told Rabb that he would carefully consider “any suggestion [he rendered about] which version the Conference should adopt.”²⁷⁴ It seems clear that Rabb's opinion and position in the White House were highly valued. Once Rabb knew the act was going to pass he focused his attention on scheduling a public ceremony for the signing of the act. Its champion, Senator Butler, had died in early July 1954, but Rabb believed a public signing would boost the morale of the Governor and all the islanders.²⁷⁵ Rabb—ever considerate of others—believed it might be an outward sign that the President thought it was important.

Conclusion

Race had become an undeniable consideration in diplomatic affairs by the mid-nineteen fifties. Its effects were so powerful that even the internal racial policies of nations

²⁷³ Letter, Butler to White, 6 May 1954, Virgin Islands (3), Box 59, Rabb Papers, DDEL.

²⁷⁴ Memorandum, Stewart French, Committee Counsel, to Rabb, 26 June 1954, Virgin Islands (3), Box 59, Rabb Papers, DDEL

²⁷⁵ Memorandum, Rabb to Wilton Persons, Deputy Assistant to the President (Legislative Affairs), 15 July 1954, Virgin Islands (2), Box 59, Rabb Papers, DDEL

became subject to international scrutiny. These internal policies were also potential yardsticks to measure the intentions and sincerity of the United States when it dealt with nations of differing races. Racial sentiment could no longer be dismissed when making foreign policy decisions. These four cases show the interwoven nature of domestic and foreign policy decisions and the added complexity of race as an element in both. The convergence of these factors in the early Cold War heightened the significance of Max Rabb's work in the Eisenhower Administration and simultaneously increased his personal prestige as he guarded the national prestige of the United States.

CONCLUSIONS

Maxwell Milton Rabb tendered his resignation in April 1958 and in May officially from the Eisenhower Administration. Fred Morrow recalled that many of Rabb's friends held a farewell luncheon for him and that it was well attended by several senators, Sherman Adams and Vice-President Richard Nixon.²⁷⁶ After more than five years of exhausting work and simultaneously raising four children on the salary of a White House staff member, Max and Ruth Rabb decided that he needed to provide more income for them. He went back into private practice as an attorney in New York City.²⁷⁷ Rabb remained involved with many government projects and served in some official capacity in the administrations of Presidents Johnson, Nixon, and Ford. His government service culminated as the United States Ambassador to Italy from 1981 through 1988 under President Ronald Reagan.²⁷⁸ He died in New York City on June 9, 2002 at the age of 91.²⁷⁹ Congressman Charles Rangel of New York City delivered one of the eulogies at the funeral. He praised Rabb for his early efforts in advancing civil rights and desegregating the federal establishment.²⁸⁰

The full effect of Rabb's life is beyond the scope of this study. Rabb did many more things for the Eisenhower Administration than were mentioned in this work. None of the

²⁷⁶ Morrow, 216, 223. Senators Saltonstall of Massachusetts, Case of New Jersey, and Javits of New York attended his farewell. Morrow said many of the leaders in government, industry and civic affairs attended.

²⁷⁷ Interview with Ruth Rabb, Widow of Max Rabb, by author, 13 February 2008.

²⁷⁸ Maxwell Rabb interview, 2 August 1989, p.1, Interview, Aug 2, 1989, Box 46, Rabb Papers, DDEL

²⁷⁹ *The New York Times*, 11 June 2002, Obituaries.

²⁸⁰ Interview with Ruth Rabb, Widow of Max Rabb, by author, 13 February 2008. Rangel defeated Adam Clayton Powell, Jr., for his seat in 1971. It was fitting, in a way, that Powell's successor eulogized Rabb. Powell had died shortly after losing his seat to Rangel from cancer on April 4, 1972.

http://en.wikipedia.org/wiki/Adam_Clayton_Powell%2C_Jr.

work he later did for future Presidents involved civil rights. This suggests that he was as broadly regarded for his ability to solve the more general problems of government as he was for advancing civil rights.

Nonetheless, it is in the field of civil rights that Rabb's work had the widest influence. Popular awareness of civil rights and race relations as moral problems was much greater in the election of 1960 than they were in 1952.²⁸¹ Rabb undeniably helped to raise the political awareness of that fact. Rabb like President Truman—and perhaps more so—believed in racial liberalism. Rabb believed in harnessing the authority and resources of the government to advance any causes that benefited racial and religious minorities. Max Rabb's work continued the liberal traditions of the New Deal. Despite being a Republican he provided the White House with liberal continuity stretching back to Franklin Roosevelt. In this sense Max Rabb was part of a greater movement. Rabb was a liberal Republican in an era when conservative elements of the party were on the rise. Liberal Republicans sought to broaden the party's electoral base by making some accommodation with the public philosophy of the New Deal.²⁸² Racial liberalism was the natural consequence of the faith that many of the American people had in their government's ability to solve social problems through government action, legislation and regulation. Rabb, in a real way, could link his advocacy and activism to the New Deal. This was a very important link with potentially enormous electoral consequences as many Americans dearly remembered Roosevelt and his programs, especially black Americans. Although the conservative elements of the party succeeded in eliminating the liberal wing of the party at the

²⁸¹ Michael S. Mayer ed., *Problems in American Civilization: The Eisenhower Presidency and the 1950s* (New York: Houghton Mifflin Company, 1998), 87.

²⁸² Nicol C. Rae, *The Decline and the Fall of the Liberal Republicans From 1952 to the Present* (New York: Oxford University Press, 1989), 4.

presidential level after 1960, Rabb and those like him represented an important historical tether to the New Deal and its liberal traditions.

As impressive as Max Rabb's efforts were, they do not change the historical outcomes we have come to know. Max Rabb's work to improve civil rights was a staggering achievement. Some have suggested that he was on a parallel course with Attorney General Herbert Brownell. Both wanted Eisenhower to play a bigger and direct role in supporting civil rights. While Brownell was taking legal actions on behalf of Eisenhower, such as filing an *amicus* brief prior to the *Brown* decision and drafting the Civil Rights Bill of 1957, Rabb was on a political track. Both men were nudging Eisenhower forward. Rabb did this by recruiting Powell, desegregating the military establishment, creating the Fair Employment Committee, and otherwise interceding when and where he could on behalf of minorities. Despite Rabb and Brownell's best efforts and their singular records, neither could spur Eisenhower into taking a more personally active and visible role in civil rights.²⁸³

By May 1958, both men had resigned from the Eisenhower Administration but even their impressive records of achievement on behalf of Eisenhower could not stave off black activism or save Richard Nixon in the election of 1960. By this time Morrow—who assumed many of Rabb's race-related duties—warned Eisenhower of a “new trend” in the South—a student protest movement. He was uncertain if the rise of black civil disobedience and direct action was a positive development or not. Student protests and non-violent confrontations did not rely on federal authority to force negotiations with segregationists. However, this strategy threatened to involve the federal government as protesters became increasingly susceptible to police brutality

²⁸³ Pipes, 168-169.

and civil rights violations.²⁸⁴ Had Eisenhower taken a more personal role in civil rights, he might have averted or delayed this protest movement which over the course of the 1960s played itself out very dramatically on television for the world to watch.

Full citizenship and equal access to all the social, political and economic benefits of a free society were the goals of the civil rights movement. Eisenhower, contrary to those who say otherwise, made real progress in the area of civil rights and race relations but was a victim of his own success. In essence the problem of civil rights is one of scale—some is never enough. What Rabb and others did on Eisenhower's behalf amounted to great and necessary steps but they were all far short of the ultimate goal of full citizenship. Measured against that standard anything less was failure. This explains the most common interpretation of Eisenhower's civil rights legacy—that it was a barren period between two Presidents who were more sympathetic and ended up with better records. However, Max Rabb and his work undermine any claim that Eisenhower had a weak civil rights record. All together, Rabb's work along with that of others was tremendously important. But it is widely considered a failure because most black Americans remember only what it failed to do—provide full citizenship.

Ultimately President Eisenhower is responsible for the failures—perceived or real—of his policies. However, Eisenhower should be given credit for the successful efforts of his subordinates, like Rabb, who could only do as much as Eisenhower's limits would permit them. Rabb, as an advisor, could only recommend action and, though he had great liberty, Rabb never went outside of Eisenhower's boundaries. By staying within them he had a better chance of widening Eisenhower's narrow straits. Had Rabb begun any project with a premise that was outside of Eisenhower's limits he would have lost credibility and his ability to influence the

²⁸⁴ Mayer, 84-85.

President. We cannot know what Eisenhower's record on civil rights would have been without Max Rabb in the White House. Given what Fred Morrow said about Rabb, one can safely conclude that Eisenhower's record would have been worse without him. That Rabb accomplished as much as he did was a victory for civil rights in and of itself. Morrow wrote in his memoirs upon Rabb's resignation from the White House staff:

Thus comes to a close the official career of a colorful individual. He will be missed in the White House. Although I did not always agree with his actions in handling minority group affairs, he was pioneering in a difficult and complex field. Max Rabb has a high code of ethics, and is certainly an honest man of great integrity. There were many times, however, when his soul was sorely tried within and without. I must honestly confess that he was perhaps the only one on the White House staff who showed deep personal concern about the plight of the Negro and other minorities in the country.²⁸⁵

²⁸⁵ Morrow, 223.

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American Jewish Committee, New York City

Abbreviations

BL, AJC Blaustein Library, American Jewish Committee

COHP Columbia Oral History Project

DDEL Dwight D. Eisenhower Library

DDERAP Dwight D Eisenhower Records as President

DOD Department of Defense

DOJ Department of Justice

HEW Department of Health, Education and Welfare

NAACP National Association for the Advancement of Colored People

NYPL New York Public Library

RNC Republican National Committee