

RACE AND SUFFRAGE IN WASHINGTON, D.C.

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To Dina

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## INTRODUCTION

Throughout the history of Washington, D.C., race and suffrage have been inextricably linked. The democratic election of the District's government, its delegate to Congress, and even its school board depended on the voting status of African Americans, who since the Civil War, made up a large proportion of the capital's overall population. Black Washingtonians could vote for a brief period during Reconstruction when freedmen throughout the South were enfranchised, but that right was soon stripped away. Whites were also disenfranchised in the process and it would be a century before the District's citizenry would again go to the polls.

Washingtonians' ability to vote in presidential elections or to elect a school board and delegate to the House were significant strides in the 1960s. But it was ultimately home rule—the right to elect a local government—that was at the heart of the battle for suffrage. Proponents of home rule wanted a government that was both representational and responsive to the needs of the people. Instead, between the 1870s and 1970s, a presidentially appointed commission ran the District while Congress drafted all of its legislation. Essentially, the government of Washington, D.C. was the government of the United States.

The vast majority of those who opposed home rule were from the South. They were those that railed against desegregation, anti-lynching laws, non-discrimination measures, and the numerous other civil rights efforts of the postwar era. Suffrage in the

capital city would have inevitably meant the election of African Americans to positions of power—a troubling prospect for many Southern congressmen. When the 1960 census returns indicated that the majority of the Washington’s population was black, these Southerner’s resolve was solidified. Between 1946 and 1972, these Southern congressmen stopped self-government in the District of Columbia.

The source of the anti-suffrage contingent’s strength was in the House Committee on the District of Columbia, which was headed by a South Carolina congressman named John L. McMillan, who served in the House from 1938 to 1973. A representative of the state’s sixth congressional district, McMillan killed every bill that called for self-government or congressional representation that made it to his committee. The Senate alone passed over seven home rule charter bills between 1946 and 1972, all of which met their demise in the House District Committee. However, McMillan, along with the other Southern suffrage adversaries, never openly stated that he opposed suffrage because of the city’s large black population. Rather, they argued that the US Constitution made no provision of self-government or congressional representation.

Proponents of suffrage also avoided the race issue. Instead, they focused on the inefficient and unrepresentational nature of the federally-appointed commission, hoping not to create fissures in their already unstable pro-home rule coalition. But the District’s residents and the national civil rights leadership were not fooled. Suffrage in Washington, D.C. was tied to race and they knew it. Accordingly, the District’s black community took up the cause of enfranchisement and pressured Congress and the president to act. This thesis addresses that conflict—a conflict over democracy, self-determination, and racial equality.

## CHAPTER I

### THE HISTORICAL BACKGROUND, 1790-1945

The transformation of the home rule issue into a civil rights issue during the 1950s can be attributed to a change in Washington, D.C.'s racial demographics, which occurred after World War II. However, the history of the District of Columbia is fraught with demographic shifts and, indeed, racism. From its inception in 1790, Washington was a source of sectional tension between the South and the North, with the city's African-American population at the core of the conflict. Hence, any understanding of the capital city's political and governmental history must essentially be placed within a racial framework.

The ten square mile tract of land situated on the Potomac River between Virginia and Maryland was not the unanimous choice for the seat of the federal government. Northern and Southern politicians clashed over possible regional influences that each saw as detrimental. Northerners pushed for a capital in Pennsylvania or New Jersey, while Southerners argued that such a location would be overly prone to the antislavery sentiment of the area's substantial Quaker population. The debate seemed endless to those who did not have a strong opinion one-way or the other. Finally a compromise was reached: the capital would be placed on Southern soil in exchange for the passage of Secretary of the Treasury Alexander Hamilton's plan empowering the federal government to assume and pay all states' debts—a plan that Virginians and many other



Southerners had viewed as unfair, since they had already paid most of their debts. Then, in 1790, a massive slave labor force began construction on the nation's new capital city. The compromise seemed just and few lent their voice to open protest.

The next major task Congress faced was to determine how the nation's capital was to be governed. The Constitution provided for Congress to "exercise exclusive Legislation in all Cases whatsoever over such District," but it was generally believed that a congressionally appointed commission would be more effective in the District's day-to-day functioning.<sup>1</sup> It was not until 1802 that debate opened on whether Washington should establish a more representative form of government. The District's other cities, Alexandria and Georgetown, had popularly elected councils and mayors. Though both cities were established before they were incorporated into the federal District, residents of Washington viewed the discrepancy in voting rights as contradictory and pushed for reform. The result was the passage of the first home rule charter, which provided for a congressionally appointed mayor and an elected council of twelve white property-owning men. Washingtonians, however, were not satisfied and for the next ten years the calls for a democratically elected mayor and a congressional representative continued to sit at the apex of city politics.

In May of 1812, Congress passed legislation to further amend the District's government charter. The act retained the twelve member common council, but added an upper legislative board of eight aldermen to be elected biannually. The aldermen, in turn, would elect a mayor to a one-year term. Suffrage was limited to "every free white male citizen of lawful age, who shall have resided in the City of Washington for the space of

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<sup>1</sup> U.S. Constitution, art. 1, sec. 8.

one year.”<sup>2</sup> Despite these amendments to the charter, Washington was still partially governed by the federal government. The popularly elected council and the mayor could levy taxes for city improvements and erect public buildings, but when it saw fit, Congress could intervene. Further, the congressionally penned charter prescribed exactly how the city government was to be run—even seemingly minute details were prearranged. For example, section six of the charter defined the punishments for people convicted of night walking, eavesdropping, and those who used “profanity or grossly indecent language.”<sup>3</sup> If Congress was unhappy with how the city was being run, it could revoke the charter at anytime.

White Washingtonians continued to push for an independent government and hoped to broaden franchise to include the direct election of the mayor and for a delegate to the House of Representatives. In 1819, a bill for congressional representation for the District passed through the House, but was rejected by the Senate. The following year, however, a new city charter was adopted that established a democratically elected mayor. Encouraged by the gain, government reform remained an issue; four years later, D.C. residents petitioned Congress for a delegate and for a territorial form of government.<sup>4</sup> The petition and all subsequent calls for government reorganization fell upon deaf ears. For the next 45 years Washington retained the 1820 charter for city government.

Though black Washingtonians had little interest in whether or not their white counterparts gained the right to vote or how the District’s government was organized,

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<sup>2</sup> Congress, An Act to further amend the Charter of the City of Washington, 12<sup>th</sup> Cong., 1<sup>st</sup> sess., *Annals of the Congress of the United States*, pt. 2 (4 May 1812): 2285.

<sup>3</sup> Ibid., 2289.

<sup>4</sup> Congress, House, Committee for the District of Columbia, “A memorial from 207 inhabitants of the District of Columbia praying relief from certain disenfranchisements and other grievances therein stated,” 18<sup>th</sup> Cong., 1<sup>st</sup> sess., *US Serial Set* (26 January 1824): 824.

they nevertheless influenced political development in the capital city. The simple fact that slavery existed in the nation's capital ensured that it would play an incendiary role in the growing slavery debate. The legal details of slavery in the District were taken from the laws of neighboring states. Virginia slave laws were enacted in the southern portion of the District, while the slightly less stringent Maryland laws prevailed in the northern portion. This legal split caused problems among the city's inhabitants. The city of Alexandria in the southern part of the District became a center of the slave trade, serving as a hub for shipping slaves to points in Virginia and the Carolinas.<sup>5</sup> Though nonresidents handled most of the trade, it became a vital part of the District's economy. Those in Washington, many of whom were Northerners, viewed the trade somewhat negatively. Moreover, Maryland law forbade the importation of slaves for sale, severely limiting slave trading in the northern part of the District.<sup>6</sup> Thus Washington, which sat on land ceded by Maryland, often wrangled legally and politically with Alexandria. Abolitionists further complicated the situation by continually barraging the House and Senate with petitions to outlaw slavery within the District. The tension climaxed in the 1840s, eventually leading Congress to retrocede Alexandria to Virginia.

The retrocession of Alexandria did not, however, end either slavery or slave trading in D.C. In his autobiography, Frederick Douglass described the District as "the citadel of slavery," and Jehiel C. Beman, an abolitionist from Boston, noted after his brief

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<sup>5</sup> The District's ten square mile tract of land encompassed Alexandria, Virginia and Georgetown, Maryland. The city of Washington was built upon undeveloped land on the northern side of the Potomac River—or land ceded by Maryland.

<sup>6</sup> Constance McLaughlin Green, *The Secret City. A History of Race Relations in the Nation's Capital* (Princeton: Princeton University Press, 1967), 29.

stay in the capital that “slavery was wafted on every breeze.”<sup>7</sup> Slavery remained a stronghold in the District and abolitionists became increasingly frustrated by the continued failure of antislavery legislation in Congress. From 1805 through 1850 there were numerous bills introduced, calling for everything from limitation of the slave trade to complete abolition. Despite vigorous lobbying efforts, each bill was voted down. Much of the antislavery agitation came from a growing contingent among Washingtonians. As early as 1828, D.C. residents petitioned Congress for the gradual abolition of slavery, but the petitioners were ignored.<sup>8</sup> Many congressmen argued that the District’s location alone made it an impossible candidate for abolition—nestled in between two slave states it would undeniably become a safe haven for runaway slaves.

Distraught over ceaseless abolitionist lobbying, the House of Representatives resolved in 1836 to table all petitions relating to slavery and the slave trade in D.C. for the next ten years. Neither the will of the antislavery proponents in the capital nor Washington’s city government had a say in the matter. Part of the reason for Congress’ adamancy in silencing the slavery debate was due to the heightened racial fears and antagonisms within the District. The Nat Turner uprising in nearby Southampton County, Virginia, especially alarmed whites and instilled a fear of another possible insurrection. In 1835 those fears led to mob violence when scores of whites tore through free black neighborhoods after rumors circulated that a black man attempted to murder a

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<sup>7</sup> Frederick Douglass, *Life and Times of Frederick Douglass* (1893) in *Autobiographies* (New York: The Library of America, 1994), 739; Jehiel C. Beman, Jehiel C. Beman to Joshua Leavitt, 10 August 1844, in vol. 3 of *The Black Abolitionist Papers: The United States 1830-1846*, ed. C. Peter Riley (Chapel Hill: University of North Carolina Press, 1991), 451.

<sup>8</sup> Congress, “Memorial of the Inhabitants of the District of Columbia praying for the gradual abolition of slavery in the District of Columbia,” 23<sup>rd</sup> Cong., 2<sup>nd</sup> sess., *U.S. Serial Set* (24 March 1828): 1834-5.

white woman. Nicknamed the “snow storm,” the riot was later blamed on the all too large free African-American population.<sup>9</sup>

The presence of free blacks in the capital city had long been a point of racial contention. During the first four decades of the nineteenth century the ratio of slaves to free blacks in the District shifted dramatically. In 1800 there were 2072 slaves as opposed to 400 free blacks who permanently resided in the capital. By 1840 there were 3320 slaves, but the number of free blacks had risen to 6499.<sup>10</sup> The burgeoning free population in D.C. was partially due to laws passed in Virginia and Maryland that restricted the number of free blacks in those states and led many to relocate to the capital city.

This influx startled white Washingtonians, resulting in the enactment of various measures that sought to repel the migrants. City leaders passed laws requiring all free blacks to register with the city government and pay a bond to ensure “good and orderly conduct.” It was also necessary to obtain “freehold sureties,” which were signed letters from whites who vouched for the registeree’s good behavior. As the free population increased, so did the price of the bonds and the number of white sponsors. For example, in 1827 a free black was required to obtain two sureties and pay a bond of \$500. In 1836 he needed five sureties and had to pay \$1000.<sup>11</sup> That same year it became unlawful for “the Mayor to grant a license for any purpose whatsoever to any free Negro or mulatto . . . except licenses to drive carts, drays, hackney carriages, or wagons.” Other laws

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<sup>9</sup> Green, *Secret City*, 36-9.

<sup>10</sup> *The Ninth U S Census* (Washington: Government Printing, 1872), 18.

<sup>11</sup> An Act Concerning Free Negroes, Mulattoes, and Slaves, sec. 9, *Corporation Laws of the City of Washington, to the End of the Fiftieth Council*, comp. James W. Sheahan (Washington: Robert A. Waters, 1853), 246-47; An Act supplementary to “An Act concerning Free Negroes, Mulattoes, and Slaves,” sec. 1, *Corporation Laws*, 248.

restricted black people from playing cards, dice “or any other game of immoral tendency.” They were also required to obtain licenses for dance balls or any other form of assembly and were not allowed outside after 10 p.m. without a permit. Violation of the laws could result in being fined or sentenced to a workhouse.<sup>12</sup>

These black codes, however, did not stop or even slow the influx of the free black population, in part because of their relative leniency. Measures adopted in other locations tended to be much more severe in their restrictions and in their punishments. Thus, by 1850, free blacks numbered 10,059, or nearly a quarter of the District’s overall population. Moreover, the codes did not seem to adversely affect black employment rates, though they systematically relegated African Americans to the most menial sorts of labor. Letitia Brown’s 1972 study, *Free Negroes in the District of Columbia*, found that throughout the 1830s and 1840s, free blacks steadily increased their income and property holdings.<sup>13</sup>

Free blacks were also able to participate in abolitionist activities in Washington, even though the black codes restricted their movement and overall freedom. Although there was no discernable organized group or association, free blacks were vital to the Underground Railroad, which used the capital as a main thoroughfare for smuggling slaves to freedom in the North. The decline in the number of slaves in the District and the growing presence of free blacks further bolstered the abolitionists’ drive for a free District.

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<sup>12</sup> An Act supplementary to “An Act concerning Free Negroes, Mulattoes, and Slaves,” sec. 3, *Corporation Laws*, 249; An Act Concerning Free Negroes, sec. 4, 245; *Ibid.*, 245-6.

<sup>13</sup> Letitia Woods Brown, *Free Negroes in the District of Columbia, 1790-1846* (New York: Oxford University Press, 1972), 140.

After the 1836 ban on petitions relating to slavery and abolition expired in 1846, Congress was again barraged with cries for action. Since the democratically elected Washington government had no voice in the matter, abolitionists addressed both the legislative and executive branches of the federal government. In 1849 over 1000 District residents petitioned the Senate to end slavery in the capital. As an interim action before complete abolition, they called for the emancipation of all slaves over the age of twenty-five.<sup>14</sup> The mounting pressure eventually forced Congress to act. Several bills were proposed, ranging from the mildest of reforms to complete abolition. One resolution, introduced by Representative Joshua R. Giddings of Ohio in 1848, called for all of the male inhabitants of D.C. to decide democratically whether or not slavery was to be abolished. When Patrick Tompkins of Mississippi asked Giddings if he meant that blacks should vote as well, the Ohio Representative responded in the affirmative. *The Congressional Globe* reported the incident in biblical sounding prose:

When he looked abroad upon the family of man, he knew no distinctions. He knew of no persons in this District that did not come from the same creating hand that formed himself, or the gentleman from Mississippi . . . and when he spoke of the people of this District he meant precisely what he said. He meant every male inhabitant of the District of Columbia . . . he did not draw any distinctions.<sup>15</sup>

In 1850, after two years of debate, Congress resolved to abolish slave trading in the nation's capital.

The end of slave trading in D.C. did not alter the political development of the capital city. Rather it was emancipation in 1862, which resulted in a massive influx of blacks and caused a major demographic transformation, that eventually led to political

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<sup>14</sup> Congress, Senate, John A. Dix of New York presenting a petition from the people of the District of Columbia, 30<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Globe*, pt. 1 (22 January 1849): 311.

<sup>15</sup> Congress, House, Joshua R. Giddings speaking on slavery in the District of Columbia, 30<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Globe* (18 December 1848): 55.

change in the city's governance. Even before emancipation, at the opening of the Civil War, streams of "contrabands," or runaway slaves, flowed into the capital. By 1863 an estimated 10,000 contrabands had arrived and by 1865 the number was at 40,000.<sup>16</sup> The Freedman's Relief Association attempted to furnish the refugees with clothing, housing, employment, and education, but was often overwhelmed by the mounting numbers. The lack of adequate facilities led to citywide outbreaks of small pox, dysentery, and typhoid. Though the freedmen suffered from inflated rates of disease throughout the war period, it was not until the winter of 1863-64, when the city's elite became infected, that a concerted effort was made to combat the public health problem.<sup>17</sup>

A less immediate threat during the war was the crisis in education. Congress required that illiterates be admitted into the public schools and allocated funds for their education. However, the Washington city government misappropriated the funds and the mayor, Richard Wallach, labeled Congress' actions discriminatory. Congress, in turn, called for black school trustees to sue the Washington city government for the overdue funds. Eventually, city officials relented and issued the funds.<sup>18</sup> The secured monies were used to build schoolhouses and buy books for black students.

The postwar period brought further gains in the legal rights of the District's black citizenry. Streetcars and railroads were desegregated and there was a strong push for interracial schooling. But the most controversial issue of the day was African-American enfranchisement. Congress was first petitioned for voting rights in 1864; the following

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<sup>16</sup> Green, *Secret City*, 62. Runaway slaves were considered confiscated property, hence the term "contraband."

<sup>17</sup> Allan John Johnston, *Surviving Freedom: The Black Community of Washington, D.C., 1860-1880* (New York: Garland Publishing, Inc., 1993), 111.

<sup>18</sup> Green, *Secret City*, 85-7.



year, the Senate debated the issue but rejected the proposed bill. The District's white population and press opposed giving blacks the vote, fearing that masses of contrabands would give blacks an inordinate amount of political power. An all-white poll on the issue revealed 6591 opposed and 35 in favor.<sup>19</sup>

White Washingtonians found an ally in the Democratic Party. Waitman T. Willey of West Virginia led the assault against black enfranchisement, claiming that it was “unwise to attempt to underrate the peril of negro enfranchisement. . . . We find impressive admonitions on almost every page of history against the evils of incorporating different races, religions, and civilizations into the same national organization.”<sup>20</sup> Representative Andrew Rogers of New Jersey supplemented Willey's argument by claiming, “The Constitution of the United States did not intend this government for the benefit of the Negro race, but made it for the benefit of white men and women and their posterity forever.”<sup>21</sup> Others were even more blunt, asserting that people of African descent were inferior to those of European background. Senator Garret Davis of Kentucky was particularly vehement in his argument:

In our country a race of people that is essentially inferior to the Caucasian race in its physical, mental, and moral structure, and that no cultivation can bring to approximation of that high standard . . . a race which could take no part in the great business of government to improve or uphold it . . . should never have any political power conferred on it.<sup>22</sup>

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<sup>19</sup> Congress, Senate, Suffrage in the District, 39<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Globe*, pt. 1 (10 December 1866): 38.

<sup>20</sup> Congress, Senate, Waitman T. Willey of West Virginia discussing suffrage in the District, 39<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Globe*, pt. 4 (27 June 1866): 3435.

<sup>21</sup> Congress, House, Reports of the committees of the House of Representatives, “Suffrage in the District of Columbia,” 39<sup>th</sup> Cong., 1<sup>st</sup> sess., *U S Serial Set* (15 December 1865): 1.

<sup>22</sup> Congress, Senate, Garret Davis of Kentucky discussing District of Columbia suffrage, 39<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Globe*, pt. 1 (16 January 1866): 246.

Despite their forceful arguments, the opposition was ultimately overwhelmed by a Northern Radical Republican coalition.

Many of the Republican proponents of black franchise in Washington tended to view it as an experiment. They believed that Southern society had inhibited black progress—as Representative Glenn Scofield of Pennsylvania stated, “The colored man has never exhibited equal ability, to be sure, but he has never had equal opportunities.” Moreover, he questioned racist assumptions: “If they really believed his mind was so feeble, why bind him in heavy chains? . . . Their theories proved he was weak, but their legislation acknowledged that he was strong.”<sup>23</sup> Scofield’s argument was persuasive, causing many wary fence sitters to support enfranchisement. When Congress voted on the bill, it won a surprisingly large majority in the House, with 116 in favor and 54 in opposition.<sup>24</sup> Reaching the Senate in December of 1866, the floor erupted in celebration when the bill passed 32 to 13 with 7 abstentions.<sup>25</sup>

Black Washingtonians first voted for their city government in 1868. They elected two black councilmen and one alderman; the following year seven more blacks were elected to the council. The incoming officials confronted a city in social, political, and economic chaos. Between 1860 and 1870 the city’s permanent black population increased from 14,316 to 43,404, a 203% increase.<sup>26</sup> The ravages of war and a massive

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<sup>23</sup> Congress, House, Glenn Scofield of Pennsylvania speaking on suffrage in the District of Columbia, 39<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Globe*, pt. 1 (10 January 1866): 180

<sup>24</sup> Congress, House, Suffrage in the District of Columbia, 39<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Globe*, pt. 1 (18 January 1866): 311.

<sup>25</sup> Congress, Senate, Suffrage in the District of Columbia, 39<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Globe*, pt. 1 (13 December 1866): 109. Senators that opposed the bill did not fit into a single regional category—both senators from Delaware, Pennsylvania, and Connecticut opposed the measure as did senators from Kentucky, Wisconsin, Indiana, Oregon, Minnesota, Tennessee, and West Virginia.

influx of people created overcrowding, leading to sewage problems, inflated disease rates, and shortages in food, schools, and housing. In addition to these problems, the District was still highly segregated. Almost immediately some of the newly elected African-American officials began pushing for anti-segregation and anti-discrimination legislation. With help from Republican allies, they passed various reform measures, including a bill that called for the desegregation of city schools.<sup>27</sup> However, not all of the black councilmen were in favor of these proposals. Some believed as though they were walking on eggshells in their new posts and claimed that such measures would only instigate racial conflict. Others stated that the measures were not needed since discrimination and racism were on the decline.<sup>28</sup> But despite the political moderation of these African-American leaders, many white Washingtonians were perturbed by the election of black councilmen. They blamed the black officials for the city's increasing debt and in 1870 led the charge to revoke the city's charter for self-government.

Five years after the "experiment" in suffrage was ratified and two years after the election of the first African-American councilman, Washington's charter for self-government was revoked and replaced with a territorial form of government. There was surprisingly little debate on the matter—many of those who previously advocated suffrage recognized the ravages that civil war had brought and believed that direct federal intervention was the only way to deal with the city's problems. Others blamed blacks for the calamity. New York Representative Fernando Wood's testimony embodied this perspective: "The people of the District of Columbia, who are now permitted,

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<sup>26</sup> *The Ninth U.S. Census*, 18.

<sup>27</sup> Green, *Secret City*, 101.

<sup>28</sup> *Ibid.*, 96.

irrespective of any qualification whatsoever to vote for all public officials who are to look after their rights of person and property, are of a very different class from what they were ten years ago.”<sup>29</sup>

The new territorial form of government incorporated Georgetown into Washington and retained the latter’s elected council, but created a presidentially-appointed upper house and District governor. The measure empowered the president to appoint numerous other city officials and created a nonvoting delegate to the House of Representatives. Despite the racist motives behind many of the bills’ proponents, black Washingtonians fully trusted the leadership of President Ulysses S. Grant. Grant eliminated any lingering doubts when he appointed three blacks to the upper chamber and several more to the board of health and the city school board. Frederick Douglass, who was appointed as marshal of the District, was convinced that the president was color-blind and that Grant’s numerous African-American appointments were “evidence of his high sense of justice, fairness, and impartiality.”<sup>30</sup>

Grant’s territorial government, however, was not able to cope with the District’s growing problems, including a city debt, reaching \$9.5 million by 1873.<sup>31</sup> The main cause of the economic trouble was the public works department’s attempts to overhaul the city’s sewer system. Headed by Alexander “Boss” Shepherd, the plan required a massive labor force, which resulted in the recruitment and employment of thousands of former contrabands. But as completion faltered and the project’s expense grew, critics in

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<sup>29</sup> Congress, House, Fernando Wood of New York discussing the government for the District of Columbia, 41<sup>st</sup> Cong., 3<sup>rd</sup> sess., *Congressional Globe*, pt. 1 (20 January 1871): 643.

<sup>30</sup> Douglass, *Life and Times in Autobiographies*, 849.

<sup>31</sup> Johnston, *Surviving Freedom*, 216.

Congress accused the territorial government of inefficiency and corruption. The white press and racist minded congressmen ignored the project's immensity and the possible mismanagement of "Boss" Shepherd (who was white) and instead blamed Grant's black government appointees and the continued presence of elected black officials in the common council.<sup>32</sup> The racialization of the city's economic troubles soon led to complete disenfranchisement and another change in the capital city's governance.

In June of 1874, Congress eliminated the District's delegate to the House and replaced the city council with a temporary three-man commission to govern the District of Columbia.<sup>33</sup> Though the newly created body carried out the District's daily governance, Congress retained control over funds for the city and could intervene in the commission's affairs when it saw fit. The appointed commission attempted to pull the city out of bankruptcy by cutting funds to public works projects and social programs. The African-American community was hit the hardest—overcrowded schools, increased crime, and a mortality rate that exceeded the birth rate were only a few of the devastating consequences. Such trials kept the question of governance an issue of debate in both the House and Senate. Proponents of suffrage, such as Senator Oliver Morton of Indiana, argued that race had nothing to do with the city's pitfalls and that the federal government should allot the requisite funds to refurbish the nation's capital.<sup>34</sup> Opponents remained adamant in their condemnation of black suffrage, describing it as everything from

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<sup>32</sup> Howard Gillette, Jr., *Between Justice and Beauty: Race, Planning, and the Failure of Urban Policy in Washington, D C.* (Baltimore: The Johns Hopkins University Press, 1995), 66.

<sup>33</sup> Though the newly appointed commission carried out the District's daily governance, Congress retained control over funding and could intervene in District affairs when it saw fit.

<sup>34</sup> Congress, Senate, Oliver Morton of Indiana discussing the government of the District, 43<sup>rd</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 3, pt. 2 (10 February 1875): 1103.

unconstitutional to “evil.”<sup>35</sup> Thomas F. Bayard of Delaware called universal suffrage “a sickening business” and an “absurd attempt to govern this district through the instrumentality of its most ignorant and degraded classes.”<sup>36</sup> Such race-based arguments strengthened the anti-suffrage cause and through the Organic Act of 1878, Congress permanently established the presidentially appointed three-man commission as the governing body of D.C.

After government reorganization in 1878, the issue of voting rights in Washington, D.C. nearly disappeared. The result of disenfranchisement was a decline in the standard of living among blacks and increased separation between the races. Over the next several decades segregation swept through the capital city.<sup>37</sup> Biracial political organizations ceased functioning, all black members of the city’s Board of Trade resigned due to racism, and by 1892 there was not one African American on the city’s previously integrated social register.<sup>38</sup> After the turn of the century, Washington’s Jim Crow laws were very much in line with those in other Southern states. Restaurants, theaters, and private businesses began barring blacks. In the summer of 1913,

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<sup>35</sup> Congress, Senate, Thomas F. Bayard of Delaware discussing the government of the District, 43<sup>rd</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 3, pt. 1 (17 December 1874): 126; *Ibid*, 122.

<sup>36</sup> *Ibid*.

<sup>37</sup> In his classic study, *The Strange Career of Jim Crow*, C. Vann Woodward stated that it was not until the end of the nineteenth century that the South adopted the doctrine of segregation. However, Washington, D.C. had a different experience, as Thomas Johnson noted: “[Segregation] was highest in 1862, dropped markedly by 1870, and was on the rise again in 1880.” Most likely antebellum segregation was due to the city’s large free black population coupled with its role as a hub for abolitionism, while the move toward segregation shortly after Reconstruction was due to the massive influx of blacks during and after the war. Thomas R. Johnson, “The City on the Hill: Race Relations in Washington, 1865-1885” (Ph.D. diss., University of Maryland, 1975), 173; quoted in James Borchert, *Alley Life in Washington Family, Community, Religion, and Folklife in the City, 1850-1970*, Blacks in the New World, August Meier, ed. (Urbana, Illinois: University of Illinois Press, 1980), 5. See also C. Vann Woodward, *The Strange Career of Jim Crow*, 2d rev. ed. (New York: Oxford University Press, 1966).

<sup>38</sup> Green, *Secret City*, 119.

government buildings were officially segregated and three years later the military followed suit.<sup>39</sup> To compound matters, banks often refused to give loans to potential black homebuyers, leading to overcrowded living quarters and alley dwelling.<sup>40</sup> Constance Green, in her study on race relations in the capital, noted that Jim Crow was so encompassing that even the Red Cross segregated donors' blood.<sup>41</sup>

Despite increased segregation and racial discrimination, African Americans did not initiate or even significantly support the sparse calls for suffrage in the post-Reconstruction period. This was largely due to the fact that many black Washingtonians believed that an elected council would undoubtedly be dominated by the often-hostile white majority and would not represent them any better the federal three-man commission.<sup>42</sup> Thus when the suffrage issue reemerged in the 1910s, it was primarily a white-led and white-sponsored movement. From 1916 and on through the 1920s, bills for District government reorganization or for a delegate to the House of Representatives were introduced in almost every congressional session.

Supporters of enfranchisement sought the ballot because "it is right, it is just, it is logical, it is expedient, and above all it is American."<sup>43</sup> They downplayed the race issue and often favored literacy tests or property qualifications, assuming that such requirements would minimize black influence. One Senate bill proposed in 1921

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<sup>39</sup> Ibid., 173.

<sup>40</sup> For more on black residential patterns and conditions, see James Borchert's study, *Alley Life in Washington*.

<sup>41</sup> Green, *Secret City*, 264.

<sup>42</sup> Ibid., 181.

<sup>43</sup> Congress, Senate, Committee on the District of Columbia, *Suffrage in the District of Columbia: Hearings before the Committee on the District of Columbia*, 67<sup>th</sup> Cong., 1<sup>st</sup> and 2<sup>nd</sup> sess., 8 November 1921, 18.

circumvented the issue by segregating the ballot and the would-be city council. The measure called for “3 white men, 3 white women, and 3 colored persons, not less than one or more than two of such colored persons to be women.”<sup>44</sup> Others attempted to persuade reluctant whites that the black population in the District would not be an electoral force. For example, Paul Lesh, a D.C. resident who spoke before a congressional hearing, brought forth police records to demonstrate that whites outnumbered blacks in all eleven of the city’s precincts. He went on to present census statistics that showed an overall increase in both black and white populations, but a decline in the proportion of blacks *to* whites. Regardless, some opponents failed to grasp the meaning of Lesh’s figures and instead stressed that the black population had numerically increased.<sup>45</sup>

In the 1920s the movement for enfranchisement gained a tremendous amount of momentum and had the backing of numerous organizations, including the Washington Board of Trade, the Chamber of Commerce, the Federation of Citizens Associations, the National American Women Suffrage Association, the Bar Association, the Women’s Bar Association, and the Merchants and Manufacturers’ Association.<sup>46</sup> Even with such wide-ranging support every bill was either voted down or indefinitely shelved. Congress rarely debated the issue of home rule or a congressional delegate for D.C., leaving either the House Committee on the Judiciary or the Senate Committee on the District of Columbia

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<sup>44</sup> Ibid., 11.

<sup>45</sup> In 1910 the number of whites in the District was 236,428, or 71% of the total population; blacks numbered 94,440, or 29.5% of the population. The following year there were 326,800 whites, which made up 75% of the population; the number of blacks increased to 109,966, but their proportion dropped to 23%. *The Fourteenth U.S. Census*, vol.3 (Washington: Government Printing, 1920), 34.

<sup>46</sup> Congress, Senate, Committee on the District of Columbia, *Suffrage in the District of Columbia*, 67<sup>th</sup> Cong., 1<sup>st</sup> and 2<sup>nd</sup> sess., 8 November 1921, passim.



to conduct hearings. Throughout the decade, opponents of suffrage dragged the various hearings out for several grueling months at a time, often starving bills to death. One of the period's staunchest suffrage opponents was Grover W. Ayers, a local businessman, who was present at nearly every hearing held by both Senate and House committees. Much of his testimony centered on government efficiency. Ayers claimed that suffrage was "most unnecessary, most impractical, most unrepresentative, and most selfish."<sup>47</sup> His antidemocratic stance was mixed with a form of disingenuous racism: "I am frank to say I do not want the negro to vote in the District on local or national matters. He would not get a square deal: I would not get a square deal: nobody would get a square deal."<sup>48</sup> He also evoked the problems that D.C. faced in the post-Civil War period, using the age-old argument that blacks were to blame. In his testimony before the Senate Committee on the District of Columbia he exclaimed, "During and since the late war the undesirable, ignorant and vicious element that came here during and after the civil war has been largely increased; and now that part of the population is dangerous because of its great number."<sup>49</sup>

Grover Ayers was not alone in his condemnation of suffrage in the nation's capital. Various organizations also opposed voting rights, including the Ku Klux Klan, the Anglo-Saxon club, and the Du Pont Citizen's Association. Paul M. Linebarger of the latter association gave a particularly unrestrained confession:

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<sup>47</sup> Congress, House, Committee on the Judiciary, *National Representation for the Residents of the District of Columbia Hearing on the Judiciary*, 70<sup>th</sup> Cong., 1<sup>st</sup> sess., January through March 1928, 110.

<sup>48</sup> Congress, House, Committee on the Judiciary, *Representation of the District of Columbia in Congress and the Electoral College Hearings before the Committee on the Judiciary*, 66<sup>th</sup> Cong., 3<sup>rd</sup> sess., January 1921, 145.

<sup>49</sup> Congress, Senate, Committee on the District of Columbia, *Suffrage In the District of Columbia, Hearings before the Committee on the District of Columbia*, 67<sup>th</sup> Cong., 1<sup>st</sup> and 2<sup>nd</sup> sess., 8 November 1921, 66.

Give them the vote and what are we going to do? You are going to change this District into a 90% black District. It is already the paradise of America for them. The poor darkies from the swamps of Florida and the pine woods of Mississippi will be coming here because it is the black man's paradise.<sup>50</sup>

The fears of a second mass influx of blacks resonated throughout Washington. Although the vast majority of the city's residents favored suffrage, Congress seemed to be persuaded by the racial positioning of suffrage opponents.

After several series of congressional hearings in the 1920s, and their failure to produce any result, the drive for a House delegate and for home rule deteriorated. There was still support from the District Suffrage League and other groups, but the organizational coalition of the 1920s fell apart. Furthermore, the Great Depression in the 1930s rerouted concerns to more immediate matters. In particular, the District's black population was economically hindered, losing even menial jobs to whites. The New Negro Alliance was formed in 1933 to combat growing unemployment and to protest companies and establishments that practiced discriminatory hiring and firing. Using the boycott and picket as their means of protest, the New Negro Alliance was highly successful in uncovering and combating racially discriminatory employment practices.<sup>51</sup>

The boycott and picket tactics carried over into the 1940s. In response to discrimination within the federal government, the New Negro Alliance and A. Philip Randolph of the Brotherhood of Sleeping Car Porters called for a march on Washington. President Franklin Roosevelt responded by issuing Executive Order 8802 in exchange for Randolph's assurance that the protest would be called off. Issued in June of 1941, E.O. 8802 forbade discrimination in the defense industry and established the Fair Employment

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<sup>50</sup> Congress, House, *National Representation for the Residents of the District of Columbia*, 70<sup>th</sup> Cong., 1<sup>st</sup> sess., January-March 1928, 117.

<sup>51</sup> Green, *Secret City*, 229.

Practices Committee to enforce the order. FEPC did not, however, eliminate discrimination in the District, which resulted in continued boycotts and pickets. Along with anti-discrimination activism there was an increasingly vocal anti-segregationist movement that eventually exploded nationally in the post-World War II period.

In Washington this explosion was closely followed by a renewed vigor for voting rights and, in turn, equally strong opposition from Southern Democrats. Like the enfranchisement opponents of the 1910s and 1920s, Southern opponents in the 1940s and 1950s feared a black electorate and their potential political influence.

## CHAPTER II

### CONGRESS AND THE POSTWAR SUFFRAGE DRIVE, 1946-1965

During the Great Depression and World War II there was little debate in Congress over voting rights for the District of Columbia's citizenry. The end of economic depression and war brought about a return to normalcy in Washington's political arena, which meant a renewed drive towards suffrage. However, until 1966 the only voting measure enacted was the ratification of the twenty-third amendment to the Constitution in 1961, enabling District residents to vote for the US president. Though no congressional representation or home rule legislation was enacted, hundreds of suffrage bills hit the floor of Congress. Most of the legislative proposals called for the free and democratic election of a mayor, a city council and a school board, while other bills dealt solely with the election of a congressional representative for the District. Of course there were numerous variations—some bills proposed the election of a council and the appointment of a mayor, some called merely for the election of a school board, and still others had attached amendments, such as mandatory literacy tests or poll taxes. Regardless of the specifications, the issue of suffrage in the nation's capital was a recurring and problematic point of debate in the postwar era.

What made the issue problematic was a contingent of Southern congressmen that continually railroaded all suffrage measures for the District. Though these Southerners often cited constitutional and legal difficulties with a charter for home rule or

congressional representation for the capital city, their actual concern was with the large and continually growing African-American population. Beginning in 1930, the rate of increase of the black population surpassed the rate of increase of the white population. Thus whites, who numbered 326,800 in the 1920 census, experienced a 38% increase from the 1910 census, while blacks, who numbered 109,966 in 1920, only grew by 16% from 1910. By 1930, however, the white population grew to 353,981, which was only an 8% increase, while the black population grew to 132,068—a 20% increase from 1920. Both blacks and whites experienced substantial growth in 1940, increasing by 42% and 34% respectively. But in 1950 the white population experienced a 9% growth rate, while blacks grew by 50%.<sup>1</sup>

When the District's public facilities were desegregated in 1953 followed by the public schools the next year, the white population began to decline, moving to the suburbs of the capital city, which were located outside of the District's borders in surrounding Maryland and Virginia. At 517,865 in 1950, the number of whites reported in the 1960 census stood at 345,263, a 33% decrease. Alternately, the black population grew by 47% between 1950 and 1960, increasing from 280,803 to 411,737. In 1970 the trend was similar—whites decreased by 39%, while blacks increased by 31% (table 1).<sup>2</sup> Hence, if the ballot were given to D.C. residents, African Americans would exert a profound influence on city politics. Even worse for Southern proponents of segregation would be the election of a congressional representative, which could result in another vote for the increasingly abundant civil rights measures.

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<sup>1</sup> Donald B. Dodd, comp., *Historical Statistics of the States of the United States: Two Centuries of the Census, 1790-1990* (Westport, Connecticut: Greenwood Press, 1993), 19.

<sup>2</sup> Ibid.

Table 1. Population Statistics for Washington, D.C., 1920-1970

Census Year	1920	1930	1940	1950	1960	1970
Washington, D.C. Total Population	437,571	486,869	663,091	802,178	763,956	756,510
Percent Increase in Total D.C. Population	32.2*	11.3	36.2	21.0	-4.8	-1.0
Total White Population	326,800	353,981	474,328	517,865	345,263	209,272
Percent Increase in White Population	38.2*	8.3	34.0	9.2	-33.3	-39.4
Total Black Population	109,966	132,068	187,266	280,803	411,737	537,712
Percent Increase in Black Population	16.4*	20.1	41.8	49.9	46.6	30.6

Source: Donald B. Dodd, comp., *Historical Statistics of the States of the United States: Two Centuries of the Census, 1790-1990* (Westport, Connecticut: Greenwood Press, 1993).

\* Percent increase from 1910

Despite their most industrious efforts at persuasion, the Southern anti-suffrage contingent faced increasingly strong pro-suffrage sentiment among the District's citizens and in the Democratic Party. Indeed, as early as July of 1940, the Democratic Central Committee of the District of Columbia adopted a platform supporting suffrage. Making no reference to race, the committee cited the fact that D.C. had a voting age population greater than ten states and that its citizens paid more in taxes than the people of 24 states.<sup>3</sup>

<sup>3</sup> Congress, House, "Democratic Central Committee Proposes Suffrage Resolution" by Jennings Randolph, 76<sup>th</sup> Cong., 3<sup>rd</sup> sess., *Congressional Record*, vol. 86, pt. 16, appendix (29 July 1940): A4621. The 1940 census revealed that the number of states with fewer people than the District of Columbia had increased to fourteen and in 1950 the number stood at fifteen, including Alaska, Arizona, Delaware,

Though President Franklin Roosevelt and the upper echelons of the Democratic Party did not aggressively push the home rule issue in the prewar period, in 1945 Harry Truman set a precedent of presidential support for some measure of suffrage that continued until the Home Rule Act of 1973. Truman, unlike Southern Democrats, did not see the issue as a racial one. Rather, Roosevelt's successor was more concerned with the amount of time that Congress allotted to the legislative matters of the District. In a letter from July of 1949 that was delivered to Speaker of the House Sam Rayburn, Truman explained,

It is little short of fantastic that the Congress of the United States should—as it now does—devote a substantial percentage of its time to acting as city council for the District of Columbia. During the past two years, during which it was confronted with many major problems of national and international importance, the Congress has had to find time to deal with such District matters as parking lots, the regulation of barbers, the removal of street obstructions, and the establishment of a Metropolitan Police Force Band, to name only a few. We should take adequate steps to assure that citizens of the United States are not denied their franchise merely because they reside at the nation's capital.<sup>4</sup>

It was also increasingly difficult for the president or any government official to ignore the growing postwar suffrage sentiment among residents of the capital city. In 1946, the city held an unofficial referendum on home rule and national representation for D.C. Though only 169,654 participated in the plebiscite, 119,985 of the voters supported home rule and 142,967 favored congressional representation.<sup>5</sup> Indeed, a majority of Americans favored suffrage for Washingtonians. A Gallup Poll from 1952 showed that

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Hawaii, Idaho, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Rhode Island, South Dakota, Utah, Vermont, and Wyoming. Dodd, *Historical Statistics of the States*, passim.

<sup>4</sup> Congress, House, "The Home Rule Bill Should Be Enacted Into Law" by Usher L. Burdick, 81<sup>st</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 96, pt. 13, appendix (25 July 1949): A241.

<sup>5</sup> *Newsweek* magazine reported that voters in predominantly black precincts overwhelmingly supported the suffrage measures, while adjoining white precincts had the highest percentage of votes against suffrage. "From the Capital: The Voteless Vote," *Newsweek* 28 (18 November 1946): 44.

77% of Americans supported home rule.<sup>6</sup> Further, many of the District's organizations and associations backed suffrage. The League of Women Voters and the Federation of Women's Clubs were two of the most vocal proponents of both home rule and congressional representation. In 1953, the two women's groups joined with D.C. labor leaders and formed the biracial Washington Home Rule Committee.<sup>7</sup>

Other organizations that advocated suffrage included the Central Suffrage Conference, the Progressive Party, Americans For Democratic Action, local branches of the AFL and CIO, the Washington Home Rule Committee, the NAACP, the American Veteran's Committee, the Brookland Citizen's Association, and the Washington Federation of Churches. Even the pro-segregationist and openly racist Federation of Citizen's Associations (FCA) favored suffrage, albeit before the racial demographic shift of the 1950s.<sup>8</sup> Claiming that the federal treasury did not sufficiently fund the city's governmental bureaucracy and that Congress ignored problems in the District, the FCA relentlessly pushed for home rule in congressional hearings on the matter.<sup>9</sup> Besides wide organizational support, all of the city's major newspapers called for home rule and

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<sup>6</sup> Congress, House, Committee on the District of Columbia, *Home Rule in the District of Columbia Hearings before the Judiciary Subcommittee of the Committee on the District of Columbia*, 82<sup>nd</sup> Cong., 2<sup>nd</sup> sess., March-April 1952, 203.

<sup>7</sup> Frederick L. Scott, "The Home Rule Issue in the District of Columbia," *The Student Nonviolent Coordinating Committee Papers, 1959-1972* (Sanford, North Carolina: Microfilming Cooperation of America, 1982) [hereafter, *The Papers of SNCC*], C:V:1, 0196; Green, *Secret City*, 280.

<sup>8</sup> Congress, House, Committee on the District of Columbia, *Home Rule and Reorganization in the District of Columbia Hearings before the Judiciary Subcommittee of the Committee on the District of Columbia*, 81<sup>st</sup> Cong., 1<sup>st</sup> sess., June to July 1949, passim. All African-American organizations were officially excluded from the FCA in 1910. Green, *Secret City*, 166.

<sup>9</sup> Green, *Secret City*, 267. See also, Gillette, *Between Justice and Beauty*, 160.



congressional representation, including the *Washington Post*, the *Evening Star*, and the *Washington Daily News*.<sup>10</sup>

With such a support base among the D.C. citizenry, Congress began to take action. Representative James Auchincloss of New Jersey took up the cause, sponsoring House Resolution 195, which called for the House Committee on the District of Columbia to investigate and study D.C. governmental reorganization and home rule. In July of 1947 Auchincloss proposed legislation that called for a nonvoting delegate to the House of Representatives, an elected school board, and an elected twelve-member council, which, in turn, would select a mayor.<sup>11</sup> The House District Committee, under the chairmanship of Everett Dirksen of Illinois, held further hearings. Though certain committee members such as Representative John McMillan of South Carolina claimed that the bill would “do nothing but create confusion,” it was ultimately approved by eight of the committee’s fourteen members.<sup>12</sup> However, when the matter went to the floor of the House for a vote, Representative Oren Harris of Arkansas—who was also a member of the House District Committee—filibustered the bill. Though he claimed that he opposed it for constitutional reasons, Harris was a segregationist and adamantly opposed all civil rights measures.<sup>13</sup> After the failure of the Auchincloss bill, neither home rule nor

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<sup>10</sup> Congress, House, Judiciary Subcommittee of the Committee on the District of Columbia, *Home Rule and Reorganization in the District of Columbia*, 81<sup>st</sup> Cong., 1<sup>st</sup> sess., June-July 1949, passim.

<sup>11</sup> Congress, House, Committee on the District of Columbia, *Governance of the Nation’s Capital: A Summary History of the Forms and Powers of Local Government for the District of Columbia, 1790 to 1973*, report prepared by Joan T. Thornell, 101<sup>st</sup> Cong., 2<sup>nd</sup> sess., 1990, serial no. S-2, 47.

<sup>12</sup> Congress, House, John McMillan of South Carolina voicing opposition to the District of Columbia Charter Act H.R. 6227, 80<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 94, pt. 5 (24 May 1948): 6363. Green, *Secret City*, 281.

<sup>13</sup> Congress, House, “Voluntary Segregation for Lawful Purposes Should Not Be Denied” by Oren Harris, 80<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 94, pt. 11, appendix (18 May 1948): A3081.

congressional representation for the capital city was debated on the House floor for seventeen years.

Despite inaction in the House, D.C. suffrage remained a lively issue in the Senate. From 1949 until the passage of the Home Rule Act in 1973, the Senate debated countless bills on home rule and congressional representation—seven of which were passed, only to die later in the endless hearings of the House District Committee. The first successful Senate bill was S. 1527, which proposed an eleven-member council, with two presidentially-appointed seats and nine elected seats. Passed in May of 1949, the bill offered no provision for a congressional representative and it empowered Congress to change or modify the government charter at anytime. Senator James Eastland of Mississippi attempted to sabotage the bill by adding an amendment that required D.C. residents to hold a referendum on segregation in the District. His effort, however, proved fruitless as the Senate rejected the amendment and passed the bill in May of 1949.<sup>14</sup>

Three years later, the Senate passed home rule bill S. 1976, which called for a presidentially-appointed mayor, a fifteen member elected council, and a five member elected school board. Like S. 1527, S. 1976 omitted congressional representation and gave Congress the power to enact or repeal legislation in the District, both glaring shortcomings to many D.C. residents.<sup>15</sup> Others, however, saw the bill as a compromise and as a particularly moderate proposal. Furthermore, seven of the bills sponsors were Democrats and five were Republicans, a point that encouraged bipartisan support.<sup>16</sup>

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<sup>14</sup> Congress, Senate, Debate on home rule bill S. 1527, 81<sup>st</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 95, pt. 5 (27 May 1949): 6971; *Ibid.* (31 May 1949): 7018.

<sup>15</sup> Congress, House, “Home Rule for the District of Columbia” by Walter K. Granger, 82<sup>nd</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 98, pt. 9, appendix (7 April 1952): A2166.

<sup>16</sup> “Washington, the Federal City,” *Congressional Digest* 31 (December 1952): 296.

Interestingly, the bill's primary author was Senator Estes Kefauver, a Southerner from Tennessee.

Kefauver, however, was the only Southerner to sponsor the bill and, along with Ralph Yarborough of Texas, the only one to vote for its passage. The Tennessean and his cosponsors argued that the presidentially appointed commission form of government went against the American democratic tradition. They further asserted that the appointed commission was overly bureaucratic and inefficient. As Senator Francis Case of South Dakota, a cosponsor of S. 1976, stated, "No fewer than 80 separate agencies compromise the executive branch of the District government—a third more than all the departments and agencies in the executive branch of the federal government itself!"<sup>17</sup> Even the president of the District of Columbia's Board of Commissioners, Robert McLaughlin, attested to the District's extensive and complicated bureaucracy. In an interview with *U.S. News and World Report*, McLaughlin noted that the capital city had five separate police departments, including a police force for the city zoo.<sup>18</sup>

While Case, Kefauver, and other home rule advocates pointed out the inefficiency of the commission form of government and vehemently defended S. 1976, many Southerners evoked images of the District's bankruptcy and the rampant corruption of the 1870s. Senator Sam Hobbs of Alabama argued that it was the people who voted in the 1870s that caused the city's calamities. Though he referred to himself as "a Jackie Robinson fan," and claimed that he was not attempting to "advocate any racial issue or question," but merely trying to uphold the Constitution, Hobbs read the 1874 testimony

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<sup>17</sup> "Should the City of Washington Have Local Government," statement by Francis Case, *Congressional Digest* 31 (December 1952): 298.

<sup>18</sup> Robert E. McLaughlin, "The City that Congress Runs," Interview with *U.S. News and World Report*, *U.S. News and World Report* (6 July 1956): 63.

of Senator Thomas F. Bayard from the *Congressional Record*, who referred to African-American suffrage as an “absurd attempt to govern this district through the instrumentality of its most ignorant and degraded classes.”<sup>19</sup>

Joining Hobbs in the debate against the Kefauver bill was Senator Olin Johnston of South Carolina. Also asserting that it was unconstitutional and not a “rightful exercise of legal power,” Johnston argued that the bill’s proponents had taken James Madison’s statement of support for a local District government in Federalist paper no. 43 out of context and used it in their favor.<sup>20</sup> According to Johnston, Madison’s statement, which called for “a municipal legislature for local purposes, derived from their own suffrages,” was an “isolated dependent clause” and that the founding father had no intention of allowing District residents home rule.<sup>21</sup> But was Johnston truly concerned with constitutional and legal issues or did he oppose suffrage for racial purposes?

Throughout his congressional career, the South Carolina Senator was a staunch segregationist, stating before Congress in 1949, “There is no doubt in my mind that [segregation] is far better for all concerned . . . particularly with reference to matters of public schools and related social activities.”<sup>22</sup> Further, he opposed all anti-lynching proposals, referring to such legislation as “totalitarian.”<sup>23</sup> Recalling his opposition to

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<sup>19</sup> Congress, Senate, Senator Sam Hobbs arguing against D.C. home rule bill S. 1976, 82<sup>nd</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 98, pt. 1 (15 January 1952): 187. See also chapter 1.

<sup>20</sup> Congress, Senate, Senator Olin Johnston argues against S. 1976, 82<sup>nd</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 98, pt. 1 (14 January 1952): 129.

<sup>21</sup> *Ibid.*, 173. In May of 1812, President James Madison signed into law the 1820 home rule charter, which created an eight-member board of aldermen to be democratically elected by white male citizens of the District of Columbia.

<sup>22</sup> Congress, Senate, Senator Olin Johnston discussing segregation, 81<sup>st</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 95, pt. 5 (31 May 1949): 7013.

executive order 8802, which created the Fair Employment Practices Commission, Johnston stated, “I desire to take credit for attempting to kill the bill.” He went on to call EO 8802 “communistic,” and noted that “the best friend the Negro race has ever had has been the white Southerner.”<sup>24</sup> Johnston was even more explicit about his racial perceptions when in April of 1953 he expressed alarm at a decrease in Hawaii’s Caucasian population. Fearing that whites were a minority, Johnston declared that the demographic shift “should receive much consideration by the members of the Congress when the Hawaiian statehood bill is brought up.”<sup>25</sup>

Johnston’s racial perceptions were typical of the majority of those in opposition to suffrage in the District and most certainly had as much to do with their resistance as home rule’s constitutionality. Fortunately for suffrage advocates in the Senate, their opponents were in the minority. The Kefauver bill, S. 1976, passed through the Senate in 1952, but like its predecessor, S. 1527, was tabled by the House District Committee. Kefauver and his allies, however, were not dissuaded. From 1953 to 1967, the Senate passed five more suffrage measures, including S. 697 in 1953, S. 669 in 1955, S. 1846 in 1957, S. 1681 in 1959, and S. 1118 in 1965.

Senators Eastland, Johnston and a coalition of mostly Southerners continued their attempts to block the bills. It was this same anti-suffrage coalition that opposed the period’s various civil rights measures. For instance, of the eighteen senators who voted against the Civil Rights Act of 1957—an act that Eisenhower described as “the mildest

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<sup>23</sup> Congress, Senate, Senator Johnston arguing against anti-lynching legislation, 80<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 94, pt. 1 (17 February 1948): 1354.

<sup>24</sup> Congress, Senate, Senator Johnston discussing Executive Order 8802, 81<sup>st</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 96, pt. 5 (15 May 1950): 7008-9

<sup>25</sup> Congress, Senate, “Decrease in Caucasian Population of Hawaiian Islands” by Olin D. Johnston, 83<sup>rd</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 99, pt. 10, appendix (23 April 1953): A2133.

civil rights bill possible”<sup>26</sup>—fifteen opposed D.C. home rule charter bill S. 1846 and two abstained from voting. Or, alternatively, of the 21 senators that opposed S. 1846, fifteen opposed the Civil Rights Act of 1957 and two abstained (table 2). Moreover, sixteen of the 21 senators who voted against S. 1846 were from Southern states with codified Jim Crow laws.<sup>27</sup>

In the 1960s, at the peak of the civil rights movement, the trend was similar. The 1965 Senate bill 1118, which called for an elected mayor, council, school board and nonvoting delegate to the House, was resisted by the same Southern coalition that opposed the Voting Rights Act of 1965. Of the nineteen votes against the Voting Rights Act, sixteen opposed home rule measure S. 1118 and the other three abstained from voting on it (table 3).<sup>28</sup>

Bill S. 1118 was the last of the home rule proposals passed by the Senate before President Johnson’s D.C. government reorganization plan of 1967, which was the first step toward the eventual enactment of home rule legislation in 1973. Not including the ratification of the twenty-third amendment, which gave D.C. residents the right to vote for the US president, the Senate passed a total of seven home rule and/or congressional representation bills for the capital city between 1949 and 1965. All of the measures ended up in the House District Committee—a virtual graveyard for D.C. suffrage

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<sup>26</sup> Dwight D. Eisenhower, Telephone conversation with Lyndon B. Johnson, 15 June 1957, Dwight D. Eisenhower Presidential Library, DDE Diaries, box 14; quoted in Robert Griffith, “Dwight D. Eisenhower and the Corporate Commonwealth,” *American Historical Review* 87 (February 1982): 115

<sup>27</sup> Congress, Senate, Vote on civil rights bill H.R. 6127, 85<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 103, pt. 10 (7 August 1957): 13900; Congress, Senate, Vote on home rule bill S. 1846, 85<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 104, pt. 13 (6 August 1958): 16378.

<sup>28</sup> Congress, Senate, Vote on voting rights bill S. 1564, 89<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 111, pt. 9 (26 May 1965): 11752; Congress, Senate, Vote on D.C. home rule bill S. 1118, 89<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 111, pt. 13 (22 July 1965): 17826.

legislation. Though not a majority, the committee was heavily weighted with representatives from the South. The disproportionately large number of Southerners was due to the decisive role that regionalism and regional representation played in each party's committee selection process.<sup>29</sup>

Table 2. Senators who opposed D.C. home rule bill S. 1846 (1958) and their vote on the Civil Rights Act of 1957

Senators who opposed D.C. home rule bill S. 1846 (1958)	Vote on the 1957 Civil Rights Act
Byrd, Harry (Virginia) . . . . .	nay
Chavez, Dennis (New Mexico) . . . . .	yea
Eastland, James (Mississippi) . . . . .	nay
Ellender, Allen (Louisiana) . . . . .	nay
Ervin, Sam (North Carolina) . . . . .	nay
Frear, J. Allen (Delaware) . . . . .	abstention
Hayden, Carl (Arizona) . . . . .	yea
Hill, Lister (Alabama) . . . . .	nay
Johnston, Olin (South Carolina) . . . . .	nay
Jordan, B. Everett (North Carolina) . . . . .	*
Long, Russell (Louisiana) . . . . .	nay
Malone, George (Nevada) . . . . .	abstention
McClellan, John (Arkansas) . . . . .	nay
Morse, Wayne (Oregon) . . . . .	nay
Robertson, A. Willis (Virginia) . . . . .	nay
Russell, Richard (Georgia) . . . . .	nay
Sparkman, John (Alabama) . . . . .	nay
Stennis, John (Mississippi) . . . . .	nay
Talmadge, Herman (Georgia) . . . . .	nay
Thurmond, Strom (South Carolina) . . . . .	nay
Young, Milton (North Dakota) . . . . .	yea

\* Appointed to the Senate on April 19, 1958

<sup>29</sup> Carl P. Chelf, *Congress in the American System* (Chicago: Nelson-Hall, 1977), 99-100.

Table 3. Senators who opposed the Voting Rights Act of 1965 (S. 1564) and their vote on D.C. home rule bill S. 1118

Senators who opposed the Voting Rights Act of 1965	Vote on D.C. home rule bill S. 1118 (1965)
Byrd, Harry (Virginia) . . . . .	abstention
Eastland, James (Mississippi) . . . . .	nay
Ellender, Allen (Louisiana) . . . . .	nay
Ervin, Sam (North Carolina) . . . . .	nay
Fulbright, J.W. (Arkansas) . . . . .	nay
Hill, Lister (Alabama) . . . . .	nay
Holland, Spessard (Florida) . . . . .	nay
Jordan, B. Everett (North Carolina) . . . . .	nay
Long, Russell (Louisiana) . . . . .	nay
McClellan, John (Arkansas) . . . . .	nay
Robertson, A. Willis (Virginia) . . . . .	nay
Russell, Donald (South Carolina) . . . . .	abstention
Russell, Richard (Georgia) . . . . .	nay
Smathers, George (Florida) . . . . .	abstention
Sparkman, John (Alabama) . . . . .	nay
Stennis, John (Mississippi) . . . . .	nay
Talmadge, Herman (Georgia) . . . . .	nay
Thurmond, Strom (South Carolina) . . . . .	nay
Tower, John (Texas) . . . . .	nay

The congressional committee was and remains today the core of the legislative process and it is the committee that determines the fate of proposals set before it. However, it is the committee chair who wields the real power. The committee chair, who is chosen by seniority and whose methods can vary from democratic to dictatorial, has control over the committee agenda and the scheduling of hearings. As Carl Chelf explained in his book, *Congress in the American System*, “With their own bases of power securely fixed in their home states and districts, and their positions of leadership virtually assured by seniority, the committee chairman may move away from the party leadership



and other elements in the party system to reign in their own individual styles over particular areas of public policy.”<sup>30</sup> From 1947 to 1973, John McMillan of South Carolina, a fervent segregationist who consistently voted against all civil rights measures, headed the committee.

As chair, McMillan decided which bills to refer to subcommittees and who to appoint as subcommittee members. Not surprisingly, representatives from the South dominated all subcommittees that held hearings on D.C. home rule. McMillan also consistently chose like-minded segregationist Southerners to head the subcommittees. During the hearings for home rule bill S. 1527 in 1949, for example, four of the seven members on the subcommittee that held the hearings were from Southern districts. McMillan appointed Oren Harris of Arkansas (who filibustered home rule bill H.R. 6227 in 1948) to chair the subcommittee, despite the fact that thirteen of the 25 House District Committee members were from non-Southern states.<sup>31</sup> The trend was similar ten years later during hearings for home rule proposal S. 1681; seven of the eleven active subcommittee members were Southerners who opposed the Civil Rights Act of 1957 (table 4).<sup>32</sup>

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<sup>30</sup> Ibid., 87, 111, 107, 109. Commenting on the role of seniority in the power of a committee chair, former congressman Morris Udall of Arizona noted, “The committee member who has served twenty years is not just five percent more powerful than the member who has served nineteen years. If he is chairman he is 1000 percent more powerful.” Morris Udall as quoted by Larry King, “Inside Capitol Hill: How the House Really Works,” *Harper’s* (October 1968), 67; quoted in Chelf, *Congress in the American System*, 102.

<sup>31</sup> Congress, House, Committee on the District of Columbia, *Home Rule and Reorganization in the District of Columbia Hearings before the Committee on the District of Columbia*, 81<sup>st</sup> Cong., 1<sup>st</sup> sess., June-July 1949, 11.

<sup>32</sup> Congress, House, Committee on the District of Columbia, *Home Rule Hearings before the Committee on the District of Columbia*, pt. 2, 86<sup>th</sup> Cong., 1<sup>st</sup> sess., July-September 1959, ii; Congress, House, Vote on civil rights bill H.R. 6127, 85<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 103, pt. 7 (18 June 1957): 9518.

Table 4. Members of the House Committee on the District of Columbia, members of the subcommittee on home rule legislation, and their votes on the Civil Rights Act of 1957

Members of the House Committee On the District of Columbia (1959)	Vote on the Civil Rights Act of 1957
McMillan, John—chair (South Carolina) . . . . .	nay
Abernethy, Thomas (Mississippi) . . . . .	nay
Dawson, William (Illinois) . . . . .	yea
Derounian, Steven (New York) . . . . .	yea
Foley, John (Maryland) . . . . .	*
Irwin, Donald (Connecticut) . . . . .	*
Morrison, James (Louisiana) . . . . .	nay
Multer, Abe (New York) . . . . .	yea
Nelsen, Ancher (Minnesota) . . . . .	*
O’Konski, Alvin (Wisconsin) . . . . .	yea
Smith, Howard (Virginia) . . . . .	nay
Springer, William (Illinois) . . . . .	yea
Weis, Jessica (New York) . . . . .	*
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Members of the subcommittee, which held hearings on home rule bill S. 1681	
Davis, James—chair (Georgia) . . . . .	nay
Auchincloss, James (New Jersey) . . . . .	yea
Broyhill, Joel (Virginia) . . . . .	nay
Dowdy, John (Texas) . . . . .	nay
Harmon, Randall (Indiana) . . . . .	*
Kearns, Carroll (Pennsylvania) . . . . .	yea
Loser, J. Carlton (Tennessee) . . . . .	nay
Morris, Thomas (New Mexico) . . . . .	nay
Smith, Wint (Kansas) . . . . .	nay
Williams, John Bell (Mississippi) . . . . .	nay

\* Elected to the House in 1958

Through the 1950s and 1960s the hearings held by McMillan’s appointed subcommittees often dragged on for months. Indeed, anyone who so desired could speak before a congressional subcommittee and hearings would continue until everyone who

requested to appear had been heard. Often the hearings turned into a forum for individuals to express their fears and anxieties over the District's large black population. One dismayed resident testified: "We think Congress has been negligent in permitting the District to grow into another Harlem with its population all out of proportion to the total colored population of the country. There is yet time to save the western portion of the city before all the whites are driven into Maryland and Virginia."<sup>33</sup> On a similar note, another opponent of home rule stated, "As a citizen of the United States, and as such I do not want to see the capital city of my country ruled by Negroes, as it surely will be if any home rule bills are enacted into law."<sup>34</sup>

While individual speakers dragged the hearings on, it was the testimony from various organizations in the District that effectively gave home rule opposition legitimacy and a sense of cohesiveness. Organizational testimony, however, was no less racist than many of individual speeches. For example, a representative of the D.C. Anglo-Saxon Society subtly noted, "If the capital city had a vote, the alleys would out vote the avenues."<sup>35</sup> He continued, not so subtly: "You have in the District proper, where a vote would count, 80 percent of a mixture of Negroes, yellow and black, orientals, Latins, and Jews as against a 20 percent of white Anglo-Saxons [*sic*]. . . . Therefore your judges, police, mayor, council, teachers, firemen, representatives would be nonwhite. A pooling of races would be inevitable."<sup>36</sup> The American Legion also lent its voice to white voter

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<sup>33</sup> Congress, House, Committee on the District of Columbia, *Home Rule Hearings before the Committee on the District of Columbia*, 86<sup>th</sup> Cong., 1<sup>st</sup> sess., July-September 1959, 500.

<sup>34</sup> *Ibid.*

<sup>35</sup> Congress, House, Committee on the District of Columbia, *Home Rule in the District of Columbia: Hearings before the Judiciary Subcommittee of the Committee on the District of Columbia*, 82<sup>nd</sup> Cong., 2<sup>nd</sup> sess., March-April 1952, 207-8.

hegemony, arguing: “This being the nation’s capital, all organized minority groups have made this city their headquarters to better focus themselves on Congress. These organized minority groups will constitute a principal part of the electorate and could control the city council.”<sup>37</sup>

The largest and by far the most influential organizational opponent to home rule was the Metropolitan Washington Board of Trade. The Board of Trade dominated the congressional hearings, with representatives testifying against all of the home rule Senate bills. But unlike the Anglo-Saxon Society or the American Legion, the Board of Trade avoided overtly racist arguments. Instead, the organization stated that home rule would be financially unsound, inefficient, and unconstitutional—as one board representative stated, “[Home rule] would conflict with the concept of Washington as the federal city and undoubtedly would place a financial burden on the local community.”<sup>38</sup> Other board members claimed that home rule would lead to the dominance of machine politics, resulting in political corruption as well as crime, violence, disease, illegitimacy, and rioting.<sup>39</sup> Suffrage proponents, however, argued that the Board of Trade feared a democratically elected government which would raise taxes and be much more difficult to work with than the appointed three-man commission. Other home rule advocates, such

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<sup>36</sup> Ibid.

<sup>37</sup> “Should the City of Washington Have Local Government,” statement by Jerome McKee of the American Legion, *Congressional Digest*, 313.

<sup>38</sup> Congress, House, “Remarks of E.K. Morris, President-elect, Washington Board of Trade, Before the Junior Chamber of Commerce,” 86<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 105, pt. 23, appendix (3 June 1959): A5040.

<sup>39</sup> Congress, House, Richard Barnett Lowe of the Metropolitan Board of Trade testifying against home rule, 89<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 111, pt. 16 (26 August 1965): 21956. As an alternative to an elected city council and mayor, the Board of Trade did support congressional representation for the District, a much more difficult goal that critics claimed would have required a constitutional amendment.

as Senator Kefauver, claimed that the board's fears were steeped in racism and though board members were not openly racist, "it [was] whispered about and [was] one of the silent obstacles to passage of the Kefauver bill."<sup>40</sup>

While the Board of Trade was a powerful and influential opponent of home rule, ultimately it was John McMillan and his coalition of Southern representatives in the House District Committee that stifled the numerous Senate suffrage measures. Even though most congressmen in both the Senate and House supported some form of home rule legislation, it was next to impossible to wrest the pending Senate bills out of the House District Committee. President John Kennedy and his administration were particularly distraught over McMillan's small yet powerful coalition of home rule opponents. The administration felt that the House committee's leadership was fixated on the racial demographic changes that had occurred in the 1950s and that they were "unwilling to go on record as assisting a 'black' city."<sup>41</sup> Furthermore, Kennedy viewed the committee's governance of D.C. as "repressive" and misguided. Rather than deal with urban decay and crime through strengthening health, welfare, and education programs, the committee used "more policemen and more police dogs" to solve the problem.<sup>42</sup>

The administration was concerned that "these Southern reactionaries" were unwilling to provide the District with "effective civic leadership" and instead maintained an outdated, inefficient, and overly bureaucratic form of government that would

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<sup>40</sup> Bendiner, "Colonial Washington," 293; Congress, Senate, "Rebuttal of Board of Trade Arguments Against Home Rule for the District of Columbia" by Estes Kefauver, 81<sup>st</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 96, pt. 15, appendix (29 March 1950): A4094.

<sup>41</sup> A Report on Washington, D.C. (confidential), n.d., Lyndon Baines Johnson Presidential Library, Austin, Texas [hereafter, LBJL], Office files of Joseph Califano, box 11, D.C. government, folder 1.

<sup>42</sup> Ibid.

eventually lead the capital city to ruin.<sup>43</sup> Their fears were outlined in a confidential

White House report:

Under the present government structure it is likely that these problems will explode into a discharge for the nation and a major embarrassment for the Kennedy administration. Other American cities also are burdened with problems created by rapid urbanization. But Washington is a special case because of three elements: 1) It is the only large American city with a majority of Negroes. 2) It is Nation's capital watched by the whole world, and watched first-hand by the diplomatic corps. 3) It has been deprived of self-government for 90 years, and consequently lacks any effective civic leadership. . . . The present governmental structure of Washington is institutionally guaranteed to cause municipal disaster.<sup>44</sup>

Though Kennedy supported home rule, he knew that McMillan would halt any bill that was passed to the House committee. The president therefore favored economic and social reforms—such as urban renewal—as well as administrative changes, including the appointment of an assistant to the president on D.C. affairs, and the formation of a special cabinet committee on the District.<sup>45</sup> Lyndon Johnson continued with these programs and particularly favored reform measures in education, health , welfare, public safety, public recreation, housing, and transportation. However, unlike his predecessor, Johnson did not shy away from a direct confrontation with the House District Committee and vigorously supported S. 1118, the home rule measure passed by the Senate in 1965.<sup>46</sup>

When S. 1118 reached the House committee, McMillan, as expected, opposed the bill. The chairman argued that it authorized the mayor and council to levy taxes against

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<sup>43</sup> Ibid.

<sup>44</sup> Ibid. See also, A Supplemental Report on Washington, D.C. (confidential), n.d., LBJL, Office Files of Joseph Califano, box 11, D.C. Government, folder 1.

<sup>45</sup> A Report on Washington, D.C. (confidential), n.d., LBJL, Office Files of Joseph Califano, box 11, D.C. Government folder 1; A supplemental report on Washington, D.C., n.d., LBJL, office files of Joseph Califano, box 11, D.C. government, folder 1;

<sup>46</sup> Message to Congress from Johnson, 15 February 1965, LBJL, White House Central File [hereafter, WHCF], box 65, District of Columbia folder (SP 2-3).

the federal government, which was a violation of the appropriations provision in the Constitution. Johnson disagreed and wrote McMillan, informing him that the bill did not authorize such taxation and was therefore wholly constitutional. The president went on to politely remind the chairman, “The Senate committee accepted this opinion, and as you know, the Senate itself passed the measure by a heavy, bipartisan majority.”<sup>47</sup> The letter, however, was not enough to convince the House committee to act on the bill; like all of the previous home rule measures to pass before the committee, S. 1118, it appeared, would die on McMillan’s desk.

But the president did not give up so easily. To force the bill through the House committee, Johnson attempted a rarely used discharge procedure. Requiring 218 signatures, or a majority of the House, the procedure was next to impossible—from 1910 to 1976 more than 800 discharge petitions were filed and fewer than 25 were successful.<sup>48</sup> In 1952, Representative John Kennedy, with the backing of numerous civic organizations, had attempted to discharge home rule bill S. 1976, but was only able to obtain 174 signatures.<sup>49</sup> Fortunately for the citizens of D.C. and the proponents of home rule, Johnson’s presidential weight and knack for “arm-twisting” enabled him to successfully discharge the bill, with the 218<sup>th</sup> signature coming from Representative George Shipley of Illinois, who flew back to D.C. just for the occasion.<sup>50</sup> In a televised address to Congress, the president declared “victory in the final battle of the American Revolution.” He went on to draw parallels with the recently passed Voting Rights Act:

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<sup>47</sup> Letter to McMillan from Johnson, 3 September 1965, LBJL, WHCF, box 334, District of Columbia House Committee folder.

<sup>48</sup> Chelf, *Congress in the American System*, 111.

<sup>49</sup> Robert Bendiner, “Colonial Washington,” *The Nation* 170 (1 April 1950): 292.

<sup>50</sup> “Decolonizing Columbia,” *Time*, 10 September 1965, 16-7.

“This Congress has already passed a law protecting the right of all to govern themselves whatever their race or color. Now it prepares to yield that same right to Americans wherever they live.”<sup>51</sup>

Unfortunately for suffrage advocates, the victory celebration was premature and less than a month after the successful discharge, the House voted down the home rule bill, 227 to 174.<sup>52</sup> Why, after the successful discharge, did the House reverse itself and oppose the bill? While there is no clear or concise explanation, it appears that the president’s rickety coalition simply fell apart. Both *Newsweek* and *U.S. News and World Report* stated that Johnson’s forceful approach angered several fence-sitting representatives who sought to show the president that they could not be bullied. Moreover, some House Republicans believed that the bill was a ploy to establish a Democratic stronghold in the capital city, as Representative Richard Roudebush of Indiana stated: “Home rule is a phony issue. What LBJ is after is another big-city Democratic powerhouse . . . to get control of the nation’s capital.”<sup>53</sup> Still others played on the fear that the home rule proposal would allow the District to tax federal property, and, hence, the congressmen themselves. Virginian Howard Smith, a House District Committee member and opponent of self-government, told the House that D.C. residents would tax the Capitol, the White House, and even “the chairs you gentlemen sit in.”<sup>54</sup> He went on to ask: “How much are those big leather chairs going to be appraised for when the Washington city government agents come up here? What about the sumptuous

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<sup>51</sup> Televised Statement by the President to Congress, 3 September 1965, LBJL, Statements of Lyndon B. Johnson file, box 160.

<sup>52</sup> “When Congress Got Its Back Up,” *U.S. News and World Report*, 11 October 1965, 42.

<sup>53</sup> Ibid. See also, “Premature Birth,” *Newsweek*, 11 October 1965, 33.

<sup>54</sup> Marvin Nolan, “The Negro Stake in Washington Home Rule,” *The Reporter*, 11 August 1966, 19.



furniture they have over in Rayburn Building and all that kitchen equipment and various and sundry doo dads and so forth?”<sup>55</sup>

Whatever the factors that contributed to its demise, S. 1118 was essentially a dead bill. The House, however, did offer an alternative home rule measure, albeit a complex and confusing one. Proposed by Representative B.F. Sisk of California, the bill called for a referendum in the District, asking residents if they favored the creation of a charter board. If a voter checked the “yes” box, she was then to vote for fifteen different candidates for the proposed board. Assuming that a majority of voters favored the proposition, the charter board would have 210 days to draft a home rule plan for D.C., after which another referendum would be held to see if voters approved of the plan. If it were approved in the referendum, the plan would then go to Congress for approval. To proponents of the home rule bill, Sisk’s proposal seemed like a roundabout way of rejecting the Senate bill. Senate District Committee chairman, Alan Bible, spoke for many when he stated, “The House bill appears to do nothing more than keep a hazy hope for home rule dangling at the end of a legislative stick.”<sup>56</sup> Moreover, both Johnson and the District Democratic Committee opposed the bill. And for District residents it was just another legislative slap in the face.<sup>57</sup>

From 1945 through 1965 the Senate took numerous steps toward self-government for the District of Columbia, only to be continually denied by the House. Washingtonians became increasingly angry and frustrated that a group of racist-minded Southerners—the same group that opposed the periods’ various civil rights measures—

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<sup>55</sup> Ibid.

<sup>56</sup> “Premature Birth,” 33.

<sup>57</sup> Ibid.; “When Congress Got Its Back Up,” 42.

had managed to erect a virtual force field that deflected all suffrage measures. Even the active support of the president proved incapable of breaking the influence of McMillan and his anti-suffrage allies. Advocates of home rule saw little recourse but to take matters into their own hands.

## CHAPTER III

### THE FREE D.C. MOVEMENT, 1966

The failure of Congress to pass a home rule measure in 1965 did not go over well with the residents of Washington, D.C. Many thought that the successful discharge of Senate bill 1118 and Johnson's unmoving support of the measure virtually guaranteed its passage in the House. And though the Sisk bill offered the possibility of self-government, D.C. residents believed it was another evasive tactic by suffrage opponents. Joseph L. Rauh, the chairman of the District Democratic Committee and the president's main consultant on District affairs, summed up the thoughts of many when he stated, "Most opponents just didn't want a Negro mayor."<sup>1</sup> In December of 1965, Rauh sent Johnson a memorandum urging him to reject the Sisk bill and to "obtain the best possible version" of the administration's original home rule proposal; anything else, Rauh argued, would be unsatisfactory, especially with the city's black population.<sup>2</sup>

Rauh's recommendations turned to warnings when he told the president, "The longer you wait the more dangerous the situation in Washington becomes in terms of Negro demonstrations."<sup>3</sup> Furthermore, he believed that if indeed demonstrations did occur, they would be moderate in tone as long as the city's African-American population

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<sup>1</sup> "District of Columbia: Premature Birth," *Newsweek*, 11 October 1965, 33.

<sup>2</sup> Joseph L. Rauh, Jr. to Johnson, 3 December 1965, LBJL, Legislative Background for Modern D.C. Government [hereafter, Legislative Background], box 1, the Fight for Home Rule file, folder 1.

<sup>3</sup> Memo for Johnson from White House aide Joe Califano, 4 December 1965, LBJL, WHCF, box 266.

believed the president was opposed to the Sisk bill and supported a full self-government measure. However, if Johnson were to accept the Sisk bill, Rauh feared that it would “weaken the white liberal-moderate Negro political leadership in the city and increase the likelihood of ultimate control by extremists.”<sup>4</sup> Despite this precautionary advice, Johnson temporarily disengaged himself from the home rule issue and informed Rauh, “As far as the White House [is] concerned, the ball [is] now in [your] court and in the court of the civil rights leaders.”<sup>5</sup> Accordingly, the Student Nonviolent Coordinating Committee (SNCC) and representatives of other civil rights and religious groups took up the cause and formed the Free D.C. Movement. During Free D.C.’s brief tenure it captured headlines, as well as the attention of lawmakers, and provided an outlet for the grievances and frustration of District residents who wished to participate in the democratic process.

The Washington SNCC office led the movement and planned Free D.C. demonstrations and marches. Marion Barry, who was the former SNCC national chairman, was acting director of the organization’s D.C. office. The son of a Mississippi sharecropper, Barry had shown his planning talents in January of 1966 when he led a successful one-day boycott to protest a fee increase of the District’s bus service. While Barry and SNCC did most of Free D.C.’s legwork, the movement was further supported by the Coalition of Conscience, which was a loose affiliation of religious and civil rights groups, including the Southern Christian Leadership Conference (SCLC). The Coalition of Conscience was originally formed in the spring of 1965 to lobby Congress for welfare

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<sup>4</sup> Rauh to Johnson, 9 December 1965, LBJL, Legislative Background, box 1, the Fight for Home Rule file, folder 1.

<sup>5</sup> Califano to Johnson, 18 December 1965, LBJL, Legislative Background, box 1, the Fight for Home Rule file (1965).

reform and poor people's rights in D.C. A lack of response from Congress and the District's three-man commission government led the Coalition to view home rule as the only route to reform. Headed by local clerics Reverend Walter Fauntroy, Reverend Channing Phillips, and Episcopalian bishop Paul Moore, the Coalition of Conscience, along with SNCC, issued the first Free D.C. press release on February 21, 1966.

The initial press release focused on the inefficiency of the three-man commission form of government and its lack of response to the concerns of the capital city's citizenry. Specifically, the statement noted that the city's public schools were dilapidated, dangerous, overcrowded, segregated, and under-funded. Further, decent housing was unaffordable and a large segment of the population lived in poverty. There was a need for welfare reform, adequate medical and prison facilities, and an end to police brutality.<sup>6</sup> Adding a note of militancy to the cause, Barry elaborated upon the Free D.C. statement with his own press release, which was entitled, "This is Political Slavery,"

We want to free the District of Columbia from our enemies—the people who make it impossible for us to do anything about lousy schools, brutal cops, slumlords, welfare investigators who go on midnight raids, employers who discriminate in hiring, and a host of other ills that run rampant through our city.

The people in this city are tired of Gestapo cops who break into their homes illegally and arrest them on flimsy charges. The people in this city are tired of a school system that causes 18,000 students to drop out of school in five years while during that same period 15,000 students graduated. The people in this city are tired of the way that landlord and tenant court is run. They are tired of the court being run for the benefit of the slumlords and not for the tenants.<sup>7</sup>

With the root of their discontent established, Free D.C. announced that its primary targets would be the House District Committee and the Metropolitan Washington Board of Trade. The leadership of Free D.C. saw the city's Board of Trade as the most forceful

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<sup>6</sup> From Barry to SNCC executive committee, 14 March 1966, *The Papers of SNCC*, C:V:1, 0217.

<sup>7</sup> Congress, Senate, press release of Marion Barry, 89<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 112, pt. 3 (24 February 1966): 3955.

non-governmental opponent to home rule. Indeed, the board had spent \$100,000 on a national anti-suffrage advertising campaign during the House debates on home rule measure S. 1118. The primary reason for the organization's opposition was the fear that self-government would lead to the election of candidates who favored increased spending on schools, housing, and other public works, which, in turn, would lead to potential tax increases for local businesses. Board of Trade representatives clarified this position in a meeting with White House aide Hobart Taylor. In a memorandum to the president, Taylor noted that most of the board's actual rank and file members favored home rule, but that the leadership was strongly opposed, because they would have to give up "a reasonably satisfactory financial situation."<sup>8</sup> Taylor went on to report that the board might react favorably to home rule if there were "some assurance of financial stability."<sup>9</sup>

Publicly, the board did not voice its financial concern and instead asserted that because Washington was the capital city, it had special needs. Board president, F. Elwood Davis, refined the official stance by noting that "true" home rule was indeed favored by the board, as evidenced by its "active interest in securing for the people of the District the right to vote for president and vice-president."<sup>10</sup> Insult was added to injury during the board's \$100,000 anti-home rule campaign when Davis falsely claimed that

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<sup>8</sup> Hobart Taylor, Jr. to Johnson, 10 December 1965, LBJL, Legislative Background, box 1, the Fight for Home Rule file.

<sup>9</sup> Ibid. The issue of race in the Board of Trade's opposition to home rule is a debatable point. While the board's executive vice-president told Taylor that opposition to home rule was not primarily based on race, he admitted that it was an issue with which many members were concerned. Furthermore, Constance Green found in her study, *The Secret City*, that the Board of Trade was opposed to desegregation throughout the 1940s and 1950s. Taylor to Johnson, 10 December 1965, LBJL, Legislative Background, box 1, the Fight for Home Rule file; Green, *Secret City*, 272.

<sup>10</sup> Congress, House, Statement by F. Elwood Davis, 89<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 111, pt. 16 (26 August 1965): 21952.

the “overwhelming majority of local civic, professional, and business leaders are opposed to pending home rule legislation.”<sup>11</sup>

The Free D.C. strategy was to counter the board’s advertising campaign with one of their own. Assured through the numerous unofficial referenda that the majority of the city’s business owners favored home rule, Free D.C. activists canvassed various commerce districts of the city, asking merchants to sign a home rule petition, send telegrams to the president and Congress, display a “Free D.C.” sticker in their window, and make a financial contribution to the movement. Moreover, those merchants who opposed home rule would be subject to picketing and leaflets would be distributed throughout the community calling for a boycott of those uncooperative businesses. Shortly after Free D.C.’s plans were announced, Barry elaborated on the strategy: “All we’re doing with our boycott proposal is to give those merchants who disagree with the board’s position a chance to make their own views known.”<sup>12</sup>

With an ultimate goal of securing \$100,000 in contributions (to match the board’s coffer) monies procured would be used to pay for informative advertisements in the home districts of congressmen who opposed self-government for D.C. As Barry asserted in a news conference: “Unless we can draw national interest and get the sympathy of the congressmen’s home districts, we’ll never get home rule.”<sup>13</sup> House District Committee chairman McMillan, as well as representatives Thomas Abernethy of Mississippi and

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<sup>11</sup> SNCC press release, 3 May 1966, *The Papers of SNCC*, C:V:1, 0223; Jonathan I.Z. Agronsky, *Marion Barry: The Politics of Race* (Latham, New York: British-American Publishing, 1991), 124. In the numerous plebiscites that were held in the post-war era, Washingtonians consistently and overwhelmingly voted for home rule.

<sup>12</sup> William Rasberry, “Barry is New Catalyst for Change Here,” *Washington Post*, 9 March 1966, 1(C).

<sup>13</sup> Jim Hoagland, “Civil Rightists See D.C. as Perspective Watts,” *Washington Post*, 17 March 1966, 6(A).

Howard Smith of Virginia, faced particularly tight primary races in their congressional districts. If these three senior committee members lost their seats, Free D.C. leaders theorized that home rule would face little opposition.<sup>14</sup>

When first announced, the plan seemed to many somewhat militant, but nevertheless an effective and well thought out strategy necessary for a populace desperate to govern themselves. Coalition of Conscience member Bishop Moore, summed up the general consensus of many citizens when he stated, “We are sorry this kind of militancy is necessary to bring to people the right to vote, but all other methods have failed.”<sup>15</sup> However, it was soon discovered that certain Free D.C. activists, including Barry, were setting contribution levels for business owners who were opposed to home rule. In a *Washington Post* exposé, two businessmen claimed that Free D.C. representatives asked them to contribute or risk being boycotted. When they finally agreed to the demands and offered \$100 to the representatives, they were told that they had to contribute a combined \$1650, and that Free D.C. “wouldn’t settle for less.”<sup>16</sup> Though the details of the story were contested, Congress flew into outrage.

Cries of blackmail and extortion echoed throughout the halls of the Senate and House. Representative Sisk called Free D.C.’s tactics “the most glaring example of outright blackmail that it has ever been my opportunity to observe,” while fellow representative, John Anderson, added that it was “completely destructive of the fabric of

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<sup>14</sup> Elsie Carper, “Top 3 Democrats on House D.C. Unit Face Voter Hurdle,” *Washington Post*, 16 June 1966, 1(B).

<sup>15</sup> Congress, House, Statement of Suffragan Bishop Paul Moore, 89<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 112, pt. 3 (23 February 1966): 3675.

<sup>16</sup> Willard Clopton, “Two Retailers Refuse Boycott Solicitors,” *Washington Post*, 27 February 1966, 1(A), 10(A).



democratic society.”<sup>17</sup> Senator Robert Byrd, chairman of the Senate D.C. Appropriations Subcommittee and an opponent of home rule, had the *Washington Post* exposé, as well as Free D.C. and Barry’s press releases entered into the *Congressional Record*. He went on to state, “What clear and more convincing example is needed to show the people of the nation what their capital city is in for if home rule comes to this city than the example of this Damocles sword being dangled over the heads of Washington businessmen.”<sup>18</sup>

Others, such as McMillan, took matters a step further. Hoping to have Barry sentenced to 20 years in prison, McMillan requested an investigation of Free D.C.’s tactics to see whether they violated federal anti-racketeering laws.<sup>19</sup>

Even allies of self-government viewed Free D.C.’s boycott tactics as unsavory and as potentially detrimental to the home rule cause. Senate District Committee member Robert Kennedy stated that the boycott would have “a very adverse effect” on those who

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<sup>17</sup> Congress, House, Representative B.F. Sisk speaks on Free D.C.’s tactics, 89<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 112, pt. 3 (23 February 1966): 3671; Congress, House, Representative John Anderson expresses discontent over Free D.C.’s tactics, 89<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 112, pt. 3 (23 February 1966): 3666.

<sup>18</sup> Congress, Senate, Robert Byrd on Free D.C., 89<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 112, pt. 3 (24 February 1966): 3954. Byrd was further distraught over Free D.C. flyers that depicted himself and District House committee chairman McMillan holding down an African-American man in chains. Outraged, congressional allies rushed to Byrd’s defense. While fellow West Virginian Ken Hechler exclaimed, “I cannot stand idly by while such vilification of our colleagues is depicted,” Representative James Kee said that Byrd, an “outstanding, hardworking, and brilliant man,” was being assailed by “a blind and unthinking minority.” Free D.C. members, however, defended the flyers and accused Byrd of “taking bread away from hungry children by making it all but impossible for families to receive welfare aid in the District of Columbia,” while simultaneously favoring such aid in his home state. It should also be noted that many felt that Byrd was a racist. In a speech before the all-white Federation of Citizen’s Association, the Senator stated that the capital city needed a demographic shift and that the District’s “greatest underlying problem [is the] population distribution, which is not representative of the population throughout the country.” Congress, House, Representative Ken Hechler of West Virginia criticizing Free D.C. flyers, 89<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 112, pt. 5 (14 March 1966): 5715; Congress, House, Representative James Kee defending Senator Robert Byrd, 89<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 112, appendix (24 March 1966): A1701; Sue Cronk, “Byrd ‘Points Way’ for Washington to Cure its Social Ills,” *Washington Post*, 13 March 1966, 5(A).

<sup>19</sup> Agronsky, *Marion Barry*, 125.

had not made up their minds on the issue.<sup>20</sup> Similarly, Nevada Senator Alan Bible, a staunch home rule advocate and a sponsor of the Senate home rule bill S.1118, complained, “The cause of home rule for the District will continue to lose congressional friends by these gymnastics. . . . Our boycott minded friends are making it a rougher road.”<sup>21</sup> Others simply did not understand what Free D.C. was trying to do— Representative Carlton Sickles of Maryland wondered: “I don’t see how the boycott can be effective, no matter how well intentioned it may be. The impact on the business community cannot be transcribed into an impact on Congress.”<sup>22</sup>

Despite the overwhelming criticism emanating from Congress and the claims that the Free D.C. Movement was only hurting congressional attempts at self-government, Barry defended the organization and said he would “debate anybody in the city” that his handling of the boycott didn’t hurt the home rule cause.<sup>23</sup> Indeed, some believed that Free D.C.’s actions only displayed the urgency necessary in implementing home rule. The Democratic Central Committee, for example, viewed the movement as a possible catalyst for change and voted unanimously to renew its suffrage efforts, making 1966 “the year of home rule.”<sup>24</sup> In a press conference, chairman Rauh elaborated on the boycott: “All of us recognize that it evidences deep seated tensions in our midst

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<sup>20</sup> Willard Clopton, “Two Boycott Leaders Meet to Refine Plans,” *Washington Post*, 28 February 1966, 1(B).

<sup>21</sup> Willard Clopton and Leroy F. Aarons, “Proponents will Begin Home Rule Boycott in N.E.,” *Washington Post*, 6 March 1966, 7(A).

<sup>22</sup> Robert Asher, “Boycott Over Home Rule Deplored,” *Washington Post*, 24 February 1966, 4(B).

<sup>23</sup> Rasberry, “Barry is New Catalyst for Change Here,” 1(C).

<sup>24</sup> “Democrats Proclaim ’66 as Year of Home Rule,” *Washington Post*, 8 March 1966, 1(C).

predicated on the denial of self-government. . . . The feeling of the citizens is now fever pitch.”<sup>25</sup>

The leaders of Free D.C. believed the boycott and direct action were their only reasonable options, and though some members of Congress were considered allies, it was understood that the House could not pass suffrage legislation as long as McMillan remained chair of the House District Committee. Moreover, Free D.C. headquarters kept a record on congressional action on home rule over the previous twenty years and were well aware that every proposed bill had met with failure in McMillan’s committee.<sup>26</sup> Barry and the other Free D.C. staffers did, however, realize they had erred in their boycott tactics and quickly made contributions optional, rather than mandatory. Partially admitting his error, Barry asked, “Why is it that people expect us in civil rights to do everything right all the time?”<sup>27</sup> But the half-hearted apology was not enough and many supporters of Free D.C. distanced themselves from Barry and the boycott. The NAACP withdrew its support from both the boycott and the entire Free D.C. organization, as did the Washington Home Rule Committee, whose president Richard Lyon stated, “I don’t think you should use undemocratic methods to reach a democratic goal.”<sup>28</sup> John Diggs, head of the Businessmen’s Committee to Free the District of Columbia and one of those accused of setting contribution levels, announced that he was dropping out of Free D.C. after he received a “friendly” phone call from police chief John Layton. Warned that he

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<sup>25</sup> Ibid.

<sup>26</sup> *The Papers of SNCC*, passim.

<sup>27</sup> Raspberry, “Barry is New Catalyst for Change Here,” 1(C).

<sup>28</sup> Willard Clopton, “NAACP Drops Support of Free D.C. Campaign,” *Washington Post*, 12 March 1966, 1(B); “Free D.C. Movement Debated by Panelists,” *Washington Post*, 13 April 1966, 2(B).

could face criminal charges, Diggs issued a press statement, declaring that it was “wrong to press merchants into giving funds for the purposes of home rule.”<sup>29</sup>

Though many of these initial supporters disassociated themselves from the movement, the boycott continued, albeit without forcing merchants to make mandatory financial contributions. The primary targets were the larger businesses that had ties to the Board of Trade. Smaller merchants that refused to show their support by placing “Free D.C.” stickers in their windows were generally not boycotted. In a SNCC memorandum from April of 1966, the strategy was explained: “The little neighborhood merchant is not a fit target for a boycott. How are you going to change the mind of the power structure of the lily white board of directors of the Metropolitan Board of Trade by boycotting a small merchant who probably doesn’t even know a single member of the lily white board of directors of the Board of Trade.”<sup>30</sup> At any rate, most of Free D.C.’s support came from the rank and file merchant. This translated into a broad support base, but it also meant that little was being contributed to the \$100,000 coffer.

Canvassing was conducted through broad neighborhood sweeps. Free D.C.’s first target area was the block between Second and Fifteenth streets in the northeastern part of the city. From there they moved to the downtown vicinity, which was the home of many of the large Board of Trade affiliated companies. Free D.C. volunteers typically went from business to business soliciting support and handing out informative leaflets. Often, volunteers sang freedom songs (with amended lyrics) such as “Ain’t Gonna Let No

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<sup>29</sup> Willard Clopton, “Eleven City Firms Decline Stand on Home Rule,” *Washington Post*, 26 February, 1966, 7(A).

<sup>30</sup> SNCC memorandum, April 1966, *The Papers of SNCC*, C:V:1, 0290.

Merchants Turn Me Around” and “We Shall Overcome the Board of Trade.”<sup>31</sup> After a list of “unfriendly” merchants was compiled, Barry or another Free D.C. staffer drove through the surrounding neighborhood—sometimes for twelve hours a day—with loudspeakers attached to the roof of the car, announcing which businesses to boycott.<sup>32</sup>

Though the boycott was widely used, Free D.C. was more selective in choosing which businesses to picket. The first target was Hecht’s department store, whose general manager and executive vice-president, Harry N. Hirshberg, Jr., was a member of the Board of Trade’s board of directors. The company’s role as a segregationist stronghold in the 1950s also played into Free D.C.’s decision to picket.<sup>33</sup> Within days Hirshberg relented, giving Barry a signed letter which declared his support of the movement and a promise that he would request that the Board of Trade reexamine its position on home rule.<sup>34</sup>

Feeling the sting of defeat and the overall pressure of the boycotts, Board of Trade president Davis lashed out at Barry and the Free D.C. Movement. According to Davis, Free D.C. used “a blackjack approach” that was “immoral, un-American, and unjust.”<sup>35</sup> He went on to elaborate on the latter point: “It’s un-American when you try to force a merchant to agree with your political thinking and if he doesn’t, you picket or boycott him.”<sup>36</sup> Davis also attacked the Coalition of Conscience, asserting, “It is

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<sup>31</sup> Sue Cronk, “‘Free D.C.’ Picket Line Set Tonight,” *Washington Post*, 9 March 1966, 1(C).

<sup>32</sup> Willard Clopton and Leroy F. Aarons, “‘Free D.C.’ers’ Start Boycott at 100 Stores,” *Washington Post*, 6 March 1966, 1(A).

<sup>33</sup> Free D.C. press release, n.d., *The Papers of SNCC*, C:V:1, 0290.

<sup>34</sup> Willard Clopton, “Store is Picketed Over Home Rule,” *Washington Post*, 3 April 1966, 1(B).

<sup>35</sup> Martin F. Nolan, “The Negro Stake in Home Rule,” *The Reporter*, 11 August 1966, 20.

inconceivable that the coalition can emasculate the English language by using the word conscience in its name.”<sup>37</sup> The movement’s leaders, however, were not jostled. Barry dismissed Davis’ remarks as a bunch of “ranting and raving,” while Bishop Moore said they were “not worthy of comment.”<sup>38</sup> Others, however, took issue with Davis’ words. The Coalition of Conscience challenged the assertion that the boycott and picket tactic was un-American, arguing, “The use of economic power to gain the right to vote in America is as old as the Boston Tea Party.”<sup>39</sup>

To Davis’ chagrin, the picketing swiftly moved to another downtown vendor, Kann’s department store. As with Hecht’s, Kann’s was closely tied to the board of directors of the Board of Trade. Kann’s, however, did not cave as easily as Hecht’s. In what turned into a test of wills between storeowner Sol Kann and Barry, picketing lasted weeks and captured headlines in the city’s major newspapers. At times the standoff turned comic with each side arguing over the effectiveness of the boycott—Barry claimed that the store had turned into a virtual “ghost town” and was losing \$135,000 a week, to which Kann responded, “I wouldn’t know where he would get any figures. . . . He has no way of knowing.”<sup>40</sup> Regardless, Free D.C. was ultimately successful when after a month

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<sup>36</sup> Sue Cronk, “Free D.C. Movement Termed Immoral, Un-American by Trade Board,” *Washington Post*, 5 April 1966, 1(A).

<sup>37</sup> Cronk, “Free D.C. Termed Immoral,” 1(A).

<sup>38</sup> Nolan, “The Negro Stake in Home Rule,” 21.

<sup>39</sup> “Coalition Lashes Back at Vote Action Critics,” *Washington Post*, 6 April 1966, 3(B).

<sup>40</sup> SNCC memorandum, 8 April 1966, *The Papers of SNCC*, C:V:24, 0660; “Coalition Lashes Back at Vote Action Critics,” *Washington Post*, 6 April 1966, 3(B).

of picketing, Kann's placed a sign in the store's window, which read, "The principal officers of Kann's DO support the principle of self-government for D.C."<sup>41</sup>

Another victory of sorts was won when the Board of Trade elected George E.C. Hayes to the board of directors. Hayes was not only the first African American to be elected to the board of directors, but he was also a member of the Washington Home Rule Committee. Though the board's public relations manager said there was no correlation between Hayes' election and Free D.C.'s pickets and boycotts, Hayes asserted the contrary, saying it would be "naïve" to think there was no connection. Barry, however, was not impressed.<sup>42</sup> Assailing Hayes with criticism, the Free D.C. chairman wondered, "How anybody with a conscience and concern over local problems could accept a position on the Board of Trade."<sup>43</sup> But Hayes saw his election as a step forward for the Board of Trade, retorting, "The proper place to make change is from within rather than inveighing against it from the outside."<sup>44</sup>

Despite Barry's criticisms, Hayes' election did have a tapering off effect on Free D.C.'s boycott and picket campaign against the Board of Trade. It was also becoming increasingly clear that the original goal of raising \$100,000 for an advertising campaign was not working out. But what really caused a reorientation in Free D.C.'s focus was the House District Committee's rejection of the Senate's amended Sisk bill and its refusal to meet with the Senate District Committee over the home rule issue. As early as April 5,

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<sup>41</sup> Richard Carrigan, "Little Sign in Kann's Window Brings End to Free D.C. Picketing," *Washington Post*, 4 May 1966, 1(A).

<sup>42</sup> Jack Eisen, "Trade Board Names Negro as Director," *Washington Post*, 19 April 1966, 1(A).

<sup>43</sup> *Ibid.*, 6(A).

<sup>44</sup> William Rasberry, "Hayes Outlines His Relation to Board of Trade," *Washington Post*, 28 April 1966, 1(B).

1966, the Senate committee had requested a joint conference to hammer out an agreement on a home rule bill. McMillan and his allies, however, rebuffed the Senate committee and did not respond to their request. Finally, on May 11, after being pressured to address the matter, the House committee voted 13 to 10 against the joint conference.<sup>45</sup> Ironically, a week later, an oil painted portrait of McMillan was hung in the House District Committee hearing room to honor the chairman's "dedicated service" to the District.<sup>46</sup> Matters were aggravated when Speaker of the House John McCormack stated that McMillan presided over the committee "with wisdom, judgment, and great ability."<sup>47</sup> Representative Joel Broyhill of Virginia, a home rule foe and House District Committee member, further aggravated the wound when he asserted that McMillan's critics were "ignorant" and unaware of all that the chairman had done for the capital city.<sup>48</sup>

Free D.C. leaders quickly made plans to go to McMillan's office to "give him clues as to community support for home rule."<sup>49</sup> Accordingly, the day after the unveiling of the McMillan portrait, both Barry and Rev. Channing Phillips of the Coalition of Conscience met with the House committee chairman. Barry spent fifteen minutes talking to the congressman and reported that their fruitless conversation was "just what I expected."<sup>50</sup> Phillips, however, spoke with McMillan for over an hour. Asked how their discussion went, the reverend responded: "I shared his gracious Southern hospitality and

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<sup>45</sup> Statement of Marion Barry, 20 May 1966, *The Papers of SNCC*, C:V:1, 0226.

<sup>46</sup> "McMillan Honored; Portrait is Unveiled," *Washington Post*, 19 May 1966, 7(D).

<sup>47</sup> *Ibid.*

<sup>48</sup> *Ibid.*

<sup>49</sup> "Home Rule Group to Visit McMillan at His Office," *Washington Post*, 14 May 1966, 1(B).

<sup>50</sup> Richard Carrigan, "Home Rule Backers Enter McMillan's Den," *Washington Post*, 20 May 1966, 8(A).



I came out with the same impression I had when I went in—that we live on a plantation. All of the citizens of the District.”<sup>51</sup>

Shortly after the meeting, Free D.C. organized a daily picket against McMillan and other House District Committee members who opposed self-government. For several weeks, volunteers protested in front of the congressmen’s homes from eight to ten every evening.<sup>52</sup> In McMillan’s case, Free D.C.’ers had to travel to the Virginia suburbs, where the committee chairman kept his local residence. On top of the picket, Barry threatened to campaign against McMillan, declaring that if things did not change he would send volunteers down to South Carolina in an effort to oust “the racist plantation boss” in the upcoming primary race.<sup>53</sup>

Free D.C.’s picket went on for weeks, but it did not have any direct results—there was no headway on government reform and McMillan remained entrenched in his congressional seat. However, the home rule movement achieved success at President Johnson’s national civil rights conference, which brought together all of the nation’s major civil rights organizations. Though the national SNCC office boycotted the conference,<sup>54</sup> Barry decided to attend, hoping that a home rule resolution would be adopted by the twelve various panels or committees.<sup>55</sup> Originally, D.C. home rule was not even on the agenda for discussion, but through hours of networking, Barry, with the

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<sup>51</sup> Ibid., 8(A).

<sup>52</sup> Statement of Marion Barry, 20 May 1966, *The Papers of SNCC*, C:V:1, 0226.

<sup>53</sup> Ibid.; “Free D.C. to Protest Lawmakers Houses,” *Washington Post*, 21 May 1966, 4(B).

<sup>54</sup> In May of 1966, Stokely Carmichael was elected chair of SNCC. Under his predecessor, John Lewis, SNCC consistently worked with the White House on civil rights issues. Carmichael’s election, however, effectively replaced SNCC’s moderate orientation with a radical one. For more on the election of Carmichael, See Clayborne Carson, *In Struggle SNCC and the Black Awakening of the 1960s* (Cambridge, Massachusetts: Harvard University Press, 1981), 200-6.

<sup>55</sup> Don Morgan, “Barry, Rights Group Split on Conference,” *Washington Post*, 25 May 1966, 1(A).

help of Rauh and the District Democratic Committee, was able to convince eleven of the twelve panels to adopt the home rule resolution.<sup>56</sup> Free D.C. capped off the conference by gathering over 1600 signatures for a home rule petition, which they presented to the president. Recognizing their success, Free D.C. exclaimed in their newsletter, “Does LBJ know that Free D.C. exists? You’d better believe it.”<sup>57</sup>

After the civil rights conference of 1966, Free D.C.’s role as the vanguard in the fight for home rule effectively came to an end. Through the summer of 1966 the organization did continue to function, holding block parties for impoverished neighborhoods and fundraisers such as boat rides on the Potomac, but it never resumed direct action tactics. Part of the reason for the organization’s decline and eventual demise in 1967, was SNCC’s demotion and ultimate ouster of Barry. Representative of SNCC’s older and more moderate leadership, Barry was viewed as “a floater” whose political philosophy was not in line with the radical orientation of SNCC’s new chairman, Stokely Carmichael. Of particular concern was Barry’s participation in the civil rights conference and the continued presence of whites in both the Washington SNCC outfit and the Free D.C. Movement. Despite SNCC’s 1966 resolution to make the organization all black, Barry defied orders and continued to allow whites to function in Free D.C.

Following Barry’s ouster, Free D.C. essentially followed the path of the national SNCC office. A black consciousness and black awareness plank was adopted and the more radical Lester McKinney succeeded Barry as Free D.C.’s primary spokesman and

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<sup>56</sup> Stuart Auerbach and William Rasberry, “Rights Conference Backs Home Rule,” *Washington Post*, 3 June 1966, 6(A); William Chapman and Robert E. Baker, “Core’s Resolution Fails; D.C. Home Rule and New Rights Legislation Urged,” *Washington Post*, 3 June 1966, 1(A).

<sup>57</sup> Free D.C. Newsletter, 28 June 1966, *The Papers of SNCC*, C:V:16, 0618.

leader.<sup>58</sup> The change in leadership also meant that rhetoric replaced action. For example, on the Fourth of July, the organization announced its “Declaration of Independence,” which proclaimed, “If this session of Congress refuses to act, the citizens of this colony will be forced to consider alternate courses of action.”<sup>59</sup> No action, however, was ever taken. But regardless of the fact that this increasing militancy was centered on words and remained nonviolent, many were alarmed at SNCC’s rhetoric and feared that the city would erupt in rebellion. Rauh, for instance, warned President Johnson that if D.C. did not get home rule soon, it would face “ever-escalating guerrilla warfare.”<sup>60</sup>

It was this fear of a disgruntled citizenry that ultimately made the Free D.C. Movement successful. Though it failed in securing the \$100,000 advertising coffer and in dislodging McMillan and other home rule opponents from their congressional seats, the movement forcefully brought the suffrage question to the pinnacle of District politics. No longer could the president or Congress ignore the matter; nor could they ignore the fact that suffrage had become a prominent civil rights issue.

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<sup>58</sup> Barry went on to form the anti-poverty organization, Pride, Inc.

<sup>59</sup> Memorandum from SNCC D.C. steering committee, 8 August 1966, *The Papers of SNCC*, C:V:1, 0235; A Declaration of Independence, 4 July 1966, *The Papers of SNCC*, C:V:1, 0276.

<sup>60</sup> Congress, House, “Interpretive Remarks Are a Disservice to District of Columbia Home Rule and to the Cause of Civil Rights,” by Abraham J. Multer, 89<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 112, appendix (5 October 1966): A5130.

## CHAPTER IV

### LYNDON BAINES JOHNSON AND REORGANIZATION PLAN NO. 3, 1966-1967

Lyndon Johnson, like Marion Barry, recognized that the House was not simply going to adopt a home rule measure, and that John McMillan, who remained in his post as committee chairman, would do everything in his power to stop any suffrage bill that was passed to his office. Still, something had to be done, as the career of Free D.C. had made clear. Accordingly, the president employed his power to reorganize the structure of the D.C. government, replacing the appointed three-man-commission with an appointed council and a single commissioner. And though the reorganization plan did not give District residents suffrage, it did offer them some degree of representation, namely that those appointed would be citizens of D.C. and representative of the population in terms of political party affiliation, geography, and race.

Government restructuring was made possible by the Reorganization Act of 1949, which was initially intended to streamline the legislative process for the District. Under the act, the president could present Congress with a reorganization proposal that would pass through the Government Operations Committee before automatically becoming law. Though Congress had the power to veto such proposals, the act increased the president's ability to shape the District's government to his liking. Truman had used the Reorganization Act in 1952 when he submitted a plan that was intended to undercut

bureaucratic inefficiency, giving the three-man-commission authority over the creation or elimination of the District's countless agencies and offices.<sup>1</sup> For Johnson, the act presented him with an opportunity to bypass the House District Committee and construct a more efficient and representative government.

When the president announced his plans to reorganize in the Spring of 1967, he downplayed the race issue and instead focused on the denial of suffrage and the inefficiency of the three-man-commission. Noting that the commission form of government was created as "a temporary measure" to solve the problems that the city faced in the post-civil war era, Johnson stated that it was "shameful" that the federal government allowed such a "jerry-built" government to survive into the 1960s.<sup>2</sup> In a message delivered via the local radio station, WTOP, the president asserted, "The government of our nation's capital must be reorganized. It is time to move it out of the horse-and-buggy days and into the twentieth century. . . . Today, our capital stumbles along, hobbled by wasteful and inefficient practices."<sup>3</sup>

Johnson further argued that the government's inefficient and awkward nature stemmed from the division of authority among the three-man commission—with each commissioner acting as a chief executive for a specific portion of the government. Elaborating on this problem, the president noted, "Any effort to control crime, for example, cuts across virtually every function of government. . . . An effective attack on the problem requires action by two or more commissioners and the departments for

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<sup>1</sup> "A Mayor for Washington," *Newsweek*, 21 August 1967, 27-8; Congress, House, Committee on the District of Columbia, *Governance of the Nation's Capital*, 49.

<sup>2</sup> Statement by the president on D.C. reorganization, 11 July 1967, LBJL, Office Files of Joseph Califano, box 11, folder 1.

<sup>3</sup> *Ibid.*

which they are separately responsible.”<sup>4</sup> But Johnson only touched upon the extremely bureaucratic and complex structure of the District government. Indeed, the commissioners only controlled a portion of the capital city’s affairs—the Department of Defense had jurisdiction over the District’s water supply and its public parks, the Smithsonian Institute controlled the city zoo, the Interstate Commerce Commission assumed authority over public buses and the gas company, and care of the mentally ill fell under the jurisdiction of the Department of the Interior.<sup>5</sup>

To remedy this “unorthodox” government structure, Johnson sought a commissioner-council form of government that gave “clear-cut executive authority,” while also creating “flexible government machinery.”<sup>6</sup> The final draft of the reorganization plan called for a presidentially appointed executive branch that consisted of a single commissioner, or “mayor” (as Johnson preferred to call the post), and an assistant commissioner, or “deputy mayor.” Both executives would serve four-year terms and have the power to administer the District’s various governmental programs and offices, as well as prepare its budget. The plan also did away with the Advisor on National Capital Affairs post, hence creating a direct line of communication between the president and the commissioner. The council consisted of nine members who would be appointed to three-year terms at staggered intervals. It would have the power to draft legislation and carry out other legislative duties that the 3-man-commission had

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<sup>4</sup> Johnson on Reorganization Plan No. 3, n.d., LBJL, Administrative History of the D.C. Government [hereafter, Administrative History], vol. 1, box 1, folder 1;

<sup>5</sup> Report on the Structure of the District Government, n.d., *The Papers of SNCC*, C.V: 9, 0443.

<sup>6</sup> Johnson on Reorganization Plan No. 3, n.d., LBJL, Administrative History, vol. 1 box 1, folder 1; Message on the Nation’s Capital to Congress, 27 February 1967, LBJL, WHCF, box 86, SP 2-3/1967.

previously performed. Congress retained its ultimate authority over the District government and could override, reject, or draft legislation.<sup>7</sup>

To avoid a possible congressional veto of his plan, Johnson attempted to build a nonpartisan support base for reorganization. In a circular that highlighted the strengths of the reorganized commissioner-council form of government, Johnson noted that it cut out unneeded bureaucracy by shortening lines of communication and that it strengthened the government's executive powers.<sup>8</sup> The directive further attempted to reassure possible opponents by stating that the plan did not weaken Congress' superceding powers over the District government and that they "still [had] full power to reverse, modify, or otherwise alter the reorganization it provides."<sup>9</sup> Similarly, proponents of home rule were courted by arguing that the reorganization plan would result in better citizen representation and that it would provide a "training ground" for future elected officials. The administration went on to assert that "the proposed reorganization is in no way a substitute for home rule."<sup>10</sup>

Indeed, Johnson viewed the reorganized government as an "interim action" that would eventually be replaced by a democratically elected government. In a message to Congress from January of 1967, he argued that there could be "no solution to the problem

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<sup>7</sup> District of Columbia Reorganization, n.d., LBJL, Office Files of Joseph Califano, box 12, D.C. Commissioners, folder 1; Walter and Bennetta Washington, interview by T. Harri Baker, 10 December 1971, LBJL, University of Texas Oral History Project [hereafter, UT Oral History]; Congress, House, Committee on the District of Columbia, *Governance of the Nation's Capital*, 50.

<sup>8</sup> "Reorganization Plan No. 3 of 1967: Better Government Now for the District of Columbia," n.d., LBJL, Legislative Background and Domestic Crises File [hereafter, Legislative Background], box 3, The Plan is Approved, folder 3.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

of a District government” until Washingtonians were able to elect their own mayor and council.<sup>11</sup> A month later he forcefully reasserted his dedication to self-government:

The citizens of the District today have no voice in the government of their city. Despite the principle so long cherished in this country, they are taxed without representation. They are asked to assume the responsibilities of citizenship and at the same time denied one of its most fundamental rights. . . . This continuing denial of democracy is an affront to our traditions and to the citizens who make the District their home. The need for home rule stems from practical considerations as well. The Congress, preoccupied as it should be with the problems of this great nation, cannot be expected to provide the day-to-day management that should be provided by locally elected officials. The 535 members of Congress should not be expected to serve as city councilmen for the city of Washington.<sup>12</sup>

Such reminders that the president remained supportive of self-government, despite his reorganization plan, were plentiful and deemed necessary in order to avoid possible public criticism that he had abandoned the home rule cause. White House aide Charles Horsky worried about such criticism from the initial preparatory phase of the reorganization plan, advising Johnson that he should frame reorganization as merely a step toward suffrage.<sup>13</sup>

The strategy paid off and the plan was met with widespread support among the majority of the District’s citizenry. Bishop Smallwood Williams and several other prominent African-American leaders formed the Committee to Support the President’s Reorganization Plan, while some 51 local organizations, including the League of Women Voters, the Washington Home Rule Committee, the District Central Labor Council, the AFL-CIO, the District Democratic Committee, the D.C. Education Association, the

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<sup>11</sup> Message to Congress from the President, 23 January 1967, LBJL, Legislative Background, box 2, folder 1.

<sup>12</sup> Message on the Nation’s Capital to the Congress, 27 February 1967, LBJL, WHCF, box 86, District of Columbia, SP 2-3/1967.

<sup>13</sup> Memorandum to the President from Charles A. Horsky, 9 November 1966, LBJL, WHCF, box 266.



NAACP, the National Capital Voters Association, and the American Jewish Congress, also lined up behind the plan.<sup>14</sup> Furthermore, various District newspapers supported reorganization. The *Washington Post* declared that reorganization was “urgently needed” and that “only good can come out of it.”<sup>15</sup>

Regardless of this wide range of support, there were several powerful organizations that opposed the president’s plan—most of which were also against suffrage. As expected, both the Board of Trade and the all-white Federation of Citizen’s Associations stated their disfavor, as did the Republican District Committee.<sup>16</sup> The Central Business Association also disapproved and sent Johnson a letter expressing “very strong opposition” to the plan. The letter went on to reveal the Association’s main concern: “We foresee a great deal of additional cost to taxpayers as well as a great many other reasons for our opposition.”<sup>17</sup> The “other reasons” were not disclosed.

The plan’s various organizational opponents, however, could not directly engage the president and were thus limited to lobbying. The House District Committee, on the other hand, could actively oppose the president within the halls of Congress. Initially, when the reorganization plan was first announced in late January of 1967, McMillan and his anti-suffrage allies did not resist or protest; Representative Broyhill, for example, told

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<sup>14</sup> Memorandum from Stephen J. Pollack to the President, 15 April 1967, LBJL, Legislative Background, box 3, the Fight for Reorganization, folder 1; “Organizations and Presses which have announced support for the Reorganization Plan,” n.d., LBJL, Legislative Background, box 3, the Plan is Approved, folder 3.

<sup>15</sup> “The Reorganization Plan,” *Washington Post*, 2 June 1967, 20(A).

<sup>16</sup> Memorandum from Stephen J. Pollack to the President, 15 April 1967, LBJL, Legislative Background, box 3, the Fight for Reorganization, folder 1.

<sup>17</sup> Letter from Joseph D. Malloy of the Central Business Association, Inc., 8 March 1967, LBJL, WHCF, box 86, SP 2-3/1967.

White House aide Charles Horsky that he was inclined to favor the plan.<sup>18</sup> However, Broyhill also stated that he wanted the reorganization proposal made legislation so the House District Committee could consider it. Once it was realized that Johnson had no intention of sending the plan to the committee, McMillan and allies quickly changed this “favorable” position. Arguing that the plan bypassed the proper committee for District affairs, Broyhill stated that he would have some “fun” on Capitol Hill and with the press by spreading the word that the president had abandoned the home rule cause.<sup>19</sup>

In response to Broyhill’s threats the White House held meetings with various members of the House District Committee in order to obtain their input on the matter. By April, the president’s staffers had discussed the plan in extended detail with all of the members of the House District Committee, except McMillan.<sup>20</sup> Due to McMillan’s consistent opposition to self-government, and particularly his lobbying against the presidentially backed home rule bill of 1965, Johnson’s advisors recommended that he avoid a meeting with the chairman.<sup>21</sup> McMillan was outraged. On March 14, he sent the president a letter complaining that he was being railroaded and that he should “have the opportunity to review any proposed reorganization plan for the government of the District of Columbia.”<sup>22</sup>

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<sup>18</sup> Memorandum to Joe Califano to Charles Horsky, 7 February 1967, LBJL, Legislative Background, box 2, the Fight for Reorganization, folder 2.

<sup>19</sup> Further reaction of Congressman Broyhill to the proposed District of Columbia Reorganization Plan, 20 February 1967, LBJL, Legislative Background, box 2, the Fight for Reorganization, folder 2.

<sup>20</sup> Memorandum from Stephen Pollak to Lawrence F. O’Brien, 6 April 1967, LBJL, Legislative Background, box 3, the Fight for Reorganization, folder 1.

<sup>21</sup> Memorandum from Harry H. Wilson to the President, 15 March 1967, LBJL, Legislative Background, box 3, the Fight for Reorganization, folder 1.

<sup>22</sup> Letter to Johnson from McMillan, 14 March 1967, LBJL, Legislative Background, box 3, the Fight for Reorganization, folder 1.

Unable to get a reply from the White House, McMillan, along with Broyhill, introduced disapproval resolutions on June, 13. The two congressmen avoided the race issue and argued that the plan violated “the limitations imposed by the Constitution” and that it dissolved congressional authority over the District, while increasing the power of the executive branch.<sup>23</sup> Johnson responded to the resolutions by scheduling a meeting with McMillan, Broyhill, and the rest of the House District Committee. Claiming he had to visit his ill brothers and sisters in South Carolina, McMillan did not attend.<sup>24</sup> He did, however, tell White House aide Marvin Watson that Johnson “should remember how I tried to get him nominated for the President in 1960” when pursuing his plans for reorganization.<sup>25</sup>

Though the Government Operations Committee rejected the disapproval resolutions, Johnson still had to ward off a possible congressional veto of his reorganization plan. Many members of the House were particularly worried about African-American crime in the District and feared that a presidentially installed mayor and council would not be able to deal with it effectively. Representative Ray Roberts, for example, told White House aides that he opposed the plan because he feared “rioting by Negroes.”<sup>26</sup> Despite police chief John Layton’s testimony that a single commissioner and council could better coordinate the District’s various law enforcement agencies, thus

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<sup>23</sup> Congress, House, Committee on Government Operations, *Hearings before the Executive and Legislative Reorganization Subcommittee on Reorganization Plan No. 3 of 1967*, Statement of John L. McMillan, 90<sup>th</sup> Cong., 1<sup>st</sup> sess., 1967, 127; quoted in, Congress, House, Committee on the District of Columbia, *Governance of the Nation’s Capital*, 51.

<sup>24</sup> Memorandum to the President from Marvin Watson, 26 July 1967, LBJL, WHCF, box 334, House Committees/District of Columbia.

<sup>25</sup> Ibid.

<sup>26</sup> Memorandum to Barefoot Sanders from Bill Blackburn, 1 August 1967, LBJL, Legislative Background, box 3, The Plan is Approved, folder 3.

aiding the city's war on crime, Johnson felt the need to alleviate Congress' fears. He therefore attached a comprehensive crime provision to the plan, which included the creation of a youth services office, gun control, the formation of an eleven-man commission to rewrite Washington's criminal code, and extended police powers that enabled law enforcement officials to make arrests without warrants.<sup>27</sup>

The crime provision, along with an arduous White House lobbying effort, saved reorganization. The Government Operations Committee approved it on August 2, and though House opponents attempted a veto, they failed with only 160 dissenting votes. Thus on August 11, 1967, Reorganization Plan No. 3 became effective. And though District residents were not able to elect their governing officials, Johnson promised that the capital city's new "mayor" and council would be "representative of the population."<sup>28</sup>

This, in turn, meant that race would be one of the foremost criteria in appointing the various city officials. Before the plan's enactment the president was careful not to publicly raise race as an issue of reorganization—such tactics, it was thought, would alienate many congressmen. Representatives Walter Jones and John Nichols, for example, told White House aides that if Johnson's plan started seeming too much like a "civil rights pro-Negro" issue they would vote to veto it.<sup>29</sup> Race was therefore not publicly discussed when speaking of possible appointees. Instead, the president stressed a candidate's "charisma, youth and vigor, political sensibility, municipal management

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<sup>27</sup> Talking paper for promotion of D.C. Reorganization Plan No. 3, 14 July 1967, LBJL, Legislative Background, box 3, The Plan is Approved, folder 3.

<sup>28</sup> "Mayor for Washington," *Newsweek*, 21 August 1967, 27.

<sup>29</sup> Memorandum to Sherwin Markman from Thomas R. Hughes, 4 August 1967, LBJL, Legislative Background, box 3, the Plan is Approved, folder 5.

experience, intellectual energy, articulation in speaking and writing, strong identification with the president's program," and so on, as the main criteria for making appointments.<sup>30</sup>

District residents, however, were intensely focused on whom the president would choose to govern their city—and the new government's racial composition was of immense interest. The *Christian Science Monitor* clearly summed up the general sentiment when it reported, "Everyone will wait to see what Negroes and what proportion of Negroes will be nominated and confirmed."<sup>31</sup> Aware of this public opinion, most of the president's aides favored either a black commissioner and/or a black majority on the council. But again, some worried about Congress' reaction to a heavily weighted African-American government. Harry McPherson, one of Johnson's top aides on District affairs, argued that the council should have a black majority, but that the commissioner should be white "unless he were somebody who inspired instant affirmation from everyone. . . . And there is no such person."<sup>32</sup>

While McPherson's comments may have sounded racist, he was only giving an accurate estimation of many congressmen's racism. Regardless, Johnson's concern over these congressmen's opinion was minimal. The president gave more weight to the District citizenry's reaction to his appointments—and particularly the reaction of the African-American majority. Indeed, even before government reorganization, he was race-conscience when selecting the District's three-man commission. In July of 1966, for example, White House aides consulted African-American leaders Walter Fauntroy and

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<sup>30</sup> Appointments to the new District of Columbia government, memorandum to the President from Stephen J. Pollak, 10 August 1967, LBJL, Office Files of Joseph Califano, box 11, D.C. Government, folder 1.

<sup>31</sup> Saville R. Davis, "Home Rule Escapes D.C.," *Christian Science Monitor*, 3 June 1967, 4.

<sup>32</sup> Letter to the President from Harry McPherson, 10 August 1967, LBJL, Legislative Background, box 3, the Plan is Approved, folder 5.

Julius Hobson concerning possible commissioner appointees. Only after the president was assured that his top choice for commissioner would “get no adverse reaction” and that he had “the confidence of the majority of Negro leaders” did he fill the spot.<sup>33</sup> Two months later, Johnson appointed Aubrey E. Robinson as a District judge after he was confident that the candidate would “sit well with the Negro community.”<sup>34</sup>

African-American opinion was considered even regarding seemingly minute details. One of the main concerns in working out the specifics of the reorganization plan was how the black community would react if the plan did not include a residency requirement. Despite the fact that many within the Johnson administration thought the “elimination of the requirement would enable the president to scour the country for the best man,” others worried that it “may be taken as an effort to avoid appointment of a Negro and as a step away from local self-government.”<sup>35</sup> District Democratic Committee chairman Joseph Rauh told White House aides that the elimination of the requirement would erode the confidence of the black community. If the commissioner was “a white man selected from outside the District,” Rauh feared that it would lead to “violence in the streets.”<sup>36</sup>

In the end, the White House decided to scrap the residency requirement, but chose a black man to fill the commissioner spot. Hence, on September 6, 1967, Walter

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<sup>33</sup> Memorandum for Joe Califano from Louis Martin, 25 July 1966, LBJL, Office Files of Joe Califano, box 12, D.C. Commissioners, folder 3.

<sup>34</sup> Memorandum from Joe Califano to the President, 13 July 1966, LBJL, Office Files of Joe Califano, box 12, D.C. Commissioners, folder 3.

<sup>35</sup> Memorandum for the President from Joe Califano, 16 May 1967, LBJL, Legislative Background, box 3, the Fight for Reorganization, folder 1.

<sup>36</sup> Memorandum for the Files: Home Rule Matters—Meeting with Tifford Dudley and Joseph Rauh, 7 February 1967, LBJL, Legislative Background, box 1, Modern D.C. Government, the 1967 Message folder; Memorandum for the President from Joe Califano, 13 May 1966, LBJL, Legislative Background, box 1, the Decision for Reorganization, folder 2.

Washington, chairman of the New York Housing Authority, became the first African-American chief executive of a major American city.<sup>37</sup> Washington was not a foreigner to either District residents or to the president. For 25 years he had worked for the National Capital Housing Authority in Washington, D.C. and was therefore closely associated with Lady Bird Johnson's D.C. beautification project. Moreover, the Johnsons and the Washingtons were acquainted through their daughters, who had attended the same school in the 1950s.<sup>38</sup>

Washington's work with the D.C. Housing Authority, his association with the Johnsons, and the fact that he was black made him a top candidate for the commissioner post. In fact, in 1966, the president offered him a seat on the District three-man commission, despite worries from many of his advisors that the placement of an African American on the commission would raise racial fears in Congress.<sup>39</sup> Washington, however, did not accept the position, stating that the lack of "strength [and] some greater degree of authority" made the three-man commission a poor form of government.<sup>40</sup> The reorganization of the District government and the strengthening of the executive branch's powers changed Washington's opinion. In an interview from 1971, he reflected on the virtues of the reorganized government: "It had all the ingredients in it of at least localizing, pulling together whatever power was in the local government into a repository so that you could begin to react."<sup>41</sup>

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<sup>37</sup> "Washington's Washington," *Newsweek*, 18 September 1967, 31.

<sup>38</sup> Walter and Bennetta Washington, interview by T. Harri Baker, UT Oral History.

<sup>39</sup> Memorandum from Joe Califano to the President, 13 May 1966, LBJL, Legislative Background, box 1, the Decision for Reorganization, folder 2.

<sup>40</sup> Walter and Bennetta Washington, interview by T. Harri Baker, UT Oral History.

Along with the stronger executive powers of the new form of government, Johnson's exceptional prodding ability also influenced Washington's decision to take the job. The president met with him on various occasions and told him that if he became commissioner it would be "a great thing for [Washington] and a great thing for the race."<sup>42</sup> When he finally decided to accept the position, both District leaders and the press responded enthusiastically. Walter Fauntroy and Joseph Rauh voiced their approval, as did the city's major newspapers and news stations. Radio station, WTOP, summed up popular sentiment when it reported, "It's an excellent choice. Walter Washington is a native Washingtonian, he is an expert in housing and other municipal flash points, he has almost universal respect, and, of course, he is a Negro—which seems to us to be appropriate in a big city whose majority population is Negro."<sup>43</sup>

Race was also a paramount factor in choosing the nine-member council. Though Johnson chose a white man as council chairman, his advisors argued that an African-American majority on the council was "essential" because "they compromise 60% of the District and have the most serious problems."<sup>44</sup> Furthermore, they worried that a white majority "might raise suspicions that the cards are stacked against the Negroes."<sup>45</sup> It was finally decided that there would be five black and four white appointees. To further create a council that accurately reflected the District's demography, the Johnson

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<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> WTOP editorial, broadcast on 6th and 7th of September, 1967, LBJL, Legislative Background, box 3, the Plan is Approved, folder 5.

<sup>44</sup> Wire to the President from Larry Levinson, Harry McPherson and Steve Bilack, 8 September 1967, LBJL, Office Files of Joseph Califano, box 11, folder 2.

<sup>45</sup> Ibid.



administration figured that there should be six Democrats and three Republicans or independents, and five councilmen from the western portion of the District and four from the east. Sex was not weighted as heavily—only two of the appointees would be women. White House aides, however, ran into problems when they struggled to find suitable candidates that fit all of the various criteria. An African-American Republican woman from the east side, for example, was considered “virtually a nonexistent species.”<sup>46</sup>

Besides race, political party affiliation, gender, and geography, a past that was free of overt racism was of vital importance. One of Johnson’s top candidates was cut from consideration when it was discovered that he had signed a “restrictive covenant” in which he agreed to never sell or rent his property to anyone of “Negro blood or extraction, or to any person of the Semitic race.”<sup>47</sup> Another appointee, John A. Nevius, became the subject of controversy due to his membership in the exclusively white Chevy Chase Club. The District’s black leadership called for his immediate resignation. The *Afro-American* newspaper explained the black community’s displeasure with Nevius in an editorial: “An individual who subsidizes segregation by holding membership in an all-white club should not be permitted to preside over the destiny of a city where the majority of the populace is colored.”<sup>48</sup> Nevius claimed that his membership was solely based on convenience and that the club provided a day care center where he could drop

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<sup>46</sup> Report form Macy to Watson, 18 September 1967, LBJL, Office Files of Joseph Califano, box 11, folder 1.

<sup>47</sup> Letter to Joe Califano from the American Veterans Committee, 15 September 1967, LBJL, Office Files of Joe Califano, box 11, folder 2.

<sup>48</sup> Memorandum to Joe Califano from Stephen Pollak, 16 October 1967, LBJL, Office Files of Joseph Califano, box 11, folder 2.

off his children while he and his wife were out. Since his membership did not become a headlining issue, Johnson allowed him to retain his seat.<sup>49</sup>

After the completion of the rigorous council selection process, the newly reorganized government was sworn into office. Finally, as Johnson quipped to Speaker of the House John McCormack, “The nation’s capital began moving into the world of 20<sup>th</sup> century government.”<sup>50</sup> For the first time in 93 years the District had a governing body that was demographically representative and that had separation of legislative and executive duties. Though the president viewed the new government as merely the first step toward home rule, he attempted to give the council, and especially the commissioner, the aura of a democratically elected government. Not only did he insist that the commissioner and assistant commissioner be called “mayor” and “deputy mayor,” but he also encouraged the two officers to develop a rapport with the District’s citizens. Walter Washington was particularly successful in this area, maintaining close community contact through public functions and by simply walking the capital city’s streets and talking to people. The president also told Washington to get to know members of Congress and to cultivate working relationships with them, especially those on the House and Senate District Committees.<sup>51</sup> The new mayor followed the president’s advice and was even cordial to John McMillan, which, in turn, led to criticism from many community leaders. Washington defended his position, stating that “striking out” against

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<sup>49</sup> Ibid.

<sup>50</sup> Letter from Johnson to Speaker McCormack, 16 August 1967, LBJL, WHCF, box 45, Legislation/District of Columbia.

<sup>51</sup> The government of the District of Columbia during the administration of Lyndon Baines Johnson, n.d., LBJL, Administrative History, volume 1, box 1, folder 1; Walter and Bennetta Washington, interview by T. Harri Baker, UT Oral History.

McMillan would be “a pretty luxurious kind of process when you have to turn around the next day and go up and ask them for help.”<sup>52</sup>

Overall, D.C. residents viewed both Washington and the reorganized government as a vast improvement over the three-man commission. Most also saw Johnson as a dedicated ally to home rule. Reflecting on the reorganization plan, Representative Charles Diggs, a member of the House District Committee and the Black Caucus, favorably reviewed the president’s performance on D.C. affairs:

I think that the president had the proper attitude toward the District. I think he tried to build upon the foundation that was established by President Kennedy . . . Johnson built upon this foundation. In coming up with the reorganization plan, which brought a mayor-commissioner and a mayor-council [*sic*] form of government here, I think he amply displayed his concerns. The reorganization plan, I think, is exhibit A of his interests. Then I do know that they—meaning the administration—exercised his influence to get that one through; and also to get some other things that we were able to get through in terms of District legislation that had not come to pass before.<sup>53</sup>

After reorganization, the president continued to support self-government; in every message to Congress regarding the capital city, he reiterated his pledge to home rule and congressional representation. In Johnson’s 1968 message to Congress, he stated, “For the 37 years I have been a resident of this city I have looked to the day when the promise of home rule would be realized and the District of Columbia could enter into full membership in the American Union.” He continued, vowing, “As long as I am president I will work to hasten that day’s arrival.”<sup>54</sup>

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<sup>52</sup> Ibid.

<sup>53</sup> Charles C. Diggs, Jr., interview by Paige E. Mulhollan, 13 March 1969, LBJL, UT Oral History.

<sup>54</sup> Message to Congress from Lyndon Baines Johnson, 13 March 1968, LBJL, WHCF, Special Message to Congress/D.C. Message, box 118.

Despite these promises, Johnson still believed that the president and Congress should have ultimate authority over the District. Explaining this philosophy, he stated, “The federal government has explicit responsibility for [the] legislative direction of District affairs. Its implicit responsibility is broader, since it also must assume a fair share of the District’s financial needs.”<sup>55</sup> Indeed, even after reorganization, Congress controlled Washington, D.C.’s budget, ignoring the fact that Washingtonians paid 80% of all District taxes.<sup>56</sup> Furthermore, the president still chose all of the judges for the District’s courts, as well as the members of the Public Service Commission of Fine Arts, the Board of Trustees of Howard University, and the head of the D.C. Register of Deeds.<sup>57</sup> A rise in rioting across the nation convinced Johnson that he had to maintain tight control over the District Armory and that he should be able to federalize the various law enforcement agencies at will. Without consulting the newly reorganized city council, the president strengthened police powers after the city erupted in violence upon the assassination of Martin Luther King in April of 1968.<sup>58</sup>

Hence, Washington, D.C. was still dominated by the president and Congress. Many citizens and lawmakers, including the National Advisory Commission of Civil Disorders, argued that the increased level of social unrest in the nation’s capital was

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<sup>55</sup> Ibid.

<sup>56</sup> “Washington’s Washington,” *Newsweek*, 18 September 1967, 31-2.

<sup>57</sup> Sam Smith, *Captive Capital Colonial Life in Modern Washington* (Bloomington, Indiana: Indiana University Press, 1974), 139.

<sup>58</sup> In a forum held on riot control and prevention in Washington D.C., Johnson appointed a panel that discussed the matter; the participants were General Harold Johnson, General Ralph Haines, Under Secretary of the Army David McGiffert, Attorney General Ramsey Clark, Deputy Attorney General Warren Christopher, District Commissioner Walter Washington, Assistant Commissioner Thomas Fletcher, Director of Public Safety Patrick Murphy, Professor James Burns, and Matthew Nimetz—the assistant to White House aide Joseph Califano. Not one member of the city council was included. Memorandum to the President from Joe Califano, 17 April 1968, LBJL, WHCF, Human Rights, box 20.

linked to the lack of democracy and the resulting sense of anomie among Washingtonians.<sup>59</sup> Regardless of the degree of demographic representation that came with reorganization and Johnson's instructions for the mayor and council members to act and behave like democratically elected officials, many felt like D.C. councilman John Hechinger, who asserted, "there is no such thing as 'ersatz' elected officials. . . . Authority without accountability to one's constituency is not the American democratic way."<sup>60</sup>

Nevertheless, Johnson's reorganization plan was an attempt to allay some of the angst that a large portion of the District's citizenry felt toward the federal government. It was a quick remedy that sought to eliminate the racial factor in disfranchisement. Senator Wayne Morse summarized the philosophy behind reorganization in a press release, which was issued shortly before the plan's enactment: "The fact that more than 58% of the citizens of the District of Columbia are Negroes places a special responsibility upon the Congress to prove to them, to the nation, and to the world that the right of self-government in the District of Columbia is not colored to any degree whatsoever by racial prejudice."<sup>61</sup> But Johnson's plan went further than bringing demographic racial equality

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<sup>59</sup> Memorandum to the Management Office from Ruth Harris, executive director of the National Advisory Commission on Civil Disorders, 9 May 1968, LBJL, Administrative History of D.C. Government, vol. 2, Documentary Supplement, pt. 2, box 1.

<sup>60</sup> Congress, House, Committee on the District of Columbia, Subcommittee on Government Operations, *Hearing on Self-Determination for the District of Columbia and Report of the Commission on the Organization of the Government of the District of Columbia*, part 1, Testimony of John Hechinger, 93<sup>rd</sup> Cong., 1<sup>st</sup> sess., 4 April 1973, 195; quoted in Congress, House, Committee on the District of Columbia, *Governance of the Nation's Capital*, 15.

<sup>61</sup> Press release of Wayne Morse of Oregon, 4 August 1967, LBJL, Legislative Background, box 3, the Plan is Approved, folder 5. Interestingly, Wayne Morse opposed both the Civil Rights Act of 1957 and the home rule bill from 1958, S. 1846. Congress, Senate, Vote on civil rights bill H.R. 6127, 85<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 103, pt. 10 (7 August 1957): 13900; Congress Senate, Vote on home rule bill S. 1846, 85<sup>th</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 104, pt. 13 (6 August 1958): 16378.

to the District's government—it laid the groundwork for suffrage and moved the capital city ever closer toward self-determination.

## CHAPTER V

### SUFFRAGE, 1967-1973

Suffrage came to the District of Columbia in a series of gradual steps. In 1967, shortly after the enactment of Reorganization Plan No. 3, Congress passed a bill that called for a democratically-elected school board. Four years later, Washingtonians elected a delegate to the House of Representatives. And finally, in 1973, legislation was passed giving the capital city self-government. Each step was somewhat plodding and certainly measured—Congress retained ultimate authority over both the school board and the city government, and the congressional delegate was unable to vote on the House floor. Nevertheless, progress was being made, and, with the passage of the Home Rule Act of 1973, the days of Southern hegemony over the capital city's affairs effectively came to an end. Change came to D.C. not from the sudden democratic enlightenment of those who had previously opposed suffrage, but from a politicized African-American citizenry. It was the cumulative efforts of civil rights activists through the 1960s and early 1970s that eventually led to enfranchisement.

One of the most longstanding and loudly voiced complaints of black Washingtonians was the poor condition of the District's public schools and the unresponsiveness of the Board of Education, which was appointed by local judges, who, in turn, were appointed by the president. The D.C. Education Association attributed the schools' ailments to the House District Committee and argued that the committee had

failed to appropriate sufficient funds, resulting in outdated textbooks, a lack of psychological services for troubled students, and an inadequate number of remedial reading and math classes.<sup>1</sup> The Association went on to complain that due to oversized classes and a lack of proper classrooms, teachers were forced to hold courses in “auditoriums, lunchrooms, health suites, reading rooms, speech rooms, teacher’s rooms, custodian’s rooms, storage spaces, showers, kitchens, basements, etc.”<sup>2</sup>

There was also still a high degree of de facto segregation within the schools. The local chapter of the Urban League reported that the primary cause of segregation was a “track system,” which was supposed to place students into particular curriculums according to their ability, but instead did so according to race.<sup>3</sup> D.C. school superintendent Carl Hansen, who was appointed by the Board of Education, instituted the system in 1956. The Urban League, along with local activist Julius Hobson, therefore called for the removal of Hansen and for the democratic election of the school board. Their requests initially fell upon deaf ears; it was not until Hobson filed suit that Congress and the president took notice. In *Hobson v. Hansen*, Judge J. Skelly Wright ruled in favor of the activist, calling for the elimination of the track system. He went on to assert that both teachers and students were racially segregated, and that the inner city, virtually all-black schools were overcrowded.<sup>4</sup> Concluding his decision, Judge Wright stated, “Racially and socially homogenous schools damage the minds and spirit of all

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<sup>1</sup> Memorandum from the D.C. Education Association, 2 November 1965, LBJL, WHCF, White House Aides/Charles Horsky, box 85, folder 2.

<sup>2</sup> Ibid.

<sup>3</sup> Smith, *Captive Capital*, 184-5; Carl Hansen, *Danger in Washington The Story of My Twenty Years in the Public Schools in the Nation’s Capital* (West Nyack, New York: Parker Publishing Company, Inc., 1968), 93-4.

<sup>4</sup> Smith, *Captive Capital*, 185.



children who attend them . . . and block the attainment of the broader goals of democratic education, whether the segregation occurs by law or by fact.”<sup>5</sup>

Though the Wright decision amended the problem of de facto segregation within the D.C. public schools, it did not address the issue of a democratically elected Board of Education. The Johnson administration attempted to make the board more demographically representational by installing several African-American appointees. Ultimately, however, the president viewed popular elections as the only way to improve the District education system. In a letter that echoed the rationale behind his reorganization plan, Johnson told Speaker of the House John McCormack, “We cannot have the school system burdened by an archaic structure. . . . The American people have looked on involvement in their school systems as one of the most fundamental exercises of democracy.”<sup>6</sup> The president therefore proposed an elected school board consisting of eleven members, each of which would serve a four-year term.<sup>7</sup> Congress translated this proposal into bill H.R. 13042, which was introduced in the House shortly after the successful implementation of government reorganization.

The bill had nearly universal support. When the House voted on it in late September of 1967, H.R. 13042 passed 324 to 3. Even John McMillan and Joel Broyhill favored the measure; the only opposition came from three hard-line Southerners—representatives Jamie Whitten and William Colmer of Mississippi, and Omar Burleson of

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<sup>5</sup> Hansen, *Danger in Washington*, 91.

<sup>6</sup> Letter from Johnson to Speaker John W. McCormack, 16 August 1967, LBJL, WHCF, Legislation/District of Columbia, box 45.

<sup>7</sup> Ibid.

Texas.<sup>8</sup> The Senate passed the bill in like fashion on December 15, 1967.<sup>9</sup> Though the House and Senate District Appropriations Committees continued to control the Board of Education's budget, Washingtonians, for the first time in 92 years, were able to vote for local officials.

With the passage of H.R. 13042 and the successful implementation of Reorganization Plan No. 3 in 1967, it seemed as if suffrage proponents were on a roll. The next step was to gain congressional representation for the capital city. As early as February of 1967, the White House had petitioned Congress to give the District representation in both the House and Senate. Johnson felt so strongly about it he recommended "that the constitution be amended" if need be.<sup>10</sup> Many white Southerners opposed the president's plan, fearing the election of a black congressman. Furthermore, they had allies in the Republican leadership which was not about to grant full voting representation to a District that was nearly 70% Democratic. The eventual compromise, which took nearly three years to hammer out, was a bill that proposed one nonvoting delegate to be elected to the House. As with all representatives, the delegate would receive a salary of \$42,500, a furnished suite of offices on Capitol Hill, and a stipend of \$140,500 for a 16 member staff.<sup>11</sup> He could vote in his assigned committees and introduce and debate legislation, but the delegate could not vote on the House floor. Both

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<sup>8</sup> Congress, House, Vote on bill H.R. 13042 calling for the election of the Board of Education of the District of Columbia, 90<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 113, pt. 20 (25 September 1967): 26570.

<sup>9</sup> Congress, Senate, Vote on H.R. 13042, 90<sup>th</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 113, pt. 27 (15 December 1967): 36893.

<sup>10</sup> Message on the Nation's Capital to the Congress of the U.S., 27 February 1967, LBJL, WHCF, box 86.

<sup>11</sup> "Blacker than Thou," *Newsweek*, 11 January 1971, 27.

houses of Congress passed delegate bill, H.R. 18725, by considerable majorities and President Richard Nixon signed it into law on September 22, 1970.<sup>12</sup>

While critics, such as *Washington Post* columnist Clifford Alexander, charged that Congress' passage of the delegate bill was "a crumb off the table of our plantation overseers," most well established African-American leaders viewed Congress' action as a step forward.<sup>13</sup> Indeed, both Walter Fauntroy and Channing Phillips acknowledged the importance of the legislation by running for the delegate seat. The two candidates angled for the Democratic party's nomination, each stressing their commitment to home rule for the District. Fauntroy outdistanced Phillips and won the party primary in January of 1971, virtually guaranteeing his victory in the March general election. After claiming the nomination, Fauntroy touted his election as a triumph for "the cause of self-government."<sup>14</sup> He went on to proclaim, "While I am pleased at this victory, which we all share, I am mindful that this election was not only for a candidate, but also for a cause—the cause of self-government; the cause of self-rule."<sup>15</sup>

Fauntroy made good on his self-government proclamations by holding neighborhood meetings to obtain the community's input on home rule legislation.<sup>16</sup> Shortly after assuming his delegate post, he introduced District government charter bill

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<sup>12</sup> Congress, House, President Nixon signs D.C. delegate bill H.R. 18725 into law, 91<sup>st</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 116, pt. 25 (22 September 1970): 33865.

<sup>13</sup> Clifford Alexander, Jr., "The Case for Walter Fauntroy," *Washington Post*, 5 January 1971, 14(A).

<sup>14</sup> Carl Bernstein and Joseph D. Whitaker, "Fauntroy Ties Election Win to Home Rule," *Washington Post*, 14 January 1971, 1(A).

<sup>15</sup> *Ibid.*

<sup>16</sup> Irna Moore, "Fauntroy Meetings to Seek Citizen Ideas on Home Rule," *Washington Post*, 27 April 1971, 1(C).

H.R. 9499.<sup>17</sup> Immediately, Fauntroy requested that the House District Committee hold hearings on his bill, to which McMillan sardonically responded, “You can be rest assured [*sic*] that it will be a pleasure for me to ask the proper subcommittee to conduct hearings on this subject.”<sup>18</sup> The newly elected delegate naively stated that McMillan’s promise was “a major and dramatic step in our drive toward home.”<sup>19</sup> Hearings were held, but as with all home rule bills that entered the House District Committee, H.R. 9499 never saw the light of day.

Fauntroy, however, was not dissuaded and continued his campaign for home rule. In July of 1971, he formed the National Home Rule Coalition with Congressman Edward Brooke of Massachusetts. The coalition was nonpartisan and included 26 organizational affiliates, including, the League of Women Voters, the SCLC, and Americans for Democratic Action.<sup>20</sup> Hoping to educate and to “whip up enthusiasm” for self-government, Fauntroy announced that the coalition would hold educational conferences in the states or districts of numerous congressmen in order to solidify support for their cause.<sup>21</sup>

The coalition was buoyed by a resurgence of pro-home rule sentiment in Congress. A *Washington Post* survey from July, 1971, revealed that 75% of respondents from the House supported the creation of an elected mayor-council form of government

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<sup>17</sup> Congress, House, Delegate Fauntroy introduces home rule charter bill H.R. 9499, 92<sup>nd</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 117, pt. 17 (29 June 1971): 22664.

<sup>18</sup> Ivan C. Brandon, “Home Rule Hearing Promised,” *Washington Post*, 20 May 1971, 3(B).

<sup>19</sup> *Ibid.*

<sup>20</sup> Irna Moore, “Fauntroy, Brooke Head Coalition on Home Rule,” *Washington Post*, 30 July 1971, 1(D).

<sup>21</sup> *Ibid.*

and the enfranchisement of the District delegate to the House.<sup>22</sup> Support was split down sectional lines with 86% of congressmen from the North and 40% of those from the South responding favorably.<sup>23</sup> However, the legitimacy of the survey was questionable, as critics charged that those who were predisposed to home rule were more likely to reply to the mailed survey.<sup>24</sup> Nevertheless, it did appear that self-government was gaining support and that there was a resurgence in enthusiasm for the issue. Indeed, Senator Robert Byrd, nemesis of the Free D.C. Movement and long time foe of home rule, announced that he would vote for a proposed Senate bill that would create a new government charter, provided that Congress retained its ultimate authority over the District. The reason for Byrd's change in opinion was to avoid further criticism of Congress' handling of the District's affairs. Though he stated that "there was a lack of responsibility at the local government level," the senator nevertheless wanted to give a prospective democratically elected government the ability to "rise or fall on its own."<sup>25</sup> Byrd was also concerned with growing criticism of the racial factor behind opposition to home rule. He acknowledged that he would be "less than honest" if he said that "race was not a factor" in many congressmen's attitudes toward self-government.<sup>26</sup> Byrd went on to say that the passage of a government charter for D.C. would "go a long way toward showing the people of the nation and the world that even though this city is

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<sup>22</sup> "House Members Favor Self-Government Here," *Washington Post*, 19 July 1971, 2(C).

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

<sup>25</sup> Irna Moore, "Senator Robert Byrd Changes Mind, Supports Home Rule for District," *Washington Post*, 4 July 1971, 7(A).

<sup>26</sup> *Ibid.*

predominantly black, the governing of it is not being denied the people because they are black.”<sup>27</sup>

With the resurgence in home rule sentiment in Congress, the Senate fine-tuned the details of the proposed D.C. government charter bill. Senator Thomas Eagleton of Missouri, the new Senate District Committee chairman, took the lead and sponsored the bill, which called for an elected mayor who would serve a four-year term, and a council that consisted of eleven members elected to two-year terms. The Eagleton bill was passed with only eight opposition votes (seven of which were from Southerners), making S. 2652 the Senate’s seventh home rule measure in 20 years.<sup>28</sup>

Like all seven previous Senate home rule bills, S. 2652 ran into major difficulties when it was forwarded to the House District Committee in early 1972. For months the bill was delayed by an endless stream of citizens and lobbyists testifying on the merits of self-government. Home rule proponents such as Fauntroy argued that McMillan, who said the hearings would continue “until we call all who want to be heard,” was purposely stalling action on the bill.<sup>29</sup> Indeed, on March 9, the chairman stated that the committee had to hear 20 more witnesses and by March 29, the number increased to 27 more witnesses.<sup>30</sup> Further, much of the testimony came from opponents of the bill who were fearful of the large African-American electorate. Representative John Rarick of

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<sup>27</sup> Ibid., 1(A).

<sup>28</sup> Congress, Senate, Senate passes home rule bill S. 2652, 92<sup>nd</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 117, pt. 27 (12 October 1971): 35753.

<sup>29</sup> Stephen Green, “McMillan Defers Home Rule Talks,” *Washington Post*, 15 March 1972, 4(B).

<sup>30</sup> Stephen Green, “McMillan Refuses to Get Off Hearings for D.C. Home Rule,” *Washington Post*, 9 March 1972, 2(B); Abbott Combes, “Home Rule Spurs Hassle,” *Washington Post*, 29 March 1972, 21(A).

Louisiana, for example, testified that home rule would lead to a Black Muslim takeover.<sup>31</sup> The congressman also stated that the city's black population, which consisted of "transients and migrants," should be resettled "in areas like Montana, South Dakota, Minnesota, or Kansas."<sup>32</sup> Such overt racism was not only tolerated in the committee hearings, but it was also defended. When Fauntroy and Representative Diggs condemned Rarick's comments as "pursuing a racist line," McMillan gaveled down the two black caucus members and proclaimed that he would "not tolerate conduct of that nature."<sup>33</sup>

McMillan also became angered at Fauntroy's persistent comments to the Washington press that the chairman was purposely stalling the home rule bill. Asserting that he would "like for Mr. Fauntroy to quit talking to these press people," and that he was holding the hearings "as a favor" to the District delegate, McMillan defended the rate at which the hearings were being held.<sup>34</sup> He claimed that the committee had several other bills to consider, including legislation on area bus subsidies and the titling of waterfront property.<sup>35</sup> Besides being inundated with other bills, McMillan and Broyhill also reasoned that there was little interest in the self-government issue, as evidenced by the low attendance at the committee hearings. Fauntroy responded that the small turnouts

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<sup>31</sup> Congress, House, Committee on the District of Columbia, *Home Rule Hearings before the Committee on the District of Columbia*, 92<sup>nd</sup> Cong., 2<sup>nd</sup> sess., 8 February 1972, 127.

<sup>32</sup> *Ibid.*, 126, 125.

<sup>33</sup> *Ibid.*, 134-5; Stephen Green, "Rep. Rarick Accused of Racism at Hearing on D.C. Home Rule," *Washington Post*, 9 February 1972, 1(A).

<sup>34</sup> Combes, "Home Rule Issue Spurs Hassle," 21(A).

<sup>35</sup> Green, "McMillan Defers Home Rule Talks," 4(B).

were due to “the good judgment” of the District citizenry who were well aware of McMillan’s delaying tactics.<sup>36</sup>

Fauntroy was not the only one to criticize McMillan. An increasing number of congressmen were assailing the chairman for his management of the House District Committee. Representative Jerome Waldie of California summed up many representative’s growing concerns about the chairman when he stated: “In the mind of the public, the House District Committee is a national scandal. . . . The deplorable condition of this city is due to a great extent to the inaction of the District committee and a large part of the responsibility falls on the shoulders of John McMillan.”<sup>37</sup> In January of 1971, Waldie and a coalition of liberal congressmen took action and attempted to remove McMillan from the committee.<sup>38</sup> Though they failed to obtain the necessary votes for the ouster, the liberal coalition continued their attempts to curb the chairman’s powers. The following month, they succeeded in passing legislation that limited the chairman’s ability to assign pending bills to whichever subcommittee he desired. What this meant was McMillan would have to give all home rule bills to a specific designated subcommittee, instead of one that he knew would suffocate or kill the measures.<sup>39</sup>

McMillan’s problems did not stop there. Due to the chairman’s refusal to respond to the Democratic leadership, the party’s Committee on Committees began appointing pro-home rule representatives to the House District Committee each time a seat was

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<sup>36</sup> Combes, “Home Rule Issue Spurs Hassle,” 21(A).

<sup>37</sup> Irna Moore, “McMillan Again Beats Off Challenge to Chairmanship,” *Washington Post*, 5 February 1971, 19(A).

<sup>38</sup> Ivan G. Goldman, “Gains Seen in McMillan Ouster Try,” *Washington Post*, 27 January 1971, 1(C).

<sup>39</sup> Ivan G. Goldman, “McMillan’s Powers Curbed,” *Washington Post*, 11 February 1971, 1(A). Despite the limitations on his powers, McMillan retained the all-important ability to appoint subcommittee chairman.



vacated.<sup>40</sup> In May of 1972, Ray Blanton of Tennessee quit the committee and was later replaced by liberal Brock Adams, bringing the committee's pro-home rule contingent within one vote of being in the majority.<sup>41</sup> Moreover, Thomas Abernethy of Mississippi, the second ranking representative on the committee, announced that he was not running for reelection in 1972.<sup>42</sup> And the third ranking representative, John Dowdy of Texas, was effectively disposed when he was charged with bribery, conspiracy, and perjury in April.<sup>43</sup> Hence, McMillan's coalition was falling apart—Dowdy's removal and Abernethy's relinquishment meant that the anti-suffrage contingent would fall into the minority and that Charles Diggs would become the second ranking committee member.

McMillan and his anti-suffrage allies, therefore, attempted every conceivable method to stall or derail self-government. Broyhill tried to extinguish some of the home rule fire by introducing a "compromise" resolution, which called for a nine-member board of governors that consisted of six appointed officials and three elected ones.<sup>44</sup> Meanwhile, McMillan announced that the committee would vote on home rule, but, to his critics' chagrin, he refused to set a precise date.<sup>45</sup> The chairman also launched a publicity assault against Fauntroy, hoping to tarnish the District delegate's image and, hence, hurt

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<sup>40</sup> Martha Hamilton and Stephen Green, "Liberals to Press for Home Rule Now: End of the McMillan Era," *Washington Post*, 14 September 1972, 16(A).

<sup>41</sup> Congress, House, Brock Adams elected to the Committee on the District of Columbia, 92<sup>nd</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 118, pt. 20 (2 August 1972): 26503-4.

<sup>42</sup> Stephen Green, "House District Unit Shakeup Seen Near," *Washington Post*, 9 March 1972, 2(B).

<sup>43</sup> Dowdy was sentenced to 18 months in prison and fined \$25,000. Green, "House District Unit Shakeup Seen Near," 2(B).

<sup>44</sup> Congress, House, Committee on the District of Columbia, *Governance of the Nation's Capital*, 21-2.

<sup>45</sup> Stephen Green, "Home Rule Vote Slated by McMillan," *Washington Post*, 1 June 1972, 1(C).

the suffrage cause. McMillan told reporters that Fauntroy refused to see his constituents, and that the committee got “complaints every day” on the delegate’s job performance.<sup>46</sup>

Though McMillan’s comments and actions did little to stifle home rule sentiment, the chairman nevertheless retained his ultimate authority over the House District Committee. That authority gave the chairman the power to decide whether or not there would be a vote on self-government. If he felt the slightest bit of uncertainty about how the committee would act on the issue, he simply needed to prolong hearings indefinitely—which is exactly what happened. As hearings continued through the summer, self-government proponents gave up hope on the Eagleton bill and wrote it off as another failed home rule measure. Thus, despite the increased criticism of the chairman and the shifting ideological makeup of the House District Committee, the 74-year-old South Carolinian retained his vise-like grip on the future of the nation’s capital. The only hope for the District’s citizenry, as Marion Barry said, was if “John McMillan would either get defeated or die.”<sup>47</sup>

Accordingly, when McMillan failed to obtain fifty percent of the vote in the South Carolina Democratic primary, forcing a runoff, D.C. residents’ interest in home rule was again piqued. Confident of an easy victory, the chairman had paid little attention to his opponents’ campaigning. Both Bill Craig and John Jenrette ran on a platform that stressed McMillan’s lack of concern for his constituents. Craig elaborated on his strategy, stating, “I tell voters that McMillan spends all his time as mayor of Washington and is not devoting attention to the needs of our district, which is the poorest in the

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<sup>46</sup> Stephen Green, “Fauntroy Won’t See People, McMillan Says,” *Washington Post*, 9 August 1972, 2(C).

<sup>47</sup> Stephen Green, “Citizens Attack Compromise on Home Rule,” *Washington Post*, 2 August 1972, 1(C).

state.”<sup>48</sup> Further, by emphasizing McMillan’s anti-suffrage stance in the capital city, the two contenders vied for the black vote, which made up over a third of South Carolina’s sixth congressional district and ultimately determined which way an election would go.<sup>49</sup>

The region’s black population had registered to vote en masse following the Voting Rights Act of 1965. Despite his anti-civil rights voting record and his pro-segregationist views, McMillan had successfully manipulated their vote in his 1966 and 1968 bids for reelection. However, in 1970, busloads of SCLC activists, along with black caucus representatives Fauntroy and Diggs, traveled to South Carolina to campaign against McMillan and spread the word of the congressman’s racist past.<sup>50</sup> Due to their efforts, the constituency’s black population overwhelmingly voted for Dr. Claude Stephens, an African American, in the Democratic primary. As with the primary that would follow two years later, McMillan failed to receive 50% of the vote, resulting in a runoff with Stephens. The veteran congressman easily won the runoff, which turned into a black versus white contest, but the black electorate had been galvanized and future political hopefuls quickly recognized the strength of the region’s African-American vote.<sup>51</sup>

In the 1972 primary, Jenrette, a white liberal, canvassed heavily for the African-American vote, eventually receiving the endorsement of South Carolina’s three black state congressmen. But to avoid any possibility of racializing the election, he requested

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<sup>48</sup> Stephen Green, “McMillan Opponent Makes D.C. Home Rule a Campaign Issue,” *Washington Post*, 20 February 1972, 7(H).

<sup>49</sup> Ibid.; Donald P. Baker, “McMillan Faces Runoff in Primary,” *Washington Post*, 31 August 1972, 1(C).

<sup>50</sup> Donald P. Baker, “McMillan Race to be Decided on Tuesday,” *Washington Post*, 28 August 1972, 1(C); “Fauntroy, ‘No McMillan Clash,’” *Washington Post*, 6 January 1971, 9(C).

<sup>51</sup> David R. Boldt, “McMillan Faces Runoff for House,” *Washington Post*, 11 June 1970, 1(C); Baker, “McMillan Faces Runoff in Primary,” 1(C).

that SCLC not campaign against McMillan.<sup>52</sup> In the end, Jenrette only received 29% of the overall vote, as opposed to McMillan's 44% and Craig's 27%, but Craig and Jenrette had previously agreed to endorse one another in the event of a runoff.<sup>53</sup> Therefore, Craig, according to the agreement, would call for his supporters to cast their vote for Jenrette, instead of McMillan. But Craig reneged on the deal, stating, "It's not the proper thing to do—it would be presumptive of me to tell my supporters how to vote in a runoff."<sup>54</sup> Apparently, he viewed an alliance with McMillan to be more politically expedient, because days later he announced his support for the House District chairman. Craig proclaimed, "There is no doubt that McMillan will be reelected," and went on to add that he was not going "to disclaim any interest" in succeeding the aging congressman after McMillan retired.<sup>55</sup> To avoid possible criticism that he betrayed Jenrette, Craig requested that McMillan promise to support one of the pending self-government measures in exchange for his endorsement.<sup>56</sup> The chairman happily obliged, introducing a bill that called for the retrocession of the District of Columbia to the state of Maryland.<sup>57</sup>

The Craig-McMillan pact backfired, as both white and black voters viewed Craig's defection as underhanded political dealing at its worst. One of Craig's supporters stated, "Billy [Craig] betrayed us and made a deal with Johnny Mac," while a constituent who voted for McMillan remarked, "The Craig deal made me mad. . . . Yep, I'm going

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<sup>52</sup> Baker, "McMillan Race to Be Decided on Tuesday," 1(C).

<sup>53</sup> Baker, "McMillan Faces Runoff in Primary," 1(C).

<sup>54</sup> *Ibid.*, 5(C).

<sup>55</sup> Donald Baker, "McMillan Vows Home Rule Aid," *Washington Post*, 2 September 1972, 2(E).

<sup>56</sup> *Ibid.*, 1(E).

<sup>57</sup> Congress, House, Representative McMillan introduces bill H.R. 16561, 92<sup>nd</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 118, pt. 23 (7 September 1972). 29670; Stephen Green, "Liberals to Press for Home Rule Now: Diggs Won't Discuss Plans," *Washington Post*, 14 September 1972, 16(A).

for Jenrette.”<sup>58</sup> Jenrette himself saw the turn of events as an asset, adding, “If the word gets out that Billy is a hypocritical SOB, well, that helps.”<sup>59</sup> And it did help, as the initial returns indicated that the underdog contender had narrowly defeated McMillan in the runoff. A recount was immediately demanded, which confirmed the chairman’s loss by 845 votes.<sup>60</sup> Still, McMillan refused to accept defeat and attempted to have the election thrown out due to irregularities. Denied his request, he finally acquiesced, but blamed his loss on the African-American vote, asserting that “the colored people were bought out.”<sup>61</sup> Indeed, 73% of the registered African-American voters cast their ballots for Jenrette.<sup>62</sup>

The election was cause célébré for Washingtonians and home rule proponents in Congress. Fauntroy exclaimed that McMillan’s defeat was “an inspiration to the forces of good will who have been working for change.”<sup>63</sup> Many of the District’s publications also expressed their content with the election’s outcome. The magazine *America* ran the headline “Johnny Mac Ain’t Going Back!,”<sup>64</sup> while the editorial board of the *Washington Post* announced,

When an antagonist of long standing is finally defeated, it is customary for even his most dedicated foes to be magnanimous about it, to find a few words of sympathy for the man. But magnanimity and sympathy come hard on the occasion of John McMillan’s apparent defeat in his South Carolina congressional race. . . . We would be less than honest were we to profess anything other than a

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<sup>58</sup> Donald Baker, “Tobacco Country Seen Choosing ‘Johnny Mac’ for the 18<sup>th</sup> Time,” *Washington Post*, 10 September 1972, 10(A).

<sup>59</sup> Ibid.

<sup>60</sup> “Rep. McMillan’s Loss Confirmed,” *Washington Post*, 22 September 1972, 1(A).

<sup>61</sup> J.Y. Smith, “Rep. McMillan Defeated in S.C. Runoff,” *Washington Post*, 13 September 1972, 1(A).

<sup>62</sup> Donald P. Baker, “McMillan Defeat Certified by South Carolina Panel,” *Washington Post*, 23 September, 1972, 8(C).

<sup>63</sup> Smith, “Rep. McMillan Defeated in S.C. Runoff,” 1(A).

<sup>64</sup> “Johnny Mac Ain’t Going Back!,” *America*, 14 October 1972, 277.

sense of relief at what seems to be Mr. McMillan's retirement by the voters of his district.<sup>65</sup>

There were those who grieved the committee chairman's defeat. Numerous Southern representatives paid tribute to McMillan and his 34-year legacy. Fellow South Carolinian James Mann lauded McMillan's "dedication to good government," as Olin Teague of Texas asserted that the chairman "acted in good conscience to afford the District of Columbia equitable and fair prosperity during very complex times."<sup>66</sup> Watkins Abbitt of Virginia added "he has taken a real interest in the problems of the District of Columbia," and Joe Wagonner of Louisiana wrote, "None has been more dedicated to . . . the perpetuation of individual liberty than John McMillan."<sup>67</sup> Even McMillan himself praised his record as committee chairman by having the government printing office issue a "summary report" entitled "The Activities of McMillan as Chairman." Published at taxpayer's expense, the report stated that the lame-duck congressman was "the best and most effective friend the nation's capital has ever had."<sup>68</sup> It went on to note, "Legislation sponsored or supported by Congressman McMillan over the years has shaped the destiny of the national capital and made it one of the world's great cities."<sup>69</sup>

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<sup>65</sup> "Chairman McMillan's (Apparent) Defeat," *Washington Post*, 14 September 1972, 18(A). The editorial ran before the recount of the runoff election.

<sup>66</sup> Congress, House, Tribute to John McMillan by James Mann, 92<sup>nd</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 118, pt. 27, (13 October 1972): 36120; Congress, House, Olin Teague on John McMillan, 92<sup>nd</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 118, pt. 27 (18 October 1972): 37448.

<sup>67</sup> Congress, House, Watkins Abbitt pays tribute to John McMillan, 92<sup>nd</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 118, pt. 28 (18 October 1972): 37639; Congress, House, Tribute to McMillan by Joe Wagonner, 92<sup>nd</sup> Cong., 2<sup>nd</sup> sess., *Congressional Record*, vol. 118, pt. 28 (16 October 1972): 36717.

<sup>68</sup> Stephen Green, "Diggs Plans; McMillan Lauds McMillan," *Washington Post*, 24 December 1972, 1(B).

<sup>69</sup> *Ibid.*, 6(B).

Few could argue with the notion that the chairman had a profound effect on the capital city and most knew full well that he alone had stood as the greatest obstacle to home rule. Thus, as soon as McMillan's tenure expired with the opening of the 93<sup>rd</sup> Congress in January of 1973, Diggs, Fauntroy, and other home rule proponents began drafting a new self-government bill. Furthermore, Diggs now chaired the House District Committee, which virtually guaranteed the bill's passage. Brock Adams, who Diggs appointed as chairman of the D.C. Government Operations Subcommittee, said that there was "deep commitment" to produce a "damn good bill."<sup>70</sup> Along with home rule, Fauntroy and Senator Edward Kennedy began pushing a bill that would provide two senators and a voting representative in the House for the District.<sup>71</sup>

Though the congressmen asserted their commitment to the suffrage and self-government cause, by spring many believed that they were moving much too slow on the matter. On April 19, Mayor Walter Washington urged the House District Committee to move forward on home rule without getting bogged down with details.<sup>72</sup> Just five days earlier, 250 activists with the Coalition for Self-Determination for D.C. held a mock "tea party" to protest "taxation without representation."<sup>73</sup> The organization urged residents to mail tea bags and letters demanding self-government and congressional representation

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<sup>70</sup> Martha M. Hamilton, "House D.C. Unit to Push for Early Home Rule Bill," *Washington Post*, 17 January 1973, 7(B).

<sup>71</sup> "Voting Rights Bill for D.C. Proposed," *Washington Post*, 15 March 1973, 13(B); Congress, House, Delegate Fauntroy introduces H.J. Res. 429, 93<sup>rd</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 119, pt. 6 (14 March 1973): 7688; Congress, Senate, Senator Kennedy introduces S.J. Res. 76, 93<sup>rd</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 119, pt. 6 (14 March 1973): 7714.

<sup>72</sup> Martha Hamilton, "Mayor Asks Action on Home Rule," *Washington Post*, 20 April 1973, 3(C).

<sup>73</sup> Martha Weil, "250 Protest Lack of D.C. Home Rule," *Washington Post*, 16 April 1973, 5(A).

with their tax returns.<sup>74</sup> Julius Hobson, the former school board member and the chairman of the District Statehood Party, announced that he simply would not pay his taxes until he could vote.<sup>75</sup> Relegated to a wheelchair due to spinal cancer, Hobson admonished the House District Committee at the home rule hearings, stating,

I am 50 years old, and I lived in a State in which I could not vote half my life, because I am black. And now I sit before, each year, a committee of distinguished, well-paid rich men who don't know a damn thing about the difficulties that are going on in the District of Columbia and voice my sentiment about home rule. . . . I think the people of the District of Columbia have just as much damn intelligence as anybody else who has the competency or the tenacity to deal with the question of home rule.

Now, are we going to have home rule or are we going through this kind of stuff every year? . . . It is an insult to 800,000 people in this District of Columbia to have to sit here and beg a committee each year for its right to self-determination, which every other American is born with. . . . We want home rule, and we think that if you are Americans who believe in the question of self-government and believe that all Americans have the right to what do you call it—life, liberty, and the pursuit of happiness—and self-determination, then we will quit playing games up here with this committee, get a damn bill on the floor to the House of Representatives, and get out there and fight for it.<sup>76</sup>

Action was finally taken on June 27, when the Government Operations Subcommittee reported out a bill that called for an elected mayor and thirteen-member council. A month later, the House District Committee voted favorably for the measure, thus sending it to the House floor. The bill passed by a margin of 20 to 4, reflecting the major transformation that the committee underwent between 1972 and 1973.<sup>77</sup> However, Representative Broyhill, one of the four dissenters, swore that he would take whatever

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<sup>74</sup> "Call for D.C. Tea Party," *Washington Post*, 13 March 1973, 2(C).

<sup>75</sup> Weil, "250 Protest Lack of D.C. Home Rule," 2(C).

<sup>76</sup> Congress, House, Committee on the District of Columbia, *D.C. Government Reorganization: Hearings before the Subcommittee on Government Operations*, 93<sup>rd</sup> Cong., 1<sup>st</sup> sess., 4 April 1973, 21-2.

<sup>77</sup> Martha M. Hamilton, "House Unit Votes for Home Rule," *Washington Post*, 1 August 1973, 1(A).



steps necessary to assure the bill's demise and declared that it would be defeated on the House floor.<sup>78</sup>

Broyhill's assertions were not unfounded. Increasingly, the Republican leadership was split on the issue of District self-government, with several party notables taking up the anti-suffrage positions of McMillan, Abernethy, and the other Southern opponents of home rule. House minority leader Gerald Ford declared his opposition to the committee passed bill, alleging that District residents failed the test of electing the Board of Education. Ford claimed that the board was rife with conflict and quarrelling and that few voted in the board's elections.<sup>79</sup> Ancher Nelsen, the leading Republican on the House District Committee, reversed his position on the bill and announced that he would oppose it when it was voted on in the House. The reason for Nelsen's opposition was a fear that self-government would result in the president's loss of control over law enforcement in Washington: "When we have an army invading the city, he needs the whole police force."<sup>80</sup>

Not all Republicans concurred with Ford and Nelsen; President Nixon, since his inauguration, vocally supported self-government. In his 1969 message to Congress on the nation's capital, Nixon announced, "Full citizenship through local self-government must be given to the people of this city. The District government cannot be truly responsible until it is made responsible to those who live under its rule." He continued, stating, "The District's citizens should not be expected to pay taxes for a government

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<sup>78</sup> Maurine Beasley, "Home Rule Defeat Predicted: Broyhill Says He Will Oppose D.C. Measure," *Washington Post*, 10 September 1973, 1(C).

<sup>79</sup> "Home Rule: Is Grand Rapids Really Ready," *Washington Post*, 23 July 1973, 22(A).

<sup>80</sup> Martha Hamilton, "New Plan Offered for D.C.," *Washington Post*, 3 October 1973, 1(D).

which they have no part in choosing—or to bear the full burdens of citizenship without the full rights of citizenship.”<sup>81</sup> Nixon also confirmed that he favored congressional representation for D.C., saying that it “should offend the democratic senses of this nation” that the District’s residents had no voice in Congress.<sup>82</sup> Shortly thereafter, the president successfully pushed through a bill that created a special commission to study the District’s government.

Headed by none other than Anchur Nelsen, the commission concentrated on four categories, including the District’s executive management, departmental organization, financial administration, and personnel administration.<sup>83</sup> When the study was completed in 1972, the commission reported that despite governmental reorganization in 1967, Congress and the president still played an inordinately large role in the District’s affairs, and that the overall governing of Washington was “significantly less efficient” than the twelve other cities surveyed.<sup>84</sup> Furthermore, it was found that two thirds of the government’s top executives were white even though blacks made up 70% of the District’s population.<sup>85</sup> Regardless of the findings, the commission did not recommend home rule.

Nixon, however, did continue to vocally support the issue and in March of 1972, while the House District Committee was holding hearings on the Senate passed home rule bill, stated that he would order a full White House lobbying effort behind self-

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<sup>81</sup> Congress, House, President’s Message to Congress on Self-Government for the District of Columbia, 91<sup>st</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 115, pt. 8 (28 April 1969):10518.

<sup>82</sup> *Ibid.*, 10519.

<sup>83</sup> Congress, House, Committee on the District of Columbia, *Governance of the Nation’s Capital*, 5.

<sup>84</sup> *Ibid.*; Smith, *Captive Capital*, 163.

<sup>85</sup> Smith, *Captive Capital*, 159; Dodd, *Historical Statistics of the States*, 19.

government.<sup>86</sup> He went on to assert that if the House failed to pass the Senate bill, he would push for a constitutional amendment for full congressional representation.<sup>87</sup> Two days after the announcement, Carl Shipley of the District's Republican Committee urged the president to rescind his support of home rule.<sup>88</sup> Thereafter, Nixon made little public reference to the issue, leaving the matter to Congress and the District citizenry. Even after McMillan's defeat and during the ensuing drive for home rule, the president refused to take a role in the debate.<sup>89</sup>

Ultimately, his support was not necessary for the passage of a home rule measure. On July 10, 1973, the Senate approved D.C. government charter bill S. 1435 and, just three months later, the House overwhelmingly passed its own home rule measure by a vote of 343 to 74.<sup>90</sup> The House bill, however, was quite different from that of the Senate, imposing numerous restrictions on the proposed elected government; Congress still determined the budget and spending, taxes could not be leveled against the mostly white commuter population who lived in the surrounding suburbs, the president retained the authority to appoint all the District's judges, and, to avoid a fully Democratic government, the mayoral and council elections had to be nonpartisan.<sup>91</sup> Critics

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<sup>86</sup> Stephen Green, "Nixon Ready to Push Home Rule," *Washington Post*, 1 March 1972, 1(A).

<sup>87</sup> *Ibid.*, 7(A).

<sup>88</sup> "Nixon Told Not to Back Home Rule," *Washington Post*, 3 March 1972, 16(D).

<sup>89</sup> Kirk Scharfenberg, "Nixon Inactive on Rule: White House Role Crucial Backers Say," *Washington Post*, 9 August 1973, 1(D).

<sup>90</sup> Congress, House, Vote on D.C. government charter bill H.R. 9682, 93<sup>rd</sup> Cong., 1<sup>st</sup> sess., *Congressional Record*, vol. 119, pt. 26 (10 October 1973): 33669.

<sup>91</sup> *Ibid.*, 33671-86, Martha M. Hamilton and Kirk Scharfenberg, "D.C. Wins Home Rule in House," *Washington Post*, 11 October 1973, 1(A).

immediately assailed the bill. Julius Hobson called it a “farce” by “a bunch of punks.”<sup>92</sup> He continued, stating, “We have to get rid of the punks who would sell their mothers down the river for a handful of silver.”<sup>93</sup> Senate proponents were also disgruntled and called for a joint congressional conference to work out a compromise bill.

The final bill that the House and Senate passed in December was not much of a compromise at all. The newly chartered government had to abide by all of the restrictions legislated in the House, except for the provision requiring nonpartisan elections.<sup>94</sup> Senate District Committee Chairman Eagleton remarked that the bill did not “give the citizens of the District of Columbia what I would call true home rule.”<sup>95</sup> Nevertheless, the senator called its passage a “significant step forward.”<sup>96</sup> President Nixon, who had requested that the compromise bill retain provisions for strong federal control over the District, signed the measure into law on Christmas Eve.<sup>97</sup> In November of 1974, Washingtonians went to the polls and voted for a mayor and council for the first time in over 100 years.

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<sup>92</sup> Kirk Scharfenberg, “Hobson Flays Home Rule Bill,” *Washington Post*, 18 October 1973, 1(C).

<sup>93</sup> *Ibid.*, 7(C).

<sup>94</sup> Harris, *Congress and the Governance of the Nation's Capital*, 8-10; Martha Hamilton, “Home Rule is Approved by House,” *Washington Post*, 17 December 1973, 8(B). For a comprehensive list of the mayor and council's powers, see Congress, House, Committee on the District of Columbia, *Governance of the Nation's Capital*, 28-37.

<sup>95</sup> Martha Hamilton, “Senate Gives Home Rule Final Assent,” *Washington Post*, 20 December 1973, 1(A).

<sup>96</sup> *Ibid.*

<sup>97</sup> Specifically, Nixon called for total congressional control over the District's budget, emergency police powers for the president, ability of the president to veto any legislation, and the creation of a federal service enclave. Martha Hamilton, “White House Asks Federal Restraints on District Home Rule,” *Washington Post*, 30 October 1973, 1(B).

The Home Rule Act of 1973 was the culmination of a gradual phasing in of suffrage in the District of Columbia. Johnson's Reorganization Plan, the passage of measures securing the right to vote for a school board and a delegate to the House, paved the way for self-government. Moreover, had it not been for the Voting Rights Act of 1965, which empowered the black population in South Carolina's sixth congressional district to oust John McMillan, home rule would not have come when it did. But even with McMillan aside, many within the federal government were wary of placing control of the capital city into the hands of the D.C. populace. And while race was the predominant cause for this wariness, it was also the main reason that suffrage finally came to the District. Had suffrage not been a civil rights issue, it would not have benefited from the thrust of the civil rights movement—a movement that forever changed the face of American democracy.

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