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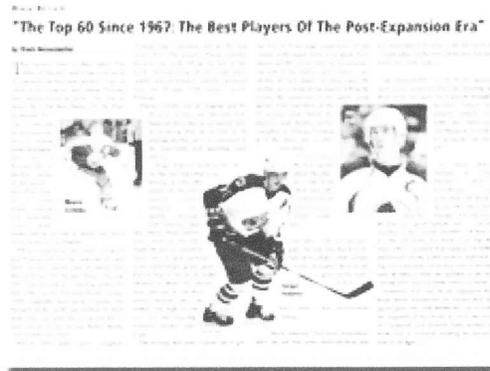
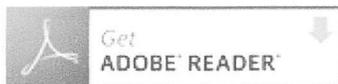
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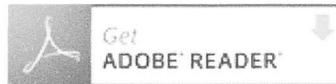
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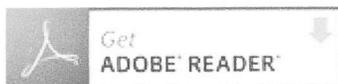
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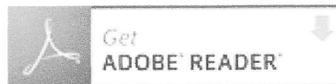
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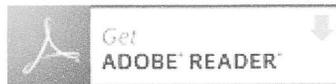
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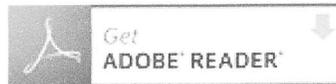
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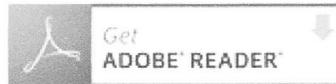
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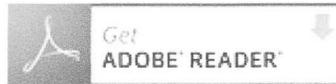
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Book Review: "A Matter of Justice"   

Mark Weisenmiller: Review of David A. Nichols

Source: Special for HNN (10-22-07)

[Mark Weisenmiller is a Florida-based reporter for Inter Press Service and The Economist.]

For decades, the perception has existed that former President Dwight Eisenhower was slow---or even purposefully hesitant---about helping to bring about civil rights legislation in the United States during the 1950's. He was essentially a late 19th century-born latent racist presiding over a 1950's America which yearned for civil rights, argue his critics.

Such a theory may finally end with the publication this year of *A Matter of Justice: Eisenhower and the Beginning of the Civil Rights Movement*. The tome was written by David A. Nichols, a former professor and academic dean at Southwestern University in Kansas.

Nichols did much spadework in going through the massive archives of the Eisenhower Presidential Library to find documents about the topic of civil rights. Some of these papers have never before been made public.

One could claim that Nichols simply combed and picked through old documents to find information that would support his basic premise of the book---that Dwight David Eisenhower, the 34th President of the United States, was a sort of veiled civil rights activist, trying to use his numerous Presidential powers to bring about, as the title of the book states, "a matter of justice."

Yet such a claim would mean that the book would be a valentine. Not so, for Nichols shows us a rapidly aging conservative man, somewhat set in his ways, trying to learn and deal with the concept of civil rights on the job, so to speak.

Not only that, but Nichols dares to push his pro-Ike, pro-civil rights philosophy even further in *A Matter of Justice*. That is, he argues that Home rule'---the proposal to grant residents and their officers greater authority over the district's own governance--would be important in fulfilling this pledge." The sparkplug for all of this was a January 22, 1953 (two days after Ike's inauguration) decision by the U.S. Court of Appeals for the District of Columbia to uphold a Washington D.C. restaurant owner's refusal of service to four black people.

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The (then) new president ordered U.S. Attorney General Herbert Brownell Jr. "to seize control of the district's appeal to the Supreme Court." For a man who had been President for less than one week, this was an incredibly bold tactic. Brownell, himself, argued the case on behalf of the president before the U.S. Supreme Court.

"The Attorney General argued to the Court that the January 22 Appeals Court ruling had generated 'doubts and uncertainty' concerning whether Congress could legally delegate home rule powers to the district. Brownell asked the Supreme Court to decide the Thompson appeal [as it was known] before the end of the judicial term in June, so that the home rule legislation pending in Congress would not be jeopardized," explains Nichols.

On June 8, 1953, the Supreme Court ruled unanimously in favor of Brownell and Eisenhower. "The power of Congress to grant self government of the District of Columbia would seem to be as great as its authority to do so in the case of territories," wrote Associate Justice William O. Douglas, who wrote the decision for the majority. That was the beginning of the desegregation of the District of Columbia.

Appointing judges, to all levels of the judicial system, is one of a president's most important duties and for some reason, or reasons, Republican presidents in the 20th century had a history of bungling this job. Ike's Vice President Richard Nixon, who later was elected the 37th President of the U.S., went through hell on Earth trying to get his judicial appointees approved by Congress. Things weren't better on this subject a decade later for President Ronald Reagan.

The exception to the above is Dwight Eisenhower and the reason is that he worked closely with Brownell in evaluating the positives and negatives of judicial nominees. Together, they appointed five pro-civil rights justices to the Supreme Court---the most famous being Chief Justice Earl Warren--and perhaps more importantly, numerous pro-civil rights judges to lower courts positions.

In his final State of the Union Address, delivered on January 12, 1961, President Eisenhower noted, "This pioneering work in civil rights must go on. Not only because discrimination is morally wrong, but also because its impact is more than national---it is worldwide." From his home in Gettysburg, Ike quietly (never publicly) disagreed with President Kennedy's sloooooow movement to formally backing civil rights. Ike also thought that Senator Barry Goldwater's viewpoints on civil rights were atrocious.

As he lay slowly dying in Walter Reed Hospital in December, 1968 (he died in May of 1969), Eisenhower recommended that President-elect Nixon nominate Brownell to be the new Chief Justice of the U.S. (Warren had sent his resignation to President Lyndon Johnson in June, 1986, citing his age and health as reasons for his retirement). Nixon refused, instead appointing Warren E. Burger to the post. For the last time in his life, Dwight Eisenhower's offering to help his country was ignored.

Posted on Monday, October 22, 2007 at 10:10 PM

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President Eisenhower was more progressive on civil rights than Democratic politicians President Harry S. Truman from Missouri, Senator John Kennedy of Massachusetts, and Senate Majority Leader Lyndon Baines Johnson of Texas.

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When Nichols tries to emphasize the above-paragraphs points, the overall power of the book is weak. It was Truman who ordered the desegregation of U.S. military forces in 1948. It was Kennedy who did notable pro-civil rights work while he served on the Labor and Public Welfare Committee. Most of all, it was the political wheeling and dealing of Lyndon Johnson to cajole his fellow senators to vote for Ike's numerous pieces of civil rights legislation that helped lurch the U.S. into the civil rights era. There is no way that such legislation would have passed in the Senate without Johnson's hard work for Ike on this matter, especially as Johnson had to battle Richard Russell, the pro-segregationist senator from Georgia.

Again, all of this is the weakest part of the book. Happy to report is the fact that the rest of the tome is quite informative and very well researched. Regarding the literary template of the book, Nichols wisely divides each chapter into sections where a reader can stop reading, for whatever reason (s); this device by Nichols subconsciously indicates that this relentlessly serious subject can be tiring for some folks and that some readers may simply have to stop at some point, to let the wave of historical facts that Nichols presents settle into their minds.

Nichols makes four main points about President Eisenhower:

- 1) He introduced and goaded through Congress the first notable piece of civil rights legislation in 82 years.
- 2) Ike completed the integration of the U.S. military, which began with President Truman's 1948 proclamation.
- 3) It was Ike who helped to bring about the desegregation of the nation's capital, Washington D.C.
- 4) He made strategic judicial appointments that greatly helped advance the ethical, legal, and moral backing of civil rights, long after he retired to his farm in Gettysburg, Pennsylvania.

Points One and Two have been written about and will be passed over here. Rather, it is Items Three and Four which particularly interested this reviewer.

"Dwight Eisenhower wanted to make the District of Columbia 'the showpiece of the nation ' in terms of racial integration," writes Nichols. " "

Tuesday, October 23, 2007 America Online: Mwupi

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