The legislative struggle for civil rights in Iowa: 1947-1965

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The legislative struggle for civil rights in Iowa: 1947-1965

by

Robert Benjamin Stone

A Thesis Submitted to the

Graduate Faculty in Partial Fulfillment of the

Requirements for the Degree of

MASTER OF ARTS

versity

Ames, Iowa

1990
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CHAPTER I. INTRODUCTION

The Iowa Civil Rights Act of 1965, signed into law by Governor Harold E. Hughes in April of that year, created a state-funded Iowa Civil Rights Commission with the statutory power to hold hearings, subpoena witnesses, and issue cease and desist orders. This law and the commission it created represented the culmination of two decades of effort in pursuit of an effective and enforceable civil rights law in Iowa. That struggle began in 1947, when a state representative from Des Moines sponsored a bill calling for the creation of a state "commission against discrimination." From that first bill, over a period of eighteen years, through eleven sessions of the Iowa General Assembly, forces engaged in a political struggle over civil rights laws. Supporters experienced a minor victory along the way. In 1963, the legislature passed a weak fair employment practices act, but it was little more than an appeasing gesture by conservatives in the General Assembly. The struggle for the creation of a state civil rights commission was also part of a greater conflict. In the two decades following World War II, the main political battle in Iowa was the contest for power between the growing urban centers and the rural areas.

The primary issue of this study concerns the development of a state civil rights commission in Iowa. Civil rights bills during this period were concerned mostly with employment discrimination and were therefore commonly referred to as fair employment practices (FEP) bills. However, an FEP law without a state civil rights commission to enforce it would be incomplete and ineffective. It is for this reason that the Iowa Fair Employment Practices Act of 1963 represented only a small victory en-route to the capstone for civil rights advocates--the Iowa Civil Rights Act of 1965.

A number of themes will be pursued while discussing the various factors which contributed to the prolonged struggle for civil rights in Iowa. The major theme inherent in most all factors relates to the rural dominance of politics in Iowa and the corresponding lack of influence of urban politicians, interest groups, and those interested in civil rights. Rural interest groups had an inordinate amount of power in the Republican party, which itself dominated Iowa politics in the postwar decades. The few African-Americans in the state lived in urban places and thus were both widely ignored by rural politicians and unknown to most rural constituents. The distance, both physically and mentally, between rural whites and urban blacks made it difficult for those attempting to publicize the plight of blacks in the cities.

In addition to the geographical separation between urban blacks and rural whites, the conservative economic philosophy of many Iowans—both rural and urban, Republican and Democratic—also made it difficult to rally people behind a civil rights law. Although not as thoroughly discussed as the rural dominance of the legislature, this philosophy, which held that "government is best which governs least" and put emphasis upon the ability of the free market system to solve problems, represented the antithesis of activist government and needed to be somewhat discredited before many Iowans would be sympathetic to calls for civil rights laws they perceived as misguided and simply attempts to legislate morality.

A secondary issue developed in this work concerns the topic of reapportionment. The state of Iowa, while urbanizing later than many states, became increasingly urban throughout the first half of the twentieth century. As people moved to cities and large towns to work in manufacturing and other industries, Iowa's population naturally became more highly concentrated in these urban centers. Many thousands of

2"From 1890 to 1940, only gradual increases in population, urbanization, and industrialization had transpired. These increases had been so slight that they clearly distinguished the state from the rest of the nation." See James C. Larew, A Party Reborn: The Democrats of Iowa:
these urban residents were African-Americans--few black Iowans lived in rural areas. While at no time representing more than 2.0 percent of the state's total population, African-Americans did represent a significant minority in some of Iowa's larger cities. Since most of Iowa's African-Americans lived in urban areas, the political fray between rural and urban interests proved key to the success of civil rights legislation. Therefore, the lack of reapportionment--the restructuring of legislative districts for the Iowa General Assembly to provide more equitable representation--was to a great extent responsible for the length of the struggle to secure an enforceable civil rights law for urban and other blacks.

An understanding of this reapportionment controversy, discussed in detail in Chapter III, is essential to comprehending the two decade legislative struggle to create a state civil rights commission in Iowa. Urban interest groups, represented mostly by labor unions, the League of Women Voters, the chambers of commerce of many of Iowa's larger cities, and, "with only a few exceptions," larger city newspapers, felt frustrated at what they perceived as a lack of adequate representation in the General Assembly. Convinced that their lack of success in getting legislative changes in public policy was due to the over-representation of rural persons in both houses, these urban groups agitated for reapportionment.

1950-1974 (Iowa City: Iowa State Historical Department, Division of the State Historical Society, 1980), 21.

3 Blacks were not the only minorities living in Iowa during the period discussed in this work, but were the predominant minority. In 1880, more than 95% of the 10,000 racial minorities in the state were black. In 1950, out of 21,000 minorities, over 90% were black. For purposes of clarity, references are almost exclusively about African-Americans (or blacks). The other minorities existed of course, but will not be mentioned here.

4 In the past, the terms "colored" and "negro" were commonly used to refer to blacks. Today, "African-American" is preferred over "blacks." However, "blacks" is still in common use. Therefore, the term "blacks" will be used interchangeably along with "African-Americans."
This urban position, which may also be described as basically liberal, was clearly identified with the Democratic Party of Iowa. The key to their reapportionment wishes was the establishment of a senate based upon area and a house of representatives based upon population.\(^5\)

The rural interest groups were led primarily by the Iowa Farm Bureau Federation (IFBF) and the Iowa Manufacturers Association (IMA). These two powerful organizations, along with most rural newspapers and county government officials, supported the idea of keeping as much representative influence as possible within the rural areas of the state. This informal coalition, basically conservative, felt it essential to their interests to prevent any meaningful reapportionment. Later, after recognizing the growing public outcry for some type of legislative re-districting, the rural interest groups worked diligently to keep the senate based upon population, while allowing the house to become based upon area—thus assuring themselves of future veto power in one chamber. Unlike the clear identification of the liberal, urban position with the Democratic party, the rural, conservative position with regard to reapportionment, while generally identified with the Republican Party, was not unequivocally embraced by the party in power.\(^6\)

In introducing the problems facing proponents of civil rights legislation in Iowa, political party posturing on civil rights demands clearer explanation. It would be a mistake to characterize the Democrats as the party of civil rights and the Republicans as the party in opposition to civil rights. The relationship between civil rights and the two political parties was complex. Within each party there were members sympathetic to those asking for an employment discrimination civil rights law. The Republicans and the Democrats each also had members that saw no need


\(^6\)Wiggins, 408, 412-415.
for, or did not want, such legislation. All urban representatives clearly did not want civil rights laws, just as all rural ones did not necessarily oppose them. Each party had its progressive and conservative elements. Democrats tended to live in cities and large towns, while the strength of the Republican Party was in Iowa’s rural areas. The Republicans dominated the assembly during all years but 1965, but in its domination it was not united on all issues, particularly in urban-rural issues such as civil rights. The key to understanding the political forces molding the struggle for civil rights in Iowa in the late 1940s, 1950s and early 1960s is not through party politics, but through urban-rural politics.

While urban-rural politics and other forces were hampering those working for civil rights laws in Iowa, other states were enacting employment discrimination civil rights laws (see Table 1). New York and New Jersey passed Fair Employment Practices laws in 1945, Massachusetts in 1946, and Connecticut in 1947—the same year a representative proposed the first FEP bill in the Iowa legislature. By the time Iowa passed its first FEP law in 1963, at least twenty-one states had already done so. The states ranged from industrial ones with great urban centers like Michigan, New York, New Jersey, Ohio, and California to sparsely populated and highly rural states like Colorado, New Mexico, Washington, and Kansas. Even a former slave state, Missouri, passed a civil rights law prior to Iowa. In 1963, the only state bordering Iowa that had not passed an FEP law was Nebraska.

Table 1 lists twenty states with FEP by 1963. Alaska also had an FEP law, but is not included in the table because it was not a state in 1950 and its racial composition and demographics were quite different from the other continental states. Most of the states in Table 1 had FEP laws which included provisions for a civil rights commission.

"Background Information on Civil Rights and Fair Employment Practice Laws in the United States: Reprint from Civil Rights and Minorities published by the Anti-Defamation League [1962?]" Governor Norman Erbe Papers, State Historical Society of Iowa Archives, Iowa Historical Building, Des Moines, IA, 2. The seventeen additional states that passed FEP laws
The issue of civil rights legislation in Iowa in the decades following World War II has not received scholarly attention. Virtually all historical research or political writing on civil rights or black history in Iowa has concentrated upon the nineteenth century--discussed in brief detail in the next chapter. Robert R. Dykstra, Joel H. Silbey, Arnie Cooper, Richard Acton, G. Galin Berrier, Richard Doak, James E. Connor, James L. Hill, and George Mills have all written about Iowa's distant civil rights past. In examining literature involving the twentieth century, Leola Nelson Bergmann's "The Negro in Iowa" is the most comprehensive discussion of Iowa's African-American history leading up to the post Second World War period. Jack Lufkin's "The Founding and Early Years of the National Association for the Advancement of Colored People in Des Moines, 1915-1930" is a through look at the first and most influential NAACP chapter in the state during its first fifteen years. Two articles, one by Robert Neymeyer, "May Harmony Prevail: The Early History of Black Waterloo" and "Blacks and Whites in Manly: An Iowa Town Overcomes Racism," by William J. Maddix are interesting in that they describe the relationships between newly arrived blacks and established whites in Iowa communities in the early twentieth century. Dorothy Schwieder, Joseph Hraba, and Elmer Schwieder have also written about early twentieth century black history in Buxton: Work and Racial Equality in a Coal Mining Community.

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about the predominantly black mining town in southern Iowa. Edward S. Allen's *Freedom in Iowa* describes activities of the Iowa Civil Liberties Union with regard to blacks and civil liberties around mid-century. And finally, a short article by Robert E. Goostree analyzes Iowa's problem of enforcement of its civil rights statute up to 1951.9

A study of the struggle for civil rights in Iowa in the twentieth century must take into account the development or lack of development of civil rights in the nineteenth century. Chapter II will show the progressive nature of civil rights laws in nineteenth century Iowa and the growth of black urban enclaves in its cities. Reapportionment, already mentioned, will then be more thoroughly discussed in the following chapter, along with a brief summary of the actions of other states with regard to Fair Employment Practices. After examining the events regarding civil rights legislation between 1947 and 1965, the conclusion will then consolidate the information offered into an explanation as to why Iowa took nearly two decades to enact a civil rights statute with provisions for a state civil rights commission.

In 1963, a state senator declared that Iowa should not have an employment discrimination law because blacks had only been "out of the jungle 150 years or so."10 Other state legislators, many rural and conservative, had other reasons for not supporting a civil rights statute. While it is unknown how many legislators had this "out of the jungle" mentality, it is clear that until the Iowa legislature consisted of members more open to civil rights laws, civil rights bills would remain out of sight and off the floor of the Iowa General Assembly.

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9 All of the above mentioned authors' articles are cited or mentioned below in later chapters. Some more popular articles appear in *The Iowan* and were used by the author. They also are occasionally cited in later chapters.

CHAPTER II. CIVIL RIGHTS BACKGROUND OF IOWA

Iowa's early history regarding civil rights is characterized by dynamic change. Many of Iowa's first settlers were from the South and brought with them racist attitudes regarding African-Americans. The Democratic Party controlled Iowa in its early years before the Civil War and passed numerous "black laws" restricting basic citizenship rights to free blacks. As the abolition movement gained momentum in the 1850s and during the war, the Republican Party gained the upper hand and transformed Iowa after the war into one of the more progressive states, granting blacks the right to vote, forbidding the segregation of schools, and outlawing discrimination in public accommodations. Twentieth century Iowa featured a small but growing population of African-Americans in its urban centers and the manifestation of de facto segregation in employment, housing, and even in public accommodations. In many Iowa cities at mid-century, de facto segregation was common--something many Iowans, both rural and urban, would come to recognize over the next two decades.

The Territory of Iowa

The area that became the territory of Iowa was settled in the early nineteenth century by displaced white southerners and northeasterners looking for land. After 1833, when permanent settlement began, southerners started entering. Despite the fact that the Missouri Compromise of 1820 forbid slavery in the area, some brought slaves, including one of Iowa's territorial governors, John Chambers. It is not known how many slaves were in the area before Iowa gained territorial status, but the 1840 census lists sixteen slaves and 172 free blacks in Iowa.1

1Joel H. Silbey, "Proslavery Sentiment in Iowa: 1838-1861," Iowa Journal of History 55, no. 4 (October 1957): 289-291; Richard Acton, "To Go Free," Palimpsest 70 (Summer 1989): 50-61; Kenneth Pins, "1839 Iowa not as enlightened as some think," Des Moines Register 4 July 1989, 1A, 4A. For more on the migration of blacks to Iowa, see James L. Hill, "Migration
While some slaves lived in Iowa during its territorial years, the Territorial Supreme Court of Iowa decided a curious court case on 4 July 1839. The "Ralph" case, as it is known, is interesting in its peculiarity to the times and the place of its origin. Ralph, a slave living in Dubuque, had been allowed by his owner the opportunity of buying his freedom. He had failed to make enough money in lead mining and his owner, a Missourian, wanted him returned. Slave catchers had captured him and were in the process of returning him when some Iowans intervened and asked the court to decide on whether Ralph could be legally forced back into slavery after living as a basically free man in a free state. The decision of the Iowa Chief Justice, "a brilliant New York lawyer" and West Point graduate, declared that Ralph was free—eighteen years before the Dred Scott United States Supreme Court decision came to an opposite conclusion.  

Most African-Americans living in the Iowa territory were not as fortunate as Ralph. The territorial legislature, dominated by southerners (over half its thirty-nine members in 1838 were from slave states, while twenty-six of seventy-two were natives of the South in 1844), enacted statutes known as "black codes" to limit the rights of free blacks. In 1839 and 1840 it passed two laws. One stated that "no black or mulatto" would be allowed to settle in Iowa without possessing a certificate of freedom and the ability to post a five hundred dollar bond indicating that the black would not become a public charge. The other law prohibited interracial

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2Acton, 50-61; Robert R. Dykstra, "Dr. Emerson's Sam: Black Iowans before the Civil War," Palimpsest 63, (May/June 1982): 66-73; Leola Nelson Bergmann, "The Negro in Iowa," The Iowa Journal of History and Politics 46, (January 1948): 9-14. Dred Scott is believed to have resided in Iowa prior to being returned into slavery. Charles Mason, the Iowa Chief Justice graduated from West Point at the top of his class, just above Robert E. Lee.
Constitutional restrictions in the territory and later the state limited free public education, serving in the militia, and suffrage to whites, and mandated that African-Americans could not testify against whites in any court. The legislature also declared that visiting slaveholders could bring their slaves into the state for short periods.

Activity in the constitutional conventions of 1844 and 1846 also had its racial overtones. A resolution to exclude "persons of color" from settling in Iowa failed to pass in 1844 "only because it was asserted that it might hinder Iowa's entry into the Union." Instead, a different resolution was passed directing future legislatures to pass laws "as soon as possible to prevent the settlement of Negroes and mulattoes within its jurisdiction" (a state law was eventually passed in 1851 after Iowa was safely in the Union, that was similar to the 1839 territorial law requiring all African-Americans to post a five hundred dollar bond and present a certificate of freedom). As Iowa made the transition into statehood in 1846, its legislators continued to deny black persons equal rights. However, other

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5Bergmann, 14-15, 27-30, Silbey, 295. The law passed in 1851 restricting black migration to the state was virtually never enforced (the only known case was in 1863 after the Emancipation Proclamation in which the judge ruled the law unconstitutional). Between 1850 and 1860, the black population in Iowa increased from 333 to 1,069 -- evidence that the law was not enforced.
Iowans—abolitionists—were resolved to create a state where blacks were treated more fairly.

**Antebellum Iowa**

Between 1840 and 1850, the population of free blacks in Iowa increased from 172 to 333. During this period, the number of white settlers living in Iowa who were opposed to slavery increased as well. In the southeastern part of the state Quakers, Congregationalists, and Reformed Presbyterians led the abolitionist movement within the state and had done so since the 1830s. Many abolitionists in antebellum Iowa, particularly the Quakers, kept themselves busy helping fugitive slaves escape from the South through Iowa, which was one of the main arteries of the Underground Railroad. A major confrontation between people with anti-slavery sympathies and Southern Democrats was looming in the 1850s. Two of Iowa’s early governors, James W. Grimes and Samuel J. Kirkwood, kept themselves busy helping fugitive slaves escape from the South through Iowa, which was one of the main arteries of the Underground Railroad. A major confrontation between people with anti-slavery sympathies and Southern Democrats was looming in the 1850s.

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6 Bergman, 22-27, Dykstra, “White Men, Black Laws,” 411-419. The Quaker abolitionist towns were Salem, Cedar Creek, East Grove, Chestnut Hill, and New Garden—all part of the Salem Anti-Slavery Society; the Congregationalist town was Denmark; and the Reformed Presbyterians lived in Crawfordsville, Washington, and Yellow Spring.

both Republicans and former Whigs, had strong antislavery views and used their positions to further the cause of abolitionism in the 1850s.\(^8\)

Growing abolitionist sympathies and the demise of the Whig party in the mid-1850s resulted in the creation of the Republican Party in Iowa in 1856. The new party rapidly gained strength and began making political changes to relieve African-Americans of some of the restrictions placed upon them. Under the Republicans, the General Assembly granted blacks the right to testify in court. Other changes included allowing Iowa judges to ignore the Fugitive Slave Law and to allow voluntary integration in schools. But most antislavery Iowans in the late 1850s would only go so far. In 1857, the voters rejected a proposition to strike the word "white" from the state constitutional provision regarding suffrage. Democratic newspapers had struck fear into the minds of many readers with editorials predicting that blacks would dominate a state with black suffrage.\(^9\) A legislative convention in 1857 did make changes in the bill of rights "giving the Negro some legal status and a measure of security" (including expanding the right of blacks to a trial by jury and the right to testify in court),\(^10\) but Iowa on the eve of the Civil War was less than a utopia for free African-Americans.

**Post Civil War Iowa**

After the Civil War Iowans reacted differently to the presence of blacks in their state and made several changes that resulted in legal equality for black men. The white voters of Iowa, most of them Republican,

\(^8\)Bergmann, 16-27. For more on antislavery in Iowa, see James E. Connor, "The Antislavery Movement in Iowa (parts 1 and 2)," *Annals of Iowa* 40 (1970): 343-76, 450-79.


\(^10\)Bergmann, 21.
went to the polls in 1868 and made Iowa the first state outside New England to extend suffrage to black men.\footnote{Schwieder, et al., \textit{Buxton}, 19.} This represented an astounding reversal from a previous such vote in 1857, when Iowans rejected a similar proposition by a 90 percent vote.\footnote{Robert R. Dykstra, "The Issue Squarely Met: Toward an Explanation of Iowans' Racial Attitudes, 1865-1868," \textit{Annals of Iowa} 47 (1984): 431.} Iowa voters later removed the word "white" from the qualification for serving in the state legislature; thus, giving black men "equal political rights" with white men.\footnote{Schwieder, et al., \textit{Buxton}, 19.} In 1868, the Iowa Supreme Court ruled that a twelve year old black girl had the constitutional right to go to the "all-white" common grammar school in Muscatine. The court ruled similarly in 1875 in two cases involving the Keokuk school board. Thus ended de jure school segregation in Iowa.\footnote{Dykstra, "Squarely Met," 430-433; Bergmann, 53-54; "Iowa Once Had Integration Problem, Too--in the 1800s," \textit{Des Moines Register} 30 September 1957, 1; See also G. Galin Berrier, "The Negro Suffrage Issue in Iowa - 1865-1868," \textit{Annals of Iowa} 39, no. 4 (Spring 1968): 241-261 and Hubert H. Wubben, "The Uncertain Trumpet: Iowa Republicans and Black Suffrage, 1860-1868," \textit{Annals of Iowa} 42 (1984).}

Important changes in the status of rights for African-Americans in Iowa took place in other areas of the law as well. The Iowa Supreme Court ruled in \textit{Coger v. The North Western Union Packet Company} in 1873 that a black teacher was entitled to the same rights and privileges while traveling on a "common carrier" as a white person, and that rules making distinctions between facilities for white and black people were "unreasonable and unenforceable." This case foreshadowed things to come, for the Iowa General Assembly eleven years later passed the Civil Rights Act of 1884 outlawing discrimination in certain specified public accommodations. Iowa was one of the first four states to enact such legislation after the
United States Supreme Court ruled the Federal Civil Rights Act of 1875 unconstitutional.\textsuperscript{15}

The transition from "one of the most racist territories in the North in the 1840s" to "one of the most egalitarian states in the union" was complete by the end of the second postwar decade.\textsuperscript{16} The two decades following the end of the war in which Iowa sent more men to serve per capita than any other state in the North were characterized by a significant expansion of civil rights for its African-American citizens. By 1884, blacks in Iowa had the legal right to vote, go to school with white students, use public accommodations, and hold public office. The granting of rights through the passage of laws, however, did not necessarily result in the altering of Iowans' prejudicial attitudes. As more blacks came north in the late nineteenth and early twentieth centuries to find work, and as Iowa cities came to have greater numbers of African-Americans, de facto segregation became more of a reality in Iowa.\textsuperscript{17}

The Growth of Black Urban Centers

Between 1860 and 1930 the number of black Iowans increased from 1,069 to 17,380. According to Leola Nelson Bergmann, the pattern of settlement in Iowa between the Civil War and World War I was concentrated in the "agricultural counties on the southern border, the Mississippi River counties in the East, two Missouri River counties in the West, and a parallelogram of counties running in a southeasterly direction from Polk County."\textsuperscript{18} Emancipated African-Americans traveled north and "settled on the first suitable piece of land or in the first little village they came to after crossing the border." However, as railroads, coal mining, and manufacturing came to Iowa, blacks clearly became more numerous in the

\textsuperscript{15}Bergmann, 53-54, Dykstra, "Squarely Met," 430-433.
\textsuperscript{16}Dykstra, "Squarely Met," 430.
\textsuperscript{17}Dykstra, "Squarely Met," 431-432.
\textsuperscript{18}Bergmann, 33-34.
urban centers. A decline in the number of blacks in rural, agricultural counties of southern Iowa began in the 1880s. By 1910, most younger blacks were moving from the rural areas to urban centers in search of jobs. By 1930, only 14.3 percent of black Iowans lived in areas classified as rural.19

A significant portion of these African-Americans moved to five of Iowa's larger cities: Des Moines, Waterloo, Davenport, Sioux City, and Cedar Rapids. Work with the railroads and industrial manufacturing attracted many blacks to these cities. Other blacks moved to southern Iowa coal mining towns, where many prospered, particularly in Buxton, until the coal ran out in the mid-1920s.20 Sometimes mining companies brought in black workers in order to break strikes. This practice, not exclusive to the coal mining industry, proved to be a detriment to race relations and catalytic to the creation of de facto segregation in a number of Iowa communities.21

In Waterloo around the beginning of the First World War, a number of blacks from the South, some already railroad employees, arrived in box cars and began work with the railroad. They came in response to ads placed in southern newspapers offering jobs. Unfortunately, the ads were themselves a response to a railroad workers strike--making the imported blacks appear as strike-breakers and causing local whites to resent


20Bergmann, 41-44, 71. Buxton was an unincorporated mining town of about 6,000 formed around 1900 that was predominantly black. It closed in 1924. See Schwieder, et al., Buxton.

21Bergmann, 41-44. Miners' strikes in Albia in 1880 and Mystic and Carbonado in 1891 resulted in riots, shotgun shots, and intense emotional racial strife.
them. The local newspaper, the Waterloo Courier, found it convenient in the decades that followed to blame blacks for most of the ills in the community. This hostility from the white community helped contribute to the creation of a black, crime-ridden ghetto and a generation or more of poor race relations in Waterloo.

The Waterloo Courier was probably typical of the role played by the press in race relations in Iowa in the early part of the century. As sympathy for ex-slaves waned and blacks took a place in Iowa life, interest in the African-American community decreased. At the same time the number of blacks increased—along with related urban problems of poor housing, crime, unemployment, prostitution, and bootlegging associated with many growing cities during this period. Press coverage of blacks concentrated almost exclusively on crime, while positive educational or social projects were ignored. The majority of white Iowans read about blacks committing crimes and were oblivious to any contributions made to the community by their African-American neighbors.

Not all newspapers ignored the virtuous aspects of the African-American community in their cities. Harvey Ingham, editor of the Des Moines Register and Leader in the 1920s saw to it that "fair... stories concerning Negroes came off his presses." He ran numerous editorials criticizing racist or discriminatory policies or attitudes and was a prom-

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22 Robert Neymeyer, "May Harmony Prevail: The Early History of Black Waterloo," Palimpsest 61 (May/June 1980): 84-85. In 1911, a strike by skilled shopmen began "in support of efforts by union organizers to win recognition from the Illinois Central Railroad Corporation." The company officials immediately "tried to replace the striking" workers with "non-union men." Advertisements in southern newspapers "offered special inducements -- notably free passage, to men willing to relocate in the North." Some of these workers were transferring from the railroad's southern plants, but were not members of the union.

23 Neymeyer, 85-91. A railroad strike in Manly in 1922 caused tensions similar to those in other Iowa strikes.

24 Bergmann, 44-45.
inent member of the Des Moines branch of the National Association for the Advancement of Colored People (NAACP). He was willing to capitalize the word "Negro" in the Register and Leader and ran an ad in 1924 picturing a black baby (probably the first non-derogatory depiction of a black in an advertisement in the city's history).25

Small Iowa communities also had editors who attempted to give balanced reports of the activities of blacks in their towns.26 In the town of Manly in 1921, Rush Culver purchased the Manly Signal and ended years of biased reporting that magnified black crime. Culver reported "social and religious activities" within the local black community and condemned the local Ku Klux Klan. The Signal "facilitated contact" between African-Americans and whites and encouraged attendance across racial lines at local events. The dozens of blacks living in Manly in the 1920s came to be depicted as assets to the community rather than liabilities.27

Another newspaper, unique at the turn of the century, stressed the positive aspects of the black communities in Iowa. A weekly, The Iowa State Bystander, was founded in 1894 by "a group of energetic colored men" in Des Moines "to elevate the colored race and to promote better race relations."28 The newspaper circulated throughout the state until the 1980s and was the primary press voice of black Iowa throughout first two thirds of the twentieth century. James B. Morris, a Des Moines attorney

26The Jefferson Bee-Herald and the Hardin County Times were two small town newspapers that strongly pushed civil rights in the 1950s and 1960s.
27William J. Maddix, "Blacks and Whites in Manly: An Iowa Town Overcomes Racism," Palimpsest 63 (Sept/Oct 1982): 130-137. In 1913 the Rock Island Railroad built a roundhouse in Manly. By 1920, approximately ninety blacks had arrived in the town of 1,476 and had started doing "nigger work" for the railroad (p 132).
28Bergmann, 46.
and editor of the Bystander from 1922 through approximately 1965, 
"served with much skill and success" as president of the Des Moines 
branch of the NAACP in the early 1920s and was later involved in the 
mid-century civil rights struggle, editorializing often in favor of civil rights 
laws.29

The Iowa Civil Rights Act of 1884 
and the Growth of De Facto Segregation

Between 1884 and 1963, Iowa did not pass any civil rights statutes. 
Throughout most of that period, in many parts of the state, blacks and 
other minorities faced discrimination in housing, jobs, clubs, and unions. 
There was no law to protect them from this type of discrimination. But in 
many communities throughout the state discrimination in public accom­
modations could be found--expressly outlawed by the Civil Rights Act of 
1884. Black Iowans during this period faced a wide range of both legal 
and illegal segregation. Around the beginning of World War I, both black 
and white Iowans began to organize and make concentrated efforts to 
eliminate discrimination and both kinds of segregation from Iowa 
society.30

In 1915, a black Des Moines attorney and community leader, S. Joe 
Brown, helped organize the first Iowa branch of the National Association 
for the Advancement of Colored People (NAACP), an organization founded 
in New York in 1909. By 1919, both black and white membership in the

29Lufkin, 456-7. The Bystander was a Republican newspaper and 
was in many ways viewed as quite conservative, particularly later in the 
 twentieth century. Its designation as the "primary voice" of black Iowans 
does not mean that it was by any means the only voice.

30The 1884 law, which outlawed discrimination in "inns, public 
conveyances, barber shops, theatres, and other places of amusement," was 
amended in 1892 to include restaurants, chop houses, eating houses, lunch 
counters, and all other places where refreshments were served, and 
bathhouses. The act was amended again in 1923 to alter the penalty for 
violation (see Bergmann, 54; Lufkin, 456-7).
The creation of a Des Moines branch of the NAACP, like the founding of the Bystander twenty years earlier, helped the African-American community improve its own situation in Iowa. The NAACP branches across the state in the 1920s were important not only because they conducted educational programs and youth organizations, but because they helped train black leaders who were central to winning legal battles in Iowa courts. Lawyers, both white and black, eventually helped bring about the enforcement of existing civil rights law by presenting convincing legal arguments before the judges of Iowa.

Between 1884 and 1951, the Iowa Supreme Court decided only four cases which interpreted the 1884 civil rights statute directly. The first case in 1887 dealt with a white barber refusing to shave a black man and resulted in a guilty verdict. The second case involved a black member of a jury who had been refused service at an eating house to which the bailiff had taken the jury. The court ruled in the 1905 case in favor of the black man. The court's third interpretation of the statute, issued in 1910, resulted in a restrictive judgement against the plaintiff. A black had been denied a free sample of coffee at a booth at a "pure food show." The majority of the court felt that since the refreshments were being given away, the defendant was "conducting neither a place of amusement nor a place where refreshments were served, within the contemplation of the statute."32

In the last of the four cases, State v. Katz, decided in 1949, the supreme court unanimously affirmed the conviction of a drug store owner who had denied service to three blacks.33 Two years earlier, three black

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31 Lufkin, 444-445.
33 Goostree, 243.
women had staged a series of sit-ins in the Katz Drugstore in downtown Des Moines in an effort to publicize their lawsuit to press for enforcement of the civil rights statute.\textsuperscript{34} This was the first case in which the court expanded the meaning of the statute "to cover an enterprise not expressly stated" in the statute.\textsuperscript{35}

The Iowa Civil Liberties Union (ICLU) helped the three women win their lawsuit against the Katz Drugstore. The union was active in promoting and protecting the rights and civil liberties of minorities around mid-century and pursued action on behalf of minorities in public accommodations, housing, and employment. During World War II, the ICLU studied the hiring practices in Des Moines war plants and found that only four out of sixteen war plants allowed African-Americans to work. Following the war, the ICLU came to the aid of a black man who had been told by the Iowa Highway Patrol that job applications were accepted from whites only. Public accommodations activity of the union dealt with the Marshalltown municipal pool, the Surf Ballroom in Clear Lake, and Iowa City barbers.\textsuperscript{36}

Although the ICLU achieved increasing success in the post war years, convictions in such cases were rare. Some believed that the penalty imposed under the law was "unrealistically severe" and that because of this convictions were hard to secure. The NAACP acted with this thought in mind when it attempted to get the penalty amended in 1923 to make it easier to get convictions. However, out of twenty-two criminal prosecutions brought under the Iowa civil rights statute against eleven

\textsuperscript{34}Iowa Bystander (October through December, 1949); Judy Daubenmier, "She declared her freedom in a drugstore: 37 years ago, black woman led fight against D. M. bias," Cedar Rapids Gazette 6 July 1986.

\textsuperscript{35}Goostree, 243.

\textsuperscript{36}Edward S. Allen, Freedom In Iowa: The Role of the Iowa Civil Liberties Union (Ames: Iowa State University Press, 1977), 100-102. The ICLU was an ally in the FEP struggle in the legislature. The president of the union served on the Hughes commission from 1963 to 1965.
defendants in the decade from 1939 to June 1950, only four convictions were secured, with only three receiving fines. So despite the amendment in 1923, the Iowa civil rights statute worked poorly for securing convictions through at least the first half of the twentieth century.37

In cities like Des Moines, Waterloo, Davenport, Iowa City, and Council Bluffs, as well as in many rural areas, de facto segregation in public accommodations and de jure segregation in housing and employment existed through the 1940s. Segregated restaurants, hotels, beaches, pools, lunch-counters, barber shops, neighborhoods, unions, and businesses were common in many communities in Iowa. The Des Moines school district did not hire its first black teacher until 1946. African-Americans in many instances were restricted in where they could live, work, sleep, and eat in Iowa.38

Iowa at mid-century was far from an ideal place for members of the African-American community. Many blacks came home from serving in World War II only to find that they had served a country that did not protect or defend their rights. Many began to agitate for these rights in the later half of the 1940s. During the twenty years following the war, hundreds of people from both races struggled together to convince rural and conservative Iowans that discrimination was in fact taking place in their state. Many more Iowans over that same period of time worked for

37Lufkin, 456-457.

38For examples of segregation in Waterloo in the 1910s, see Neymeyer, 80-91; For examples in Des Moines, Cedar Rapids, and Iowa City in the 1920s, see Bergmann,50-68, Lufkin, and Allen; For statistics about poor enforcement of the civil rights statute, see Goostree, 245-247; For more on “Where the Negro Stands in Iowa” see The Iowan (Fall 1961): 2-11, by Wayne DeMouth and Joan Liffring and “Displaced Negroes: Housing in Des Moines in 1959,” Economist 190 (31 January 1959): 415-416. There are a number of sources, particularly from the public hearings held by the Hoogh Commission in 1956, cited in later chapters, that provide further documentation of widespread discrimination in most Iowa cities with black populations.
a redistribution of power in the Iowa legislature. The efforts of the latter would prove to be vital to the success of the former.
CHAPTER III. REAPPORTIONMENT AND FAIR EMPLOYMENT PRACTICES

When compared to other states, the history of nineteenth century Iowa's civil rights is impressive. Iowa led most other states in enacting laws to protect the rights of its African-Americans. Iowa in 1884 enacted a civil rights law to guarantee equality of access to places of public accommodation--one of only thirteen states to do so in the 1800s. By 1950, only five additional states had such laws. But Iowa was not one of the first states to pass a fair employment practices (FEP) act in the twentieth century. Twenty-one states passed FEP laws before Iowa (see Table 1). Only two states, Iowa and Nebraska, had a public accommodations law but no FEP law in 1962 when the United States Supreme Court ruled in Baker v. Carr that the federal courts had jurisdiction over reapportionment in the state legislatures. Before examining the internal dynamics of the legislative battle for a civil rights commission within Iowa, a description and analysis of the national urban-rural reapportionment struggle in the 1960s will reveal factors helpful in understanding the nature of Iowa's mid-century civil rights struggle.

Iowa's lack of comparatively large urban centers, or its traditional rural nature, led to a number of problems for its urban dwellers. As stated in the introduction, legislative conflict over representation between the urban and rural areas was central to the struggle for civil rights in Iowa. Reapportionment, which did not take place in Iowa until 1964, was a topic of conflict in most states in the twenty years preceding 1964. Throughout the first six decades of the twentieth century, urban areas throughout the nation grew in population. Iowa went from 15.2 percent

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urban in 1880 to 53.0 percent in 1960. The growth of urban centers and the related drop in rural population ideally should have been reflected in the composition of the various state legislatures. As cities gained population, the number of legislators representing them should have also increased. This was not the usual case, however. Most state legislatures failed to alter the apportionment of districts in response to changing population patterns. The result was that most states had a disproportionate number of legislators representing rural areas.

There were primarily two reasons most states had this unequal representation: restrictive constitutional provisions and legislative failure to reapportion seats in accordance with population shifts. Many state constitutions (all but nine by 1963), called for representation based upon area or had political units of representation regardless of population. Counties with a million residents could have the same number of representatives as a county with four thousand. Most state constitutions also called for periodic redistricting every ten years—provisions that largely went ignored and unenforced. Not surprisingly, legislators were more content to maintain the status quo under which they were elected than brave the unknown prospect of a new constituency. Also, many refused to

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2 Willis Goudy and Rogelio Saenz, Iowa Census '80 Iowa's Urban and Rural Population, 1880-1980 (Ames, IA: Cooperative Extension Service, Iowa State University, July 1982), 1. Iowa's growth rate was greatest after World War II, later than many states.

3 In the twenty-five years prior to the United States Supreme Court reapportionment case Baker v Carr (1962), twenty-seven states were not reapportioned, eight of them in over fifty years. This despite the fact that four out of five states had constitutional reapportionment requirements at least every ten years. See Charles S. Rhyne, "The Progeny of Baker v. Carr," in Legislative Reapportionment: Key to Power, ed. Howard D. Hamilton (New York: Harper & Row, 1964), 65.
move for reapportionment because "their particular party or section would lose strength."4

By 1962, only a handful of states had reapportioned with "equitable urban-rural representation" without coercion from the courts.5 Most states allowed the situation to worsen as the population shifts became more pronounced. Finally, in 1962 the United States Supreme Court declared in Baker v. Carr that federal courts had "jurisdiction in matters involving legislative reapportionment." A flood of suits followed. Only eight states failed to reapporition in reaction to Baker by September of 1964.6 Of the twelve states represented at the midwestern regional conference of the Council of State Governments in July 1963, seven had reapportionment challenges pending in the courts. Iowa was one of these states.7

Iowa in the nineteenth century consisted of thousands of farms, hundreds of small towns, and a half dozen or so cities. Legislative seats were apportioned on the basis of population. Toward the end of the cen-


5Baker, 108. The "handful of states" was Massachusetts, Wisconsin, and Oregon.

6Charles W. Wiggins, "The Post World War II Legislative Reapportionment Battle in Iowa Politics," in Patterns and Perspectives in Iowa History, ed. Dorothy Schwieder (Ames, IA: Iowa State University Press, 1973), 418. The landmark Baker v. Carr case was about the constitutionality of Tennessee's legislative districting plan. The court ruled, in contrast to its 1946 decision in Colgrove v. Green, that gross malapportionment was "invidious discrimination" in violation of the Fourteenth Amendment. See Rhyne, 64, 66.

7South Dakota, North Dakota, Minnesota, Ohio and Wisconsin reported no action yet, while Illinois, Indiana, Missouri, Nebraska, Kansas, Iowa, and Michigan had court challenges pending. See Gene Raffensperger, "Redistricting Court Suits in 7 States," Des Moines Register, 23 July 1963, 3.
tury, population growths became uneven and Iowa slowly became more urban. In spite of this, Charles W. Wiggins points out that between 1900 and 1950 the legislature became even "more rural-dominated" and reluctant to reapportion itself on a population basis. Amendments approved in 1904 and 1928 made apportionment of either chamber virtually impossible. By mid-century, rural interests were still firmly in power and blocked any attempt to alter representation in either chamber.

Reapportionment started becoming a prominent political issue in 1955. Urban dwellers were slowly awakening to the need for reapportionment and equity in the statehouse. Rural interests, particularly the Iowa Farm Bureau Federation (IFBF), proposed a reapportionment plan that would have ensured rural legislators veto power in one chamber. Known as the "Shaff Plan," it called for a senate based on population and a house based upon area, with one representative from each county. Urban legislators felt this "little federal plan" was backward in that the chamber with more legislators (Iowa House of Representatives) was to be based upon area rather than population, while the counterpart to the United States Senate (Iowa Senate) was to be apportioned based upon population. This set-up, argued the urban lawmakers, would make it virtually impossible to pass anything over the objections of rural legislators because of the substantial numerical superiority they would have in the Iowa House of Representatives.

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8 Wiggins, 406-407.
9 Wiggins, 406-407. The 1904 amendment required that all counties have one representative, except for the nine most populous counties, which would each have two. The 1928 amendment provided that no county could have more than one senator, "even though seats in the upper chamber were supposed to be allocated according to population."
10 Wiggins, 408-409. A synopsis of the Shaff Plan may be found in "Reapportionment in Iowa," by Frank T. Nye, Palimpsest 45 (June 1964): 253-254. The plan was named after Republican state Senator David Shaff of Clinton.
After lengthy struggles, the Iowa General Assembly passed the Shaff Plan as a potential constitutional amendment in 1961 and 1963. It was then submitted to the people for approval, as required by the Iowa Constitution. The people rejected it in December of 1963. In a special session in 1964, the Iowa legislature, in response to pressure from the courts (possible after Baker v. Carr), passed two apportionment plans—one temporary, for use in the 1964 elections; and the other permanent. Both plans called for a substantial increase in urban representation and for a house based upon population and a senate based upon area. The 1964 elections, for a variety of reasons, resulted in a substantial increase in the number of Democratic legislators with urban constituencies.11

Reapportionment also took place in most other states following the court's intervention in the 1960s. The results were dramatic in many states, changing the political balance. Two states, Iowa and Nebraska, passed major civil rights laws with provisions for a state civil rights commission in 1965 soon after their legislatures were reapportioned. But most states with FEP laws by 1965 enacted them before redistricting took place. Fair employment practices laws were enacted in twenty-one states before the 1962 Baker decision (see Table 1). Iowa and Nebraska were the only states with a civil rights law forbiding discrimination in public accommodations without a fair employment practices law in 1962. A brief look at Tables 1 and 2 will reveal some other interesting characteristics that set Iowa and Nebraska apart from the other states.12

11 Wiggins, 418-421.
12 Table 1 lists the states with FEP prior to 1963. All of these states were at least 1.0 percent nonwhite and 50 percent urban in 1950. Table 2 shows the states without FEP in 1963. Note that that of the states in this table, Iowa and Nebraska were the two most populous and had the most urban nonwhite populations. They were also less than 50 percent urban. The failure of these two states to implement fair employment practices laws with commissions before reapportionment in 1964 indicates that had reapportionment taken place earlier, these states may have passed employment discrimination laws earlier. United States Department of
Before the 1962 reapportionment decision, Iowa legislators struggled with civil rights bills for sixteen years without a single bill making it out of rural-dominated committees for a floor debate or vote in either chamber of the Iowa General Assembly. Other states, starting with New York, enacted such laws as much as nineteen years before Iowa.¹³ In 1964 two important developments took place: Iowa's urban areas gained more equitable representation in the legislature and the federal government put into effect the 1964 Civil Rights Act outlawing employment discrimination and creating the federal Equal Employment Opportunity Commission. Shortly thereafter, the Iowa Civil Rights Commission was created.

Perhaps the Iowa legislature would have created a civil rights commission in 1965 even without reapportionment—as evidenced by the concession conservatives made in 1963 with the FEP law. The 1960s were a time of progressive change throughout the United States, particularly in the area of civil rights. But it seems probable that reapportionment was a necessary first step before action would be taken on establishing a state civil rights commission. The nearly twenty year legislative struggle to create such a commission is described in the chapters that follow.

¹³ New York state, in March 1945, enacted the nation's first employment anti-discrimination law. A twenty-three member Temporary State Commission Against Discrimination, after seven months of study, drafted the controversial legislation, which outlawed discrimination in employment "in any way because of race, color, creed or national origin (ancestry)" and created a five-member commission to enforce the law. The maximum penalty imposed was to be five hundred dollars or a year in jail. Many employers, the State Chamber of Commerce, the State Bar Association, and the Brotherhood of Locomotive Firemen and Enginemen opposed the bill; while New York churchmen, the Congress of Industrial Organizations (CIO), the American Federation of Labor (AFL), "and a host of other organizations" backed it. See "New York: A Historic Step," *Time* 45 (19 March 1945): 17; "New York's Tough Anti-Bias Law Stirs Up Debate on Prejudice Issue," *Newsweek* 25 (19 March 1945): 40, 42.
Table 1. States among the original 48 with "fair employment practices" laws before 1963, in order of passage, with 1950 census data relevant to nonwhite, black, and urban factors

<table>
<thead>
<tr>
<th>FEP</th>
<th>STATE</th>
<th>POP. (in mil)</th>
<th>NO. OF BLACKS</th>
<th>% STATE URBAN</th>
<th>% STATE NONWHITE</th>
<th>% STATE BLACK</th>
<th>% NONWHITE URBAN</th>
</tr>
</thead>
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<tr>
<td>1945</td>
<td>NY</td>
<td>14.8</td>
<td>920,000</td>
<td>85</td>
<td>6.5</td>
<td>6.2</td>
<td>96</td>
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<tr>
<td>1945</td>
<td>NJ</td>
<td>4.8</td>
<td>318,000</td>
<td>86</td>
<td>6.7</td>
<td>6.6</td>
<td>87</td>
</tr>
<tr>
<td>1946</td>
<td>MASS</td>
<td>4.6</td>
<td>75,000</td>
<td>85</td>
<td>1.7</td>
<td>1.6</td>
<td>91</td>
</tr>
<tr>
<td>1947</td>
<td>CONN</td>
<td>2.0</td>
<td>53,000</td>
<td>77</td>
<td>2.7</td>
<td>2.7</td>
<td>92</td>
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<tr>
<td>1949</td>
<td>NM</td>
<td>0.7</td>
<td>85,000</td>
<td>50</td>
<td>7.5</td>
<td>1.2</td>
<td>23</td>
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<tr>
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<td>ORE</td>
<td>1.5</td>
<td>11,000</td>
<td>54</td>
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<td>0.8</td>
<td>65</td>
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<td>RI</td>
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<td>1.8</td>
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<td>COLO</td>
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<td>62</td>
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<td>1.5</td>
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<tr>
<td>1955</td>
<td>MINN</td>
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<td>14,000</td>
<td>54</td>
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<tr>
<td>1955</td>
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<td>440,000</td>
<td>71</td>
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<td>6.9</td>
<td>94</td>
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<td>6.1</td>
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<td>96</td>
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<td>175,000</td>
<td>59</td>
<td>4.5</td>
<td>4.4</td>
<td>95</td>
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AVERAGE 4.7 242,650 70 5.0 4.3 81
Table 2. States among the original 48, excluding those from the "South," without "fair employment practices" laws before 1963, in random order, with 1950 census data relevant to nonwhite, black, and urban factors.

<table>
<thead>
<tr>
<th>FEPb</th>
<th>STATE</th>
<th>POP. (in mil)</th>
<th>NO. OF BLACKS</th>
<th>% STATE URBAN</th>
<th>% STATE NONWHITE</th>
<th>% STATE BLACK</th>
<th>% NONWHITE URBAN</th>
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<td>1963</td>
<td>IOWA</td>
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<td>19,000</td>
<td>48</td>
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<td>0.8</td>
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<tr>
<td>1965</td>
<td>NEB</td>
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<td>19,000</td>
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<td>1.5</td>
<td>83</td>
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<tr>
<td></td>
<td>VT</td>
<td>0.3</td>
<td>443</td>
<td>36</td>
<td>0.1</td>
<td>0.1</td>
<td>36</td>
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<tr>
<td></td>
<td>MONT</td>
<td>0.6</td>
<td>1,200</td>
<td>44</td>
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<td></td>
<td>NH</td>
<td>0.5</td>
<td>731</td>
<td>58</td>
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<td>0.1</td>
<td>70</td>
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<td>NEV</td>
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<td>57</td>
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<td>ND</td>
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<td>257</td>
<td>27</td>
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<td>-</td>
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<td></td>
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<td>33</td>
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<td></td>
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<td>2.2</td>
<td>0.9</td>
<td>31</td>
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<td>AVERAGE</td>
<td>0.72</td>
<td>6,004</td>
<td>47.4</td>
<td>2.8</td>
<td>0.82</td>
<td>40.5</td>
</tr>
</tbody>
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b The other states passed FEP laws that same year, later, or not at all. FEP dates from: "Background Information" in Erbe Papers; Indiana Civil Rights Commission *The First Twenty Five Years*; and phone interview with exec. dir. of the Nebraska Equal Opportunity Commission.
CHAPTER IV. THE GENERAL ASSEMBLY AWAKENS 1947-1955

Between 1947 and 1955, little happened in the Iowa General Assembly regarding civil rights legislation. Iowa was unusually slow in recognizing the need even to study employment discrimination. No Iowa governor appointed a commission to study employment discrimination until 1955, six years after Kansas and Nebraska, both of which were relatively slow to enact civil rights laws, did so.¹ A few employment discrimination bills were sponsored, all of which contained provisions for the creation of a state civil rights commission, but these died in committee. A resolution passed in 1953 called on the governor to create a commission to study discrimination in employment—which the governor ignored. In the late 1940s and early 1950s, most legislators in Iowa expressed little concern with problems related to employment discrimination.

Republican Representative Ted Sloane of Polk County on 21 February 1947 introduced the first anti-discrimination bill in the Iowa General Assembly after the end of the World War II. The bill, House File 329, was described as a bill "to provide for the prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, creed, color or national origin...." The bill also contained provisions for the creation of a "commission against discrimination" with paid officers. The bill died in committee.²

¹"State Labor Legislation in 1949," Monthly Labor Review 70 (January 1950): 45. Kansas passed an FEP law in 1961 and Nebraska did so in 1965 (after Iowa). There are two types of commissions discussed in this work. One type of commission was appointed by the governor, not created by law, and did not have any statutory power. These "governor's" commissions received no appropriations through the legislature and all the commissioners were volunteers. The other type of commission was the "state" commission and was created by law through the legislature and had statutory enforcement power and paid staff.

The legislators introduced eight FEP bills between 1947 and 1955 not involving discrimination based upon union membership. The FEP bills were fairly consistent in their form and substance over the period in that they all proposed creating some type of commission to deal with employment discrimination or discrimination in general (the FEP law in 1963 created no such commission) and provided penalties for violations. All eight bills also proposed prohibiting discrimination in employment based on race, creed, and color.

The bills did contain some minor differences, however. Five of the bills, in addition to race, color, and creed discrimination prohibitions, also proposed prohibiting discrimination based upon national origin and ancestry. The 1955 bills were amended to include "sex" discrimination; the 1947 bill (House File 329) did not specifically prohibit discrimination based upon "race, creed, or color" in labor unions (as the other bills did), but did propose creating a "commission against discrimination," in general while the other bills specifically limited the commission to dealing with job or employment discrimination.

3A "labor" bill, Senate File 109 (1947) "prohibiting discrimination in employment against persons for membership, non-membership in labor unions" became law in 1947. This law was more of a union-labor law rather than an employment discrimination law, so it is not considered among the group of "employment discrimination bills."

4Even more progressive legislators in the assembly probably would not have voted for a statute with "sex" included as a protected class, so the amending of these early bills to add sex discrimination was a convenient way to ensure that they would never make it to the floor for a vote. "Sex" was not added as a protected class under civil rights law in Iowa until 1970.

The sponsorship of these bills came from members of both the Republican and Democratic parties. Legislators from Des Moines (one Democrat and two Republicans) introduced all employment discrimination bills between 1947 and 1951. One of these bills, House File 346 (1949), had bipartisan sponsorship. A 1953 bipartisan bill, House File 404, was the first bill to be sponsored, in part, by representatives from smaller towns (Spencer, Rolfe, Dubuque). In 1955 Democrats sponsored both employment discrimination bills, House File 434 and Senate File 314.

None of these employment discrimination bills reached the floor of either house for a vote. Two bills, House File 348 (1949) and Senate File 314 (1955), were reported out of committee with the recommendation "Do Pass," but got no further than the Sifting Committee. These two bills were also the only bills amended. House File 348 was amended by its sponsor to increase the enforceability of the act, while Senate File 314 (sponsored exclusively by Democrats) was amended by six Republicans to include "sex" as an illegal criterion of discrimination, making it unpassable. The other six bills were simply referred to committee where they died.

File 434, Journal of the House (1955) 561, 687. The descriptions in the Journal for the following bills are identical: HF 405 (1951), HF 404 (1953), SF 348 (1953), HF 434 (1955), and SF 314 (1955). This indicates that the bills themselves were virtually if not actually identical.

All bills passed out of committee went to the sifting committee before reaching the floor for debate. It was in this committee, controlled by powerful conservative Republicans until 1965, that many civil rights bills died.

House File 404 in 1953 was "...given a public hearing before the labor committee but the committee never took a vote on reporting it out; in fact, it is understood that the chairman could not get a meeting to take up the bill nor did the sub-committee to which it was referred do anything other than sit on it until all bills were referred to the sifting committee for burial as is true of most bills." See "Better Leadership Needed on Capitol Hill," Iowa Bystander 16 April 1953, 6. The Iowa Bystander was a prominent black weekly published in Des Moines. The editor was J.B. Morris, a black attorney and member of the Republican party. Morris was
The eight FEP bills offered to the Iowa General Assembly between 1947 and 1955 were virtually the same. There is no evidence that legislators weakened the bills were in any significant way to help get them to the floor for a vote. The two amended bills were changed so as to make them stronger rather than weaker—thus making them less likely to reach the floor for a vote. The sponsor of the 1949 bill amended it himself to make it stronger, which increased the likelihood that it would fail to pass to the floor. Members of the Republican party strengthened the 1955 bill in what would appear to be an attempt to not only make the bill unpassable ("sex" was not added as a forbidden criterion of discrimination until 1970), but also to give the appearance that they and their party were more serious about fighting discrimination than the Democrats who sponsored the bill.

8If a discrimination bill had ever made it to the floor of either house it would have had a chance of passing because many legislators did not want to risk voting publicly against a bill to fight racism and prejudice (There was a total of only 21 nays in both houses on the floor vote in 1963 that passed the FEP Act—All Republican.) Therefore, the most important thing for a sincere legislator to concentrate on in this type of activity was to make the bill such that it could get through the legislative committee process and reach the floor where it would be voted on. Professor Donald Boles (former Chairman of Governor Loveless' Commission on Human Relations 1958-1960 and of Governor Hughes' Commission on Human Relations 1963-1965 and former commissioner on the Iowa Civil Rights Commission 1965-1969), Iowa State University Department of Political Science, interview by author, 5 December 1989.
The above specifics indicate that the sponsors of these bills probably had little intention of getting their bills to the floor for a formal vote. The lack of any evidence of compromise, such as eliminating the provision for a state commission to enforce the act, casts some doubt on the legislators’ sincerity. It would appear that most if not all of the legislative sponsors of these eight bills were giving the appearance of fighting for legislation against employment discrimination while actually doing very little to see that their bills would become law. These politicians were probably simply trying to please those people in favor of an FEP law and also those not in favor of one. This would in part explain the lack of legislative “give and take” that is common in sincere bill sponsorship, amendment and enactment.

In order to better understand politics in the Iowa legislature at this time, the influence of special interest groups, particularly the Iowa Farm Bureau Federation (IFBF) and the Iowa Manufacturers Association (IMA), should be considered. These two groups emerged before World War II as "the most powerful organizations in the state" and both "exerted great influence in Iowa politics." They shared a common antipathy toward labor unions and both reflected a "conservative economic philosophy" which tended to make them allies in legislative battles in the decades following the war. 9 A 1953 editorial in the Bystander, a black newspaper published in Des Moines by James B. Morris, a black attorney and member of the Republican Party, read:

The majority in the legislature is composed of farmers and small town people but the laws passed seem to be controlled by the big interests who lobby liberal legislation like FEP and law cost having to death [sic]. Frankly, the liberal

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people need strong liberal leadership on capitol hill in both the legislature and executive branches of the government. And until there is a change the real estate boards and the like will continue to tell the little boys how to vote and they do call the tunes [sic].

The IFBF in 1947 was the "fastest growing and best organized interest group in the state" with a grassroots base of over one hundred thousand Iowa farmers. It clearly represented the largest pressure group in the state and was the second largest Farm Bureau organization in the nation. Throughout the next eighteen years, this rural interest group, along with the IMA (representing the interests of its five hundred manufacturing members), effectively dominated Iowa politics in favor of rural interests.

Anti-labor sentiments common to most members in both groups united the IMA and IFBF. In the first half of the twentieth century, Iowa lagged behind the nation in urban growth, population, and industrialization. This meant that by the post World War II period unions like the American Federation of Labor (AFL) and the Congress of Industrial Organizations (CIO) found a smaller pool of urban labor from which to


11 Larew, 11, 17, 21. Many manufacturers lived in urban areas, but due to the agricultural nature of the businesses of many members and the anti-labor sentiments of most of Iowa's farmers, the IMA and IFBF were somewhat strange bedfellows in their alliance against urban, liberal, and labor interests.

12 Iowa had one of the strongest anti-labor laws in the nation, due primarily to the influence of the IFBF and IMA. A "Right-to-Work" law, passed in the late 1940s, remained in effect throughout the period this work documents -- despite the efforts of an increasingly powerful labor lobby.
draw political strength. By the early 1950s the influence of Iowa's rural special interest groups dwarfed that of urban labor unions.13

The IMA and especially the IFBF throughout the post war decades controlled the Republican Party in Iowa, which itself dominated state politics. Between 1947 and 1964, the Republicans never relinquished the majority in either chamber of the legislature and were so dominant in 1953 that it was said that the seven Democrats in the assembly "held their caucuses in the Capitol phone booth." The slow growth of manufacturing and urbanization within the state deprived the minority party of a political base that had given Democrats strength in more urban states. As a result, dominant interest groups, and even union labor groups, competed for influence within the "loosely structured confines" of the Republican Party while ignoring the Democrats.14

The Republican Party lacked a "central, controlling entity," which enabled the Farm Bureau to become "the premier power broker" within the party in the 1950s. The IFBF actively encouraged its members to attend political caucuses, which in turn "implicitly endorsed" candidates. The influence of the Iowa Manufacturers Association within the Republican Party was also immense in the early 1950s, particularly in the area of labor legislation. In 1954, for the second time in two sessions, Republicans refused to follow the recommendations of their own party's platform regarding liberalizing of the state's labor laws. By the mid-1950s, these two special interest groups, particularly the IMA--held significantly more power than the Republican Party itself. The influence of these conservative, rural interests within the GOP came to frustrate progressive

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13Larew, 21, 19. Iowa's lack of urban and industrial growth "clearly distinguished it from the rest of the nation." It was not until the 1960s that labor gained strength and truly started to challenge the power of the IMA and IFBF.

14Larew, 48, 20-21, 50-51.
elements within the party and resulted in an ever-widening split in the party through the 1950s and into the 1960s.\textsuperscript{15}

The conservative, rural influence of the IMA and IFBF within the GOP in the early 1950s was to a great extent responsible for the Iowa legislature's lack of response to civil rights bills. On the other hand, concurrent resolutions (basically statements of principle passed by voice vote occasionally in each session of the assembly) denouncing discrimination in employment and calling for the creation of a commission to study employment discrimination represented less of a threat to the status quo and were thus passed by voice votes in 1953 and 1955. These concurrent resolutions had more tangible results than the employment discrimination bills, ultimately resulting in the creation of a governor's commission in 1955.

The two identical resolutions, House Concurrent Resolution 26 (1953) and Senate Concurrent Resolution 15 (1955), were officially sponsored by different legislators. Four Republicans from Des Moines sponsored the 1953 resolution, while a Democrat (Senator George F. O'Malley of Des Moines, who had sponsored bills in the three previous sessions and amended his own bill in 1949 to make it more enforceable) sponsored the 1955 resolution.\textsuperscript{16} Quoting the Iowa Constitution regarding the inalienable rights of Iowa citizens, these resolutions stated that "surveys taken...indicate that racial or religious discrimination in employment does exist...."\textsuperscript{17} and resolved "That it shall be the policy of the State

\textsuperscript{15}Wiggins, 412-413; Larew, 18, 19, 46-48.

\textsuperscript{16}House Concurrent Resolution 26, Journal of the House Fifty-Fifth General Assembly of Iowa, (Des Moines: State of Iowa, 1953), 1182; Senate Concurrent Resolution 15, Journal of the Senate Fifty-Sixth General Assembly of Iowa (1955), 1062. The 1953 resolution was sponsored by the Republicans, but the bill was called up by Democratic Senator O'Malley, who became the official sponsor of the 1955 resolution.

\textsuperscript{17}A report on employment of minorities in Davenport was released and published in the Bystander in April of 1955 and an Institute on
of Iowa that no person within its boundaries shall be deprived of the right
to work at his chosen occupation for any employer, public or private,
because of race, creed, national origin, or ancestry." Both resolutions
resolved that the governor appoint a commission "which shall serve without compensation, to study the extent of such discrimination in Iowa and recommend remedies therefor, for the consideration of the next General Assembly." 18

Republican William S. Beardsley, governor of Iowa from 1949 to
1954, did not create a commission as the 1953 resolution requested. 19
However, the next elected governor, Leo A. Hoegh, Republican from
Chariton, did respond to Senate Concurrent Resolution 15. In May of 1955,
just weeks after both houses passed the resolution, Governor Hoegh said
that he would appoint a state commission to study racial and religious dis­


Human Relations was held in Des Moines in February of 1955 that included
discussions and statistics about employment discrimination in Davenport.
See Bystander 24 February 1955, 1.

18Bystander 24 February 1955, 1.

19Governor Beardsley was killed in an auto accident in November of
1954, shortly after Governor Leo A. Hoegh, Republican, had been elected to
replace him as governor. It is apparent that he had no intention of
appointing a commission, since he had not done so during the previous
twenty months and only had one more month before he was to leave
office. Leo Elthon was governor for the month and a half between the
death of Governor Beardsley and the inauguration of Governor Hoegh in
January of 1955.

20"Gov. Hoegh Will Appoint State Commission to Make Study of
which he pledged to carry out the enforcement of the Iowa civil rights laws. 21

The Governor's announcement and eleven subsequent appointments of both black and white males and white females to the rights commission drew comments and light praise from the editors of the Bystander:

Gov. Hoogh appointed a committee with a wide divergence of interests; people who know what is needed to produce results. The Bystander hopes it will probe deep into the problems and call the strikes as they come. Unfortunately, the committee has no funds with which to work. And here the legislature showed a lack of interest in the problem for to have so acted, the group [sic] is handicapped from the start. However, the committee need not let this handicap prevent them [sic] from producing the facts on what this situation in employment is so that at least this hurdle will be out of the way when such a measure is introduced again. 22

The creation of a governor's study commission in 1955 may have represented getting over a hurdle to the editors of the Bystander, but as shall be shown, there were more "hurdles" to jump and as the following chapters indicate, it would prove to be a rather long race.

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21 "Atty. Gen. Heogh [sic] Praised - Prompt Action for Civil Rights Laws - Iowa Restaurants, Hotel and Motel Operators Told They Must Abide by Laws," Bystander 15 October 1953, 1. The NAACP praised Hoogh for writing letters to the secretaries of three associations stating that they must comply with the state public accommodations law. The statement of the NAACP stated that "All too often [prompt action] has not been the case when requests [for enforcement] have been made to higher authority."

22 "Gov. Hoogh Appoints Study Committee," Bystander 7 July 1955, 6. The political composition of the commission was not mentioned in the report; however, a Democratic state senator and a Republican state representative were on the commission.
CHAPTER V. THE HOEGH COMMISSION YEARS 1955-1958

Governor Leo Hoegh served one term as governor (1955-1957). During and shortly after that term, a commission appointed by him conducted hearings in several Iowa cities and made recommendations to the 1957 legislature regarding an employment on merit act. This represented the first significant activity involving employment discrimination. The period also marked turning points in the development of Iowa’s labor unions and in the state’s reapportionment struggle. By 1958, for the first time, legislators had access to substantial information regarding Iowa’s employment discrimination problems.

Governor Hoegh appointed eleven people to his Commission to Study Discrimination in Employment: one woman, one African-American, a Democratic state senator, a Republican state representative (Gladys Nelson of Newton, who had been a co-sponsor of the 1953 resolution calling for the commission’s creation), and seven others. The commission’s activities consisted of holding public hearings in seven of Iowa’s larger towns and cities to hear testimony with regard to employment discrimination and then making recommendations to the Fifty-Seventh General Assembly. Before each hearing, the secretary of the commission sent invitations to groups on a list supplied by each local Chamber of Commerce within the various communities to send representatives to appear before the commission hearing. The testimony was to be confined to three areas: 1) the extent and kinds of discrimination in employment in their community, 2) what kinds of efforts had been taken within the community to eliminate discrimination in employment, and 3) what kinds of recommendations should be made to solve the problems of employment discrimination.1

1Commission to Study Discrimination in Employment in Iowa, Report to the Members of the 57th General Assembly of Iowa (December 1956), Legislative Service Bureau, State Capitol Building, Des Moines.
In April of 1956, the commission held its first public hearing in Burlington, and then each month thereafter the commission met in a different Iowa city: Waterloo (May), Davenport (June), Council Bluffs (July), Cedar Rapids (August), Ottumwa (September), and Sioux City (October). Each public hearing revealed similar accounts of employment discrimination and the commission heard, for the most part, recommendations calling for the passage of a Fair Employment Practices Act.

Some individuals testifying backed up their comments with specific numbers. In Keokuk, a city with approximately 1,500 negroes in 1950 a police officer testified that of the twenty factories in Keokuk only three employed blacks. In Waterloo, a city with one of the larger black populations in the state, there were no female black sales clerks, no blacks with the fire department, one black on the police force, and no black bus drivers. Charles W. Toney, chairman of the labor and industry committee of the Davenport branch of the NAACP, testified that Davenport had no black skilled workers employed in industry and that not a single male or

\[\text{\textsuperscript{2}}\text{For more information on each meeting (the minutes to the hearings have vanished from the Legislative Service Bureau or the state archives) see the following 1956 issues of the Bystander: Burlington (April 16 hearing in the April 19 issue); Waterloo (May 21 hearing in May 24 issue); Davenport (June 18 hearing in June 21 issue); Council Bluffs (July 16 hearing in the July 19 issue); Cedar Rapids (August 20 hearing in August 23 issue); Ottumwa (September 17 hearing in September 20 issue); Sioux City (October 15 hearing in October 18 issue). The Des Moines hearing was cancelled because "sufficient time to properly prepare a report was not available." See "Discrimination Committee Decision Unfortunate," Bystander 25 October 1956, 4.}\text{\textsuperscript{3}}\text{Report of Study Commission, 7.}\text{\textsuperscript{4}}\text{"First of 9 Sessions at Burlington: Governor's Group Hears Job Bias: Appointed Last Year by Governor Hoegh to Study Discrimination in State," Bystander 19 October 1956, 6.}\text{\textsuperscript{5}}\text{"Governor's Commission Hears Job Complaints at Waterloo; FEP Law Needed," Bystander 24 May 1956, 1.}
female clerk was employed. Toney also testified that the city employed only four black workers: two janitors and two garbage collectors. Other people testified that Cedar Rapids and Ottumwa had no black teachers in their public school system and that Ottumwa employed no African-Americans in education, county government, public utilities or office/clerical work. The city of Ottumwa had only one black woman employed: as custodian at the municipal parking lot.

Personal accounts of injustice or discrimination were common in the hearings. Various African-Americans testified that they had made applications for jobs they felt qualified for and had never heard back from the employers. It was their perception that they had never been seriously considered for the job, since a number of white people had been hired since they (blacks) had applied. Others in Davenport and Council Bluffs testified that many black people in their cities crossed the river to a neighboring state to find jobs. A minister in Waterloo told the commission that as a boy in Arkansas he had "always wanted to come to Iowa. I was under the impression that in Iowa a man could bring his family and live without being contaminated by this thing called discrimination. But I found I had the wrong impression. I've been greatly deceived by the state of Iowa." A 1954 graduate of the Iowa State Teachers College in Cedar Falls said that she was told by one school superintendent that she had "two strikes

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6 Governor's Commission in Davenport: 'No Skilled Negro Workers There': Study Group Hears of Bias 'In All Avenues of City and Private Employment,' Bystander 21 June 1956, 1, 6. Toney will later become a commissioner on the Iowa Civil Rights Commission in the 1970s and an affirmative action officer for John Deere.


8 Bystander 24 May 1956, 1.
against her because she was a black and a Catholic. 9 A twenty-four year old black woman testified that she and a number of her friends "went from one end of the business district to the other" last year applying for jobs in retail stores. "They just took our applications and that was it." A few of the places had [even] advertised for help. 10

Not all testimony reflected the belief that job discrimination was a problem. One member of the Davenport committee of the National Conservative Society ("organized to defend 'nationalism and political conservatism in the United States'") urged the commission to contact the employers named in the hearing "to get their side" of the discrimination question. He asked how businesses and employers could defend themselves since they were not at the hearing. A commissioner informed him that the Davenport Chamber of Commerce had been notified of the hearing and had been invited to send representatives. At the same hearing, a representative of the American Legion in that area also rejected the charge that there was any discrimination in Davenport. He told the commission: "I've been unable to find any genuine discrimination on the part of employers against employees on account of race, creed or color." 11

While the Davenport hearing was the only meeting where there was testimony refuting the existence of discrimination in Iowa, it was not the only hearing where possible sympathies to the conservative business or employer position were evident. In the Cedar Rapids hearing, commissioner Donald Johnson of West Branch related that he had written to the commerce commissions in states that have fair employment laws, "to get their reactions" and also said that he was "disappointed" that employers

9 Bystander 24 May 1956, 1.
10 Bystander 19 October 1956, 1.
hadn't appeared at the hearings to defend themselves. Johnson also asked a packinghouse union worker in Waterloo if it could be the building trades union instead of employers who discriminated against blacks. Johnson did not think that: "it should reflect on the employers of Iowa if the discrimination is by the building trades unions and not the employers." Another commissioner, Ray Smith of Oskaloosa, in one hearing "repeatedly emphasized the point that company personnel managers must get the best man for the job." He also said that "speaking from the employers' standpoint the matter of hiring Negroes wasn't all a matter of race. Qualifications and personality also enter in...." 

While there was little representation from the business community at the hearings, labor unions and labor organizations were represented to a greater degree. The Union Packinghouse Workers Local 46 (A.F.L-C.I.O.) in Waterloo; United Packinghouse Workers Local 3 in Cedar Rapids; United Auto Workers Local 74 (A.F.L-C.I.O.) in Ottumwa; and the Sioux City local union of the United Packinghouse Workers (A.F.L.-C.I.O) were all repre-

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12 Bystander 23 August 1956, 1. According to a Bystander editorial, the reason that employers had not appeared to defend themselves was because "Of course, they have no defense. Neither have any of the progressive business leaders been willing to take the lead and show the way (20 August 1956)." Johnson also questioned NAACP representative Toney in the Davenport hearing about who was to blame for discrimination, management or labor.

13 Bystander 24 May 1956, 1. Johnson will later publicly admit that "he was shocked at the pattern and extent of discrimination." See Allan Hoschar, "Assert Iowa Fair Hiring Law Upheld," Des Moines Register 27 February 1957, 3.

14 Bystander 21 June 1956, 1. Smith will be one of the two commissioners who will issue a minority report disagreeing with the majority of the commission about the necessity of a FEP law.

15 Bystander 24 May 1956, 1.
sented. The union representatives all called upon the commission to recommend state action in the area of employment discrimination, with the representative of the U. A. W. in Ottumwa stating that "We at the U.A.W. feel that this pattern of employment here in Ottumwa is certainly justification of the need on the part of the state government in legislation prohibiting discrimination in employment." Other testimony, however, did indicate that many unions in Iowa were guilty of discriminating. Some local unions apparently contradicted the policy set at the national level by the A.F.L.-C.I.O. which was to "encourage all workers without regard to race, creed, color or national origin to share equally in benefits of union organization."

The testimony at these commission hearings did not surprise many people in the black community, including the editors of the Bystander. They attempted to explain the "rank discrimination in all these towns" as the result of the African-American leadership not having sufficient experience with the so-called "runners of the community" to bring about changes in the employment pattern. The editors felt that except in Waterloo and Cedar Rapids, where black newcomers were brought in to work in heavy industry, "employment in most Iowa towns has not been good."

In January of 1957, Governor Hoegh's Commission to Study Discrimination in Employment issued its report to the Fifty-Seventh General Assembly. It reported:

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16Bystander 23 August 1956, 1; Bystander 24 May 1956, 1; Bystander 20 September 1956, 1; Bystander 18 October 1956, 1.
17Bystander 18 October 1956, 1, Bystander 20 Sept. 1956.
18Report of the Study Commission, 3, 6; Bystander 21 June 1956, 1, 6; See also Wayne DeMouth and Joan Liffring, "Where The Negro Stands In Iowa" Iowan (Fall 1961): 2-11.
Negroes in Iowa are generally excluded from or given only limited opportunities for employment in...professions, office and clerical work, retail trade, transportation, teaching, municipal employment, skilled crafts and trades, and in restaurants.... Negroes in Iowa, in the main, have found employment in factories or in service or custodial work. However, in many cases, specific factories have discriminated against Negroes.°

The commission also reported that only three cities had made even modest attempts to eliminate the problems of discrimination in employment: Des Moines, Burlington, and Waterloo. Des Moines was the only city in the state to have a fair employment practices ordinance (given enforcement power in July 1956). Burlington had recently established a Mayor's Committee on Civic Unity, which had no enforcement powers and had conducted an educational campaign for equal job opportunities. The Waterloo branch of the NAACP had contacted the local Chamber of Commerce about the possibility of an "on-the-job-training-program for Negro youngsters" and had received no response as of the date of the hearing in Waterloo.°

After finishing the hearings, the majority of the commission recommended the passage of an Iowa Employment on Merit Act (Senate File 202

20Report of the Study Commission, 3.
21Report of the Study Commission, 6. In the early 1950s, the mayor of Des Moines created a Mayor's Commission on Human Rights and the Des Moines City Council created a Fair Employment Practices Committee. See "Council Votes for Human Rights Commission to Be Appointed by February 1," Bystander 11 January 1951. The council in July 1954 passed an ordinance which created a nine member Commission on Human Rights and "provided a program of dealing through education and persuasion, with all community phases of inter-group relations, including employment." In 1956, the council finally passed an FEP ordinance that actually outlawed discrimination in employment and provided penalties. See "After Much Controversy, D. M. Gets First FEP Bill With Enforcement Powers," Bystander 12 April 1956, 1.
and House File 185 in the 1957 General Assembly) because, among other things, it felt that "Government in a democratic society has an obligation to all of its constituents that they shall be given a fair opportunity for employment consistent with their capabilities" and that "Other states...have found [such laws] to be a sound approach to the problem...." 22 The bill proposed by the commission:

would prohibit discrimination because of race, color, or creed by labor unions, employers and employment agencies... [and] create a five-member 'State Employment on Merit Commission' to administer the law, through an executive director, and other administrative aides with a $30,000 appropriation. 23

Two commissioners, Ray F. Smith and Marvin M. Schmidt, submitted and signed a dissenting five page minority report which drew the following conclusion:

Legislation...that runs ahead of the values men and women are inwardly willing to live by, results both in wholesale actions of evasion and also in damage to the cause which the legislation seeks to foster.... It is a self-defeating attempt to employ inappropriate means for the faster achievement of a

22Bystander 12 April 1956, 1, 9. The majority report was signed by Donald Johnson and six others. According to an article appearing in a March 1956 political science journal, there seemed to be "universal agreement that there [had] been a significant change in the opportunities for employment among Negroes" since FEP had been passed in New York. "This [was], likewise, the verdict in most of the other states... which [had] passed FEP legislation." See Elmer A. Carter, "Policies and Practices of Discrimination Commissions," The Annals of the American Academy of Political and Social Science 304 (March 1956): 71.

desirable moral and ethical end that can be gained only through the continued pressure of religion and education.  

The Bystander agreed "fully" with the majority report and urged the legislature to enact an FEP measure. The editors commented that a group recently formed to work for the passage of an FEP bill should have:

an excellent start with the facts upon which they [sic] can make a strong appeal to reasonable people. Of course, there are forces which will oppose it - some very strong forces. But many people who have been asleep on the question are waking up and are willing to listen to reason and act in the light of modern day living.

These comments, written in response to arguments espoused in the minority report, appeared in another Bystander editorial a month and a half later:

It is only the business, the labor union [sic] which does not wish to accord equal opportunity in employment... or does not want employment on merit.... And to those who want the job done by education alone, it will take a hundred years for a change which is already overdue.

Iowa is known in other states as a progressive state. Unfortunately, we have lagged in social legislation with respect to minorities. The opportunities and responsibility to

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24Report of the Study Commission, 12. Only ten out of the original eleven commissioners signed the final report because one of the commissioners died a few months before the report was issued to the General Assembly. See "Proposed Bill To Governor Hoegh: FEPC Law Ready for Legislature: Majority Report Signed by 7 Commission Members; 2 Dissenters See Danger," Bystander 10 January 1957, 1, 6.

bring the state up to the level of other states in this respect are in the legislature. By all means don't pass it up.26

The majority report of the Commission to Study Discrimination in Employment may have concluded that an employment discrimination law was warranted, but what liberal, urban interests really required in order to have a realistic chance of passing FEP was a reapportionment of the Iowa legislature to more accurately reflect the state's increasing urban population.27 Until this was done, people in urban areas who tended to be more aware of employment discrimination and open to the idea of a FEP law, would have virtually no power in the Iowa General Assembly. The battle for civil rights was a part of a greater conflict over urban-rural representation. The Hoegh years marked a minor turning point in the conflict, with the conservative forces accepting the need for some type of reapportionment, but, as previously stated, this reapportionment would not come until 1964.

The term of Governor Hoegh also represented another turning point. The political situation regarding labor unions at this time was in a state of transition. The Republican governor, who in 1954 had perceived that the Republicans were about to lose the support of the state's largest labor organization, the State Federation of Labor, attempted to liberalize his party by calling for repeal of the state's right-to-work laws and the legal-


27 "From 1940 to 1970 considerable redistribution of Iowa's population took place...in 1940, only about 40 % resided in larger communities.... But by 1960, for the first time in its history, Iowa had more citizens living in urban than in rural areas." Opportunities for urban factory work in World War II, changes in farm technology, and the growth of "dormitory towns" and suburbia all helped change the demographics of Iowa in the decades following World War II. See James C. Larew, A Party Reborn: The Democrats of Iowa 1950-1974, (Iowa City: Iowa State Historical Department, Division of the State Historical Society, 1980), 51-52.
ization of the union shop. Hoegh openly opposed the conservative power brokers and "struggled in vain" to advance his legislative program over the objections of the representatives from the rural and small-town areas. His failure to counter the Iowa Manufacturers Association in the 1955 session had precisely the result he feared: it drove union leadership to the Democratic Party. Ray Mills, the state AFL president declared in July 1955 that he was becoming a Democrat:

> All my life, I've been a registered Republican. I just got a little fed up with the promises of the Republican Party and its failure to go through with what it promised to labor people... The Iowa Manufacturers Association has been calling the shots too long.28

The political shift of labor leader Mills to the Democrats did not immediately result in the transition of labor's resources to Democratic politics. In June of 1956, while the study commission hearings were taking place, the AFL and CIO locals joined in accord with the national merger two years before. This merger, along with the switch to the Democratic Party, caused much dissension within the labor movement and made for a "slow and arduous" metamorphosis into an effective political "wielder of power" to counter the conservative IMA and IFBF. However, in the 1956 elections, labor helped send the first Democratic governor to the statehouse since the Depression.29

Governor Hoegh left office the same month that his commission made its report to the legislature, in January of 1957. The new Democratic governor, Herschel C. Loveless, would appoint his own commission over a year later in April of 1958. In the meantime, a Committee for

28Larew, 23-25.
29Larew, 52-54, 56. Conservative Republicans withdrew support for Hoegh, which undercut his support within rural Republicans. Also, the IMA had forced a sales tax hike upon Hoegh, which opened him up to intense anti-tax rhetoric from Loveless.
Employment on Merit, "framed to work for passage of the proposed [FEP] bill" and made up of people from Hoegh's Study Commission on Discrimination in Employment was formed (apparently independently) to work with the legislature during the Fifty-Seventh General Assembly which was in session at this time. The committee was chaired by Donald Johnson of West Branch, who apparently was no longer doubting the existence of "actual discrimination" in Iowa. 30

A few weeks after the Fifty-Seventh General Assembly got under way, thirteen Republicans and four Democrats introduced House File 135. The sponsors were mostly from small towns, with only two of the seventeen coming from cities with a NAACP chapter or local rights commission (see Table 3). After the bill had been amended by two rural Republicans to add "sex" and "age" discrimination to its provisions (seriously damaging its prospects for passage), 31 it was referred to the house committee on labor. A public hearing was then held on 26 February at which the new Committee for Employment on Merit, plus representatives from the NAACP, Des Moines Commission on Human Rights, B'nai B'rith, United Auto Workers, United Packinghouse Workers, United Rubber Workers, National Conference of Christians and Jews, and the Des Moines Council of Churches testified. Morris of the Bystander and several other independent citizens also offered testimony. Seventy-five to eighty persons were in attendance.32

The hearing did not consist entirely of testimony from the public; state representatives on the labor committee also appeared and made suggestions of their own. One representative suggested that cities enact local fair employment practices ordinances to deal with the problem. This suggestion was met with a comment from Johnson that cities were not

30Allan Hoschar, "Assert Iowa Fair Hiring Law Upheld" DMR 27 February 1957, 3. Johnson admitted that he was "shocked at the pattern and extent of discrimination" in Iowa.
doing much about it and from another person that many businesses were located outside the limits of many cities. A Sioux City citizen, Bennie Hamilton, testified that his city government was "looking to the state legislature" and that attempts had been made for ten years to get an ordinance passed in Sioux City (he added that his city had an ordinance that only applied to city employees).33

The chairman of the labor committee, illustrating obvious resistance to the bill, declared in ending the hearing that: "It is difficult to impose something that has got to come in large part from the individual." In addition to these comments implying hostility to the bill, some of the labor unions represented testified that their contracts with employers prohibited discrimination in employment (implying that a state law would have little effect on their policies and was therefore possibly unnecessary). To this comment J.B. Morris retorted that in Des Moines, "except for carpenters, not one of the craft trades open their doors to a Negro." A representative of the Waterloo United Auto Workers Union declared that "minority groups don't want to live or seek employment in certain cities" (implying either that they did not do so because it was a waste of time or that it was the minority groups' fault that they were not employed in certain cities). The response of labor to FEP was sometimes inconsistent and hypocritical, with local representatives quoting the national organization's guidelines while actually resisting efforts to halt discrimination in employment. 34

The week following the hearing the Bystander ran an editorial entitled "Legislature Moves in Ancient Twilight" that stated:

34Hoschar, DMR 27 Feb. 1957, 3. In testimony offered before commissions throughout the late 1950s and early 1960s, the carpenter's union was repeatedly said to be non-discriminatory. Boles, interview by author, 1 March 1990.
...judging from the questions answered by [the legislators on the committee] and off the record remarks made by some, generally speaking, they move in the twilight of the early 1920s rather than the 1950s. It is a rather strange coalition which has succeeded in blocking public housing and look askance at any progressive legislation except that designed to help the farmer.... Just what the outcome will be [of the present attempt to enact an FEP law] is hard to predict. But one thing is certain: if FEP fails this time a new approach must be found in 1959.35

The companion bill to House File 185, Senate File 202, was introduced by Senator O'Malley and sponsored by nine Republicans and two Democrats. Four of the eleven sponsors represented cities with NAACP chapters (see Table 3). One of its rural Republican sponsors amended the bill by adding "sex" discrimination to its provisions and, like House File 185, it died in committee.36

It would appear that things had not changed much in the General Assembly between the 1955 session and the 1957 post study commission session with regard to activity surrounding the passage of a FEP bill. The 1957 versions of the bill still included penalties and a provision for the creation of a state commission to enforce the law, and amendments were still being added to make the bills broader in scope. Such factors would seem to indicate that many of the legislators offering amendments and sponsoring FEP bills were still attempting to please both sides of the debate by sponsoring or amending FEP bills while blocking or preventing a vote on the floor.

By recommending a strong FEP bill similar to past bills, members of the Hoegh study commission, rather than revealing insincerity were prob-

35 "Legislature Moves in Ancient Twilight," Bystander 7 March 1957, 6.

36 HF 185 was referred to the committee on appropriations; SF 202 was referred to the Senate Labor Committee.
ably illustrating a certain amount of naivete or over-confidence. With seven public hearings, testimony and petitions from hundreds of people, and the corresponding publicity, the commissioners must have been confident that the legislature would be more open and accommodating to the passage of a strong FEP bill. The commissioners simply underestimated the strength of rural, conservative special interests within the Republican Party.

The legislators who amended the bills on the other hand, may well have been sincerely attempting to create a "better" law, but it is more likely that they were undermining the bills in order to endear themselves to their more conservative constituents under the guise of being an aggressive civil rights proponent. They may have felt it unlikely that they would be politically damaged if they failed to get a bill actually passed, whereas they may have been worried that a conservative backlash could hurt them if they did enact a bill.

Motives and sincerity aside, the 1957 legislative session of the Iowa General Assembly did not produce a Fair Employment Practices law. In the fall of that year, however, a federal civil rights act was passed in the United States Congress and signed by President Dwight D. Eisenhower. The act in its final form was weak and "turned out to be largely uneffective," but it represented the first federal civil rights law since Reconstruction and it did create a new United States Commission on Civil Rights to investigate and advise the president and congress on civil rights matters.37

37Paul K. Conkin, Big Daddy from the Pedernales: Lyndon Baines Johnson (Boston: Twayne Publishers, 1986), 141. The "Little Rock Nine" segregation confrontation in late 1957 gained wide press and over a dozen headlines in the Des Moines Register. The national atmosphere was certainly becoming more charged with passage of the 1957 Act and the Little Rock case. Whether all of this had any serious impact on Iowa politics is unclear; however, it is unlikely that it had no impact whatsoever.
CHAPTER VI. THE LOVELESS COMMISSION YEARS 1956-1961

Iowa's first Democratic governor in twenty years, Herschel C. Loveless, served two terms between 1957 and 1961. His tenure in office marked a significant development related to civil rights. His Commission on Human Relations was the first to investigate specific accusations of discrimination and promote racial harmony through educational programs. Members of the governor's rights commission attempted to convince legislative leaders to pass civil rights bills out of committees in two different assemblies. Their efforts failed, but the commissioners, along with Loveless, promoted the cause of civil rights aggressively and set precedents for later rights commissions.

In April of 1958, four months after Eisenhower appointed the members of the U. S. Commission on Civil Rights, Democratic Governor Herschel C. Loveless announced the creation of a Commission on Human Relations "mainly to act as a 'watchdog' for cases of discrimination and to cooperate with other organizations and groups in the human rights field." The governor also stated that the commission would work:

> to help every citizen of our state - to enjoy to the fullest extent the privileges and benefits of citizenship... to guarantee our citizens the right to employment, to education, to housing, to the use of public accommodations, to health and welfare services and to the right to live in peace and dignity.\(^2\)

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\(^1\)There is no evidence to indicate any direct relationship between the creation of the U. S. commission and Loveless' commission; however, the two commissions had similarities which does raise the possibility that Loveless was influenced or felt prodded by the creation of a U. S. commission.

The commission was to assemble factual information, make recommenda-
tions, promote education, act as a coordinator for groups working on
civil rights problems, and exchange information with other state commis-
sions. Loveless felt this would help "align ourselves with the national
movement toward common objectives." The commission, chaired by Dr.
Donald Boles, professor of political science at Iowa State University, had no
state appropriations and consisted of approximately forty commissioners,
two of whom were African-American.3

The creation of the commission was greeted with praise. "Hats Off to
Governor Loveless" was the title of an editorial in the Bystander on 3 April
1958. Morris of the Bystander noted that: "Of course, the committee has no
power to do other than investigate and make recommendations. But it is a
step in the right direction..." in that it is "recognition that something tang-
ible must be done to eliminate discrimination in employment." 4

Governor Loveless wanted his Commission on Human Relations to be
more than simply a commission on employment discrimination; therefore
it engaged in a variety of activities. In its three year existence (1958 -
1961) it aggressively promoted the Iowa statute on public accommoda-
tions to the public, the state's barbers, and the law enforcement
community. The commission also wrote to the various departments within
state government requesting that they remove racial designations from
their forms. In the area of housing, the commission engaged in a compre-
hensive study of the housing policies at the State University of Iowa to
determine if there were any discriminatory policies, "distributed a state-

3"Governor's Commission on Human Relations," 1959 Report of the
Governor's Commission on Human Relations p 4. Loveless Papers. The
number of commissioners fluctuated somewhat over time. The race of
commissioners was determined from photographs in the Bystander and
from speaking with Professor Boles.

4"Hats Off To Governor Loveless," Bystander 3 April 1957, 6.
wide questionnaire on housing conditions in Iowa," and also issued a statement condemning "restrictive covenants" in housing.5

In addition to these activities, the governor also instructed the commission to cooperate with business, professional and industrial groups towards eliminating discriminatory practices in employment. The commission investigated individual instances or accusations of employment discrimination and attempted to achieve passage of a FEPA law in the 1959 and 1961 General Assemblies. This activity with regard to employment discrimination was restricted to some degree by its limited resources and the active pursuit of other civil rights goals.6 However, a few instances and events involved the commission in employment discrimination issues. One which received a great deal of press involved an accusation of religious discrimination in employment.7

In 1958, an employment discrimination case came before the commission regarding a teacher of the Quaker faith in West Branch, Iowa who was asked to give up his contract after the council learned from Commissioner Donald Johnson that the teacher did not register for the peacetime draft in 1949. The teacher, Donald E. Laughlin, had registered for the draft during World War II and served two years as a conscientious objector, but refused to register during peacetime. He served a federal prison term for his actions. Johnson, former Iowa Commander of the American Legion and a member of the executive council of the Governor's Commission on Human Relations, found out about the hiring of Laughlin and informed members of the West Branch School Board of his objections to the hiring of Laughlin. The school board then voted "no confidence" in Laughlin, who "voluntarily" gave up his contract.

5For more details about these activities, see the 1959 and 1960 annual reports of the Commission on Human Relations, Loveless Papers.
6Without access to the files and minutes of this commission, it is difficult to access exactly what steps it took in lobbying for an FEPA bill.
The commission voted to censure the action of the West Branch School Board and concluded that Commissioner Johnson had brought "excessive pressure to bear upon the school board" and that such methods were "unbefitting a member of the commission." The commission then relieved Johnson of his duties on the executive council of the commission. Donald Johnson, former chairman of Governor Hoegh's Commission to Study Employment Discrimination and a "businessman of unusual interest in human rights," resigned shortly thereafter. The resignation reflected some irony. Johnson, removed from the executive council for allegedly discriminating against a man because of his religious views, had said in 1957 that there had been "very little testimony" on religious discrimination at the hearings held by Hoegh's study commission.

The commission dealt with other employment discrimination cases as well. There were apparently four employment discrimination cases brought to the attention of the commission between 1958 and 1960, while twenty-five discrimination cases in general were filed. The commission

8Magarrell, DMR 11 November 1958, 1, 12. The decisions of the commission received mixed reviews in the Iowa press. The Des Moines Sunday Register editorialized that it supported the commission's decision to censure the school board, but felt that in "promoting tolerance, it [had] been intolerant of the views of one of its members." See "A Case of Civil Liberty," Des Moines Sunday Register 16 November 1958, 16-G. A Bystander editorial in the 20 November issue stated that the commission had erred in censuring the school board, saying that "anyone who attempts to select the laws he will obey and disregards others strikes at the very foundation of society."

9"A Case of Civil Liberty" DMSR 16 November 1958, 16-G.

10Allan Hoschar, "Assert Iowa Fair Hiring Law Upheld" DMR 27 February 1957, 3. Johnson was not listed as a commissioner on a 1960 list of commission members.
dropped three because "the facts did not warrant the charge" and in another the complainant withdrew the complaint.\textsuperscript{11}

Governor Loveless' Commission on Human Relations also actively collected opinions and input about employment and other discrimination from Iowa's civil rights groups, student groups, and civic groups. In October of 1960, it organized a two-day statewide conference on human rights in Des Moines. Representatives of civic, student, and labor groups voted, among many other things, to seek legislation that would "effectively end" discrimination in employment. Such legislation was introduced in the 1961 legislative session three months later.\textsuperscript{12}

Legislation in the Fifty-Eighth General Assembly (1959) with regard to employment discrimination took the form of four bills, all resulting from activity involving the commission. The executive council of the commission met in late 1958 with "a few leaders" of the legislature to exchange ideas concerning the introduction of a bill providing for statutory recognition for a State Commission on Human Relations with an appropriation for necessary stenographic and administrative expenses.\textsuperscript{13} Chairman Boles was quoted as saying that the bill was not a "fair employment practices act" but was "patterned after a Wisconsin law under which a human relations commission [had] been operating very effectively since 1948." Boles continued that since fair employment bills calling for stronger powers had been defeated in past sessions the commission had introduced the bills (Senate File 159 and House File 280), in order to make the commission permanent while not expanding its present


\textsuperscript{12} "Deplores Nationwide Housing Evils: Civil Rights Meet Votes to Seek State Measure Against Bias," Bystander 27 October 1960, 1, 3.

powers. Both bills received bipartisan sponsorship but failed to get out of committee in either house.\textsuperscript{14}

The two other bills were Fair Employment Practice bills similar to previous ones in past sessions—having the same criteria for discrimination and the same provisions providing for a commission and penalties. Democrats (four out of five from cities with NAACP chapters and local commissions) exclusively sponsored the identical bills: Senate File 408 and House File 527. Considering that legislators claiming membership in the IFBF chaired all major committees in both houses, it is no surprise that neither bill made it to the floor for a vote.\textsuperscript{15} The Fifty-Eighth Iowa General Assembly concluded the 1959 session without enacting an FEP law or any other civil rights law.\textsuperscript{16}

\textsuperscript{14}Jack Magarrell, "Iowa Civil Rights Unit Asks Status" DMR 24 January 1959, 8; Journal of the House (1959), 272; Journal of the Senate (1959), 145. Professor Boles moved to Iowa from Wisconsin in 1957 to become a political science professor at ISU.

\textsuperscript{15}Larew, 19, 65.

\textsuperscript{16}Journal of the Senate (1959) 409; Journal of the House (1959) 605; Jack Magarrell, "Group Urges Iowa Public Housing Law" DMR 12 November 1958, 3. The commission also recommended legislative action permitting public housing in Iowa and altering the state’s legal settlement law, which denied welfare benefits to families who had moved from one county to another. Iowa was “one of four states in the nation in which the legislatures [had] not authorized cities to participate in the federal housing program.” Iowa was also “one of the last states” to retain the legal settlement law. The lack of responsiveness of the Iowa legislature prior to 1959 with regard to these two topics illustrates both an effort to resist federal involvement into what were perceived to be state concerns and a lack of understanding about the needs of minority and poor populations within the state. The legislature did pass a weak law enabling cities to participate in the federal housing program in the 1961 session. The Bystander attributed the long battle in part to the “formidable opposition of the real estate interests.” See "Iowa Legislature Passes Housing Bill," Bystander 4 May 1961, 6.
In the 1959 session of the legislature, reapportionment again became a major issue of controversy. The growing urban-rural conflict caused the GOP to become increasingly divided within its ranks, while the issue started to consolidate support for the Democrats. Labor began to get organized after the 1956 AFL-CIO merger and in the years that followed "vigorously supported reapportionment," as did such groups as the League of Women Voters, "virtually all the urban press, and even some urban Republicans." The Farm Bureau and the IMA overwhelmed the newly rejuvenated urban forces (some of them Republican forces), and defeated their attempt on the 1960 ballot to force a constitutional convention to decide the issue.17

Governor Herschel Loveless' Commission on Human Relations failed to get an FEP law passed in 1959 or 1961, which drew comments from the editors of the Bystander. They stated that the Loveless rights commission (of which editor Morris, Sr. had been a member) had done "nothing...about the most difficult problem facing Negroes...lack of employment and underemployment." Notwithstanding such comments, Loveless and his commission had other achievements regarding public education, appointments of blacks to positions in the government, and enforcement of the public accommodations law. The governor's appointment in January 1959 of Luther Glanton, Jr., a black attorney, to a judgeship in the Municipal Court in Des Moines was described as taking "considerable courage - even in Iowa..." by the Bystander, which also praised Loveless for his refusal in June of 1959 to extradite a black man accused of shooting a white man to Mississippi to stand trial. Before leaving office, the Democratic governor received a plaque in recognition of his "outstanding contributions in the field of human relations" from Omega Psi Phi, a graduate scholastic fraternity.18

18See "Governor Loveless Inaugurated," DMR 17 January 1957, 15 for information about Iowa's Democratic governors; "Employment, Our Urgent Need," Bystander 3 August 1961; "Glanton Appointment a Sign of Progress," Bystander 1 January 1959, 6, and "Iowa Republicans Should
Loveless did not run for reelection for governor in 1960, choosing instead to run against Republican Jack Miller for the United States Senate, an election Loveless lost. In general, the election of 1960 was not a good one for the Democrats. The Republicans gained an “overwhelming advantage,” holding on to all statewide offices while capturing command- ing majorities in both houses of the legislature. But the issue of reapportionment, which rural interests had won for the time being, received renewed attention in urban areas, and progressively liberal urban voters looked to the GOP, with its distinct majorities, for results in the 1961 session. As the 1960s began, newly-elected Governor Norman Erbe and the Iowa GOP faced a challenge—start addressing the needs of urban Iowans (the 1960 census revealed that Iowa was for the first time in its history more urban than rural), or eventually lose Republican control of the statehouse.19

The first session of the new decade was the Fifty-Eighth session of the Iowa General Assembly. In that session, which began just two months after the Loveless commission’s state-wide conference on human rights, a number of civil rights bills were introduced: two similar to past FEP bills, one designed to prohibit discrimination in employment based upon age, and two relating to the display of discriminating signs.20

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19Larew, 69-70.

20FEP bills: Senate File 69 (p 88), House File 407 (p 442, 882); age discrimination bill: House File 554 (p 526, 990, 1081-1083); discriminating sign bills: Senate File 361 (p 383), House File 531 (p 523). One of the FEP bills was reported out of the House committee on labor with the recommendation “Do Pass” but it died in the sifting committee. The age bill was defeated by a combination of 46 Republicans and 5 Democrats. One of the bills to prohibit the display of discriminatory signs was
For the second consecutive session the FEP bills introduced in both houses were sponsored exclusively by Democrats (five out of nine from cities with NAACP chapters - see Table 3) and for the eighth consecutive session, no FEP bill made it to the floor of either house for debate. The age discrimination bill, which contained no provisions for a commission, was introduced by a bipartisan group of two Republicans and two Democrats from four separate communities and did reach the floor of the house but was defeated 51-50. Both bills relating to discriminatory signs, sponsored by rural and urban legislators, died in committee. Thus, the passage of an employment discrimination law was still yet to be when the remnants of Loveless' commission left the statehouse in 1961.

Shortly before Loveless left office in January 1961, a Bystander editorial entitled "Iowa Republicans Should Wake Up" read:

Governor Loveless made somewhat of a start [regarding civil rights and the appointment of blacks to government] and unless present state officials at least match his record, there will be little incentive for Negroes to support them.

Now that top offices are being filled by younger men with more modern views...it is hoped that some, including Governor Erbe, will get off their narrow track which has kept us out [of government jobs] over the years.21

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21 "Iowa Republicans Should Wake Up," Bystander 5 January 1961, 6. Governor Loveless did draw some criticism for not appointing any "Negroes to the many boards and commissions" that he appoints. This statement is false in that he did appoint a number of blacks to the Human Relations Commission; apparently the Bystander was excluding that commission from consideration. Governor Erbe appointed a black to the state parole board in his first month in office. See "Governor Erbe Acts: Parker Named to Iowa Parole Board," Bystander 2 February 1961, 1.
Governor Loveless was considered to have been an asset to civil rights efforts within the state by at least some members of the black community. Even the staunch Republican Morris gave him credit for doing some "outstanding things" with regard to the needs of blacks.²² The new Republican Governor Norman Erbe was greeted shortly after taking office by the following editorial comments in the Bystander:

[FEP] measures have been before several sessions of the legislature but none has passed due, in part, to little organized effort in their behalf. City legislators have favored them generally while those from rural or small town sections have been disinterested or opposed. The sponsors have not always been together and the opposition, playing the game of divide and conquer, has blocked all of the measures.

It is for these reasons that a civil rights conference should, and no doubt will be, organized for the purpose of spearheading the effort to get some needed civil rights legislation

²²Bystander 2 February 1961, 1. Morris and his paper were consistently pro-Republican throughout this period. He supported both Republican candidates that ran against Loveless and ran editorials throughout the 1950s in support of the Republican party, President Eisenhower, and Vice-President Nixon. In the 1958 campaign, the Bystander ran a full-page advertisement entitled "Don't let the Faubuses in Congress Control our Civil Rights" which drew heavy criticism and a formal complaint from the Iowa Democratic Party to the Fair Campaign Practices Committee charging the Republican Party of engaging in "segregation in political advertising." Morris and the editors later ran an editorial defending its decision to run the ad. See "Democrats File Complaint Over G. O. P. Ad on Rights," DMR 1 November 1958, 5.
on the statute books. Maybe...this may be done at this session of the legislature. 23

Erbe was apparently not involved in the calling of a civil rights conference; however, he did create in his executive department yet another commission to deal with discrimination—the Governor's Commission on Civil Rights. This would be the commission that through a combination of factors and good organization would eventually achieve, with the help of the advisors of Erbe’s successor Harold E. Hughes, passage of the first civil rights law in Iowa in seventy-nine years—the Iowa Fair Employment Practices Act of 1963. 24

23 “Legislative Success Requires Organized [sic],” Bystander 19 January 1961, 6. It is not known whether the governor actually read or heard about this editorial.

24 The 1963 act actually became law after Erbe’s commission lost official standing. However, Governor Hughes allowed the commissioners from the previous commission to continue to work for passage of the law with the help of some of his own civil rights advisors. Hughes will also create a commission that, in addition to contributing to the campaign to pass the 1963 FEP law, will succeed in getting a much stronger Civil Rights Act in 1965.
CHAPTER VII. THE ERBE COMMISSION YEARS 1961-1963

The Commission on Civil Rights worked diligently between 1961 and 1963 for passage of a fair employment practices law. The FEP act that eventually passed after Governor Erbe left office represented a compromise and lacked provisions for a state civil rights commission, but was nonetheless a major accomplishment. The Republican governor appointed a more diverse group to his commission which, like the commission before it, engaged in a variety of activities related to civil rights education and advocacy. By time the next governor officially appointed his own rights commission in July 1963, the state of Iowa had enacted its first civil rights statute of the twentieth century.

Erbe's commission, which first met in July of 1961, was similar in many ways to Governor Loveless' with eight of its forty-one commissioners having served on the previous commission. Edward S. Shelton of Des Moines, Executive Director of the Des Moines Commission on Human Rights, Elizabeth Kruidenier of Des Moines, and Fred E. Morain of Jefferson, editor of the Jefferson Bee-Herald, had all served on the executive committee of Loveless' commission and were appointed, as were other former commissioners: James B. Morris of Des Moines, editor of the Bystander, Rabbi Edward Zerin of Des Moines; Hess Sears of Des Moines, Equitable Life Insurance Company; Harriet Baum of Manchester, housewife; Dr. Robert G. Turnbull, Professor of Philosophy, State University of Iowa. 1

The new commission differed from the former commission in a number of ways, however. While the Loveless Commission had no state legislators in its ranks, Erbe's commission included three: Senator Howard

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1 "Press Release July 11, 1961" Governor Norman Erbe Papers, State Historical Society of Iowa Archives, Iowa Historical Building, Des Moines, IA.
C. Buck, Republican from Milborne; Representative Lawrence Carstensen, Republican from Clinton; and Senator J. B. Mincks, Democrat from Ottumwa who had co-sponsored an FEP bill in 1959 and would later sponsor three more by 1965. These three legislators would co-sponsor the two companion FEP bills in 1963 endorsed by the commission.

In addition to more legislators, the new commission also had more African-Americans. Only one black served on Hoogh's eleven member commission, while two black commissioners later served on Loveless' thirty-eight member commission. Erbe now appointed five to his commission: Edward Shelton, James Morris, Addison M. Parker of Des Moines, William W. Parker of Waterloo, and Helen R. Lemme of Iowa City. In add-

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2 SF 43, an FEP bill sponsored in 1963 by Buck, fellow commissioner Mincks, Democrat O'Malley of Des Moines, and three others, was a commission endorsed bill.

3 Carstensen was one of three representatives, two Republican and one Democratic, that amended the 1963 bill (HF 49) to make the new commission powerless to compel the attendance of employers and its decisions non-binding.

4 Mincks is curiously missing from the list of fifty-four Democratic co-sponsors of the 1965 Civil Rights Act. Instead, he co-sponsored a bill (SF 466), along with fellow Democrats O'Malley of Des Moines, Frommelt of Dubuque, Ely of Cedar Rapids and two Republicans; that while creating a civil rights commission, failed to appropriate it funds; "Press Release July 11, 1961" Erbe Papers. Democratic Senator O'Malley, a sponsor of numerous FEP bills between 1951 and 1965, was never a commissioner in a governor's rights commission. This fact would appear to indicate that O'Malley was not considered an ally of civil rights in the legislature.

5 Dr. Harry Harper of Fort Madison had been vice chairman of the Hoogh Commission, Ed Shelton and Judge Luther T. Glanton, Jr. served on the Loveless Commission. Glanton was appointed as a municipal judge by Loveless in 1958 -- the first black judge in Iowa history.
ition to these African-Americans, Asian-American June Goldman also became a commissioner. 

A former commissioner who declined an invitation to join Erbe's Commission on Civil Rights was Bill Severin of the Waterloo Courier. The former commissioner, in declining, wrote the governor:

My doubts about my usefulness on this commission stem from the fact that we have in Waterloo the highest Negro population of any city in the state, percentage wise. Because of the areas in which I work as a newspaperman, I felt for a long time that my connection with the former commission could place me in a position where I would be subject to a strong conflict of interest.

Erbe told Severin that he regretted "very much" that he felt that he could not serve on the commission. The governor continued by writing: "I understand your views, however, and hope that I can count on you in the event that I need to consult with you in these particular matters."

Erbe may have been surprised that the Waterloo newspaperman declined his invitation to join the commission, but the governor could not have been surprised by Severin's comments, for the newspaperman had shared some of his "random thoughts" with the governor a few months earlier in a letter. Expressing thoughts similar to those in the minority report of the Hoegh Commission, Severin wrote:

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6 Professor Donald Boles, interview by the author, 1 March 1990; Republican William Parker of Waterloo was named to the state parole board by Erbe in January of 1961. He was the first black "appointed to high administrative post" in state government. See "Governor Erbe Acts: Parker Named to Iowa Parole Bd.," Bystander 2 February 1961, 1.


It seems to me that the key to creating a Human Relations Commission capable of providing some help in this difficult area is the appointment of the right people to do the job.

I suspect that the commission of which I had the dubious honor of being a member did about as much harm as good through the overzealous activities of a few professional bleeding hearts, who, it seemed to me, were constantly taking off on private witch hunts of their own.

I believe the members of this Commission should be ordinary, level-headed men and women, sympathetic to the problems confronting minority groups, but not carried away with fanatic desire to create utopia overnight....

I don’t believe this commission should go out looking for trouble. I do think that it could serve the purpose of a fair and sympathetic group to handle bona-fide complaints of discrimination against minority groups.

My limited experience with the previous Commission convinced me more than ever that the ultimate solution to these perplexing problems will be found through education and a promotion of better understanding.

Attempting to sandbag one group of people into “accepting” another group may be spectacular, but it never seems to accomplish much.9

The assistant managing editor and chief editorial writer of the Waterloo Courier, Dave Dentan, at the request of Severin, also contributed his ideas on the subject of Human Relations Commissions. In a memo from Dentan to Severin, enclosed with the letter to Erbe, Dentan wrote:

Since the legislature has not seen fit to legislate in [the] fields [of employment and housing], the governor could properly declare that these are not areas in which he or a commission appointed by him should intervene. This, if done, would be

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an unwarranted intervention by the executive in a legislative field.

However, the governor does have the responsibility for the elimination of discrimination in state employment. This would reasonably apply not only to agencies directly under the governor, but in others in the executive branch of government.\textsuperscript{10}

The ideas of these men, one a former commissioner, represented the more conservative approach to discrimination—an approach that was not uncommon among newspaper publishers throughout the state.

Severin was not the only conservative newspaperman to refuse appointment to the commission. Another member of the press, Harry Mauck, editor of the Council Bluffs Nonpareil, espoused similar sentiments in a letter to Erbe declining an invitation to join the new commission:

\begin{quote}
I sincerely believe, with all my heart, in equal opportunity for all men. But I also happen to believe, and with equal sincerity, the rights we all seek must be earned—not granted merely because one happens to be white, black, yellow, or whatever.

My personal experience with some groups active in this field has taught me that they do not hold this philosophy.... Because of [my] personal philosophy, I am sure my membership would be a disturbing influence—as well as embarrassing to you. And I want no part of that... it is an involved sociological problem not of easy solution.

I agree fully with the overall aims, but I doubt they can be accomplished by fiat.\textsuperscript{11}
\end{quote}

\textsuperscript{10}Dave Dentan to Severin, "Concerning: Governor's Commission on Human Rights," TL, Erbe Papers. An executive order forbidding discrimination in state employment was not pronounced until Governor Hughes did so in May of 1964.

\textsuperscript{11}Harry Mauck to Norman Erbe, 20, June 1961, TLS, Erbe Papers.
In addition to Mauck, the Republican governor invited another Republican, Mason City Globe-Gazette editor Earl Hall, to join the commission. Hall declined due to his busy schedule.12

Governor Erbe also requested the services of a few more liberal newspaper people. Fred E. Morain, publisher of the Jefferson Bee-Herald and commissioner for Loveless, was invited to continue serving the governor's office. While Morain accepted, Carl Hamilton, editor of the Hardin County Times-Iowa Falls Citizen did not, due to his recent employment with the Iowa State University Journalism Department. A diverse group of individuals came together in July 1961 when the Governor's Commission on Civil Rights met for the first time.13

As with the two previous commissions, this commission had no state appropriations, no statutory powers, and no staff (although the governor offered the services of one of his staff secretaries). An executive committee chaired by Burn Bannister, an Ottumwa attorney, consisted of five members (four whites and one black) and was responsible for coordinating the various committees and submitting an annual report to the governor.14

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12Earl Hall to Norman Erbe, 22 June 1961, TLS, Erbe Papers. Hall suggested other Republican newspaper people for the governor's commission: Erwin Sias, Sioux City Journal; Ted Simpson, Atlantic News-Telegraph; A.M. Piper or Harry Mauck, Council Bluffs Nonpareil; Paul Norris, Marshalltown Times-Republican; Gene Thorn or Dave Dentan, Waterloo Courier; Harry Suchter, Dubuque Telegraph-Herald; Ralph Shannon, Washington Journal; and Stuart Awbrey, Burlington Hawkeye. He also offered two possible Democrats: Hank Hook and Bob Feeney of the Davenport Democrat. None of the above people were appointed to the commission.


14"Governor Commended for Action: Erbe Appoints Civil Rights Group: 41 Member Commission Holds Initial Meeting Here Tuesday at Statehouse," Bystander 13 July 1961, 1, 2; "Iowa's Civil Rights Commission,"
The Erbe commission was similar to the previous commission in that it engaged in a wide variety of activities related to civil rights. Its six standing committees (Employment, Education, Legislation, Arbitration, Housing, and Public Accommodations) reflected the wide scope of its activities outside of employment-related topics, which included: 1) working with the barbers' associations in the state and the Iowa Conservation Commission to get people in barber shops and state parks to obey the public accommodations law, 2) responding to the state attorney general's opinion stating that cities could not pass local anti-discrimination private housing ordinances by lobbying the legislature for a change in the law to make lawful such local housing ordinances, 3) referring a number of complaints to the attorney general's office for action because it had been charged with the duty to determine the facts in cases of violations of the Iowa Civil Rights law "so that recommendations may be made to law enforcement officers," and 4) soliciting the cooperation of city governments in establishing local city civil rights commissions.15

Bystander 27 July 1961, 4; 1963 Report of the Governor's Commission on Civil Rights Erbe Papers. Blacks were not represented on the original executive committee, which drew criticism from the editors of the Bystander and from Commissioner Edward Shelton, Executive Secretary of the Des Moines Human Rights Commission; who stated at the August 1961 meeting that he and "the other Negro Commission members" felt that there should be a black on the Executive Committee. Shelton was then named co-chairman of the commission. See "Minutes of the Civil Rights Commission Meeting August 15, 1961" Erbe Papers. It should be noted that while the text below reveals a great deal of activity during the Erbe Commission, much of the activity of earlier commissions is not documented due to lack of access to commission minutes and files. Thus, earlier commissions may have been more active in lobbying for an FEP bill than is documented here.

15The six standing committees are listed in 1963 report. The activity surrounding the barbers' associations is well documented in the Erbe Papers; and in the 30 November 1961 Bystander. Barbers in Iowa had historically refused to cut the hair of blacks claiming that they did not
The Commission on Civil Rights, in addition to the many activities just described, concentrated a great deal of effort on employment discrimination and the passage of an FEP law. The need for such a law within the state was becoming more apparent to people in Iowa in the early 1960s - the natural result of over four years of information gathering by rights commissions and the corresponding publicity from the local press.\textsuperscript{16}

In late 1961 and early 1962, the troubles facing Iowa's black community with regard to employment discrimination and other problems were documented in at least two separate articles not directly related to the governor's commissions discussed thus far. The Iowa Advisory Committee to the U. S. Commission on Civil Rights released a report to the public in 1961 which stated that while there had been "a slight improvement in public accommodations and housing for Negroes in Iowa" since its

know how to cut their hair properly. The commission pressed hard to get the barbers to accept their responsibility to obey the public accommodations law. The State Conservation Commission activity came about because of a Black Hawk Lake resort owner who refused to allow some blacks to stay in his cabins. The Civil Rights Commission asked the governor to request the Conservation Commission to inform all its contractors to abide by the public accommodations law. See James B. Morris, President of the Des Moines Branch of the NAACP, to Attorney General Evan Hultman, 21 March 1962, TLS; Morris to State Conservation Commission, 22 March 1962, TLS; Burn Bannister to Norman Erbe, 18 April 1962, TLS, the Erbe Papers. The local housing ordinance interpretation by the attorney general's office is also documented in the Erbe Papers and may also be found in the article "Rights Debate Irks Hultman," DMR 14 February 1962, 8. The complaints are listed in the Erbe Papers. The quoted description of duties is from a letter of Burn Bannister's to a Winterset attorney dated 30 September 1961. The commission correspondence with local governments regarding the creation of local civil rights commissions can also be found in the Erbe Papers.

\textsuperscript{16}The national civil rights movement in the early 1960s was also becoming more well-known in Iowa, although knowing about problems in the South did not necessarily increase Iowans' knowledge of the discrimination problems in their own state.
last report in 1959, the employment picture for blacks was not as bright. Black "employment conditions in the smaller towns [was] exceptionally poor" while in larger towns blacks tended to find work only as laborers. The report also stated that no apprenticeships had been made "available to Negroes in any of the skilled trades..." and that with the exception of Des Moines, "the public utility companies and the county and State governments hire practically no Negroes."17

Shortly after the release of the Advisory Committee report, an article about Iowa's discrimination problems appeared in a magazine published out of Shenandoah, a town in southern Iowa.18 In the fall 1961 issue of The Iowan, a magazine with a circulation of approximately eight thousand that reached thousands of Iowa homes,19 a ten page cover story entitled "Where The Negro Stands In Iowa" began with the following words:

While a small per cent of the population, the race encounters problems here in employment, housing, and public accommodations which tend to force it into second class citizenship.

Since the Negro population of Iowa...is highly concentrated in a few cities, the situation is generally easy to ignore.... From the small towns where Negroes are not allowed to live to the cities which must absorb the growing


18According to the 1960 census, Shenandoah had a population that was less than 0.1 percent nonwhite -- or less than six blacks. See Census of the Population: 1960, Part 17, Table 13.

19Betty Van Ness, Business Manager, The Iowan, phone interview by author, 2 March 1990. According to Mrs. Van Ness, who started working at the magazine in 1964, the circulation in 1964 was between eight and nine thousand. She estimated that the circulation in 1961 would have been about eight thousand.
Negro population, prejudice is widespread and civil rights violations are commonplace.20

The article quoted the report of the advisory committee and described much of the civil rights activity of the past five years. It mentioned the work of the Loveless Commission on Human Relations and the creation of Erbe's Commission on Civil Rights. The appearance of this article in a magazine read mostly by people in Iowa provided an opportunity for Iowans to become better informed about discrimination in their state and may have been helpful in the lobbying effort for FEP legislation.21

The Erbe commission's employment discrimination and FEP activity, which began tentatively at the executive committee meeting on 17 October 1961 with discussion about proposed resolutions for fair employment practices,22 began in earnest with the first major meeting of the commission's Committee on Legislation on 3 January 1962. In that meeting, Edward Shelton, co-chairman of the commission and executive secretary of the Des Moines Commission on Human Rights, stated that in his opinion:

a concentrated effort should be made to present a fair employment practice act to the Legislature far enough in

20 Wayne DeMouth and Joan Liffring, "Where the Negro Stands In Iowa," The Iowan (Fall 1961), 3.
21 Although no opinion polls were taken at the time, it seems apparent that public opinion was changing - although the pace and degree are indeterminable. An Iowa Poll, published in the DMR in January of 1964, stated that one third of Iowans at the time disapproved of the way the federal government had increased its attempts to enforcement civil rights laws in the South. The results were "somewhat discouraging to the Bystander editors. "Miserable Attitude of Too Many Iowans on Human Rights," Bystander 16 January 1964, 6.
22 "Minutes of the Civil Rights Commission Executive Committee Meeting October 17, 1961" Erbe Papers.
advance to the meeting of the Legislature so the individual members could be fully advised of the problem and not be informed or crowded after the Legislature convened.\textsuperscript{23}

In response to this comment, the committee discussed FEP laws and concluded that the version of the FEP that had failed to pass the past two legislative sessions "was in no ways adequate" and had no "adequate teeth" for enforcement. The group, after reviewing several other FEP acts commented that the New York Act was probably the best model and the one that should be followed "for the most part." The committee also felt that a new FEP should be prepared by the Legislative Committee containing similar provisions later approved by the full Civil Rights Commission. One committee member suggested first attempting to secure passage of an act whereby a Civil Rights Commission would be appointed by legislative action which would authorize the employment of full time personnel. This person believed that such legislation had a good chance of approval. The committee decided to refer the idea to the full commission.\textsuperscript{24}

Shelton also suggested that the governor be requested to make a statement of policy whereby "those doing business with the state" should be required to stop discriminating in their employment practices. The committee, "moderating the approach somewhat," suggested that a conference be held with the governor to get his reaction and opinion of the idea. The committee also agreed to refer the matter to the full commission.\textsuperscript{25}

\textsuperscript{23} "Report of Meeting of Legislative Committee of Civil Rights Commission [3 January 1962]." Erbe Papers.

\textsuperscript{24} "Report of Meeting of Legislative Committee of Civil Rights Commission [3 January 1962]." Erbe Papers. In regard to a bill to obtain appropriation for a state civil rights commission appointed by the legislature; a similar bill died in committee in 1961 and this one did not pass in 1963.

\textsuperscript{25} Commission co-chairman Shelton later sent a memorandum to the chairman of the Legislative Committee in which he emphasized that there was "an immediate need for clear enunciation by the Executive Branch of
In addition to drafting an acceptable version of an FEP bill and working with the governor on a policy statement, the commission in 1962 began projects designed to generate public support for an FEP law prior to and during the 1963 session of the Iowa General Assembly. The commission's Education Committee worked on two of these projects. It sent a letter to all universities and colleges in Iowa requesting information concerning the "vocational objectives of Negro students" in an attempt to advise employers around the state of the availability (or expected availability) of qualified African-American graduates. The committee also hoped to clear up some "misunderstandings and incorrect speculations" regarding the matter. The Education Committee designed its other project to "clarify the public policy of the State of Iowa in terms of fair employment." See "Memorandum from Edward E. Shelton, Executive Secretary of the Des Moines Commission on Human Rights to Attorney Charles E. Kramer, Legislative Chairman Governor's Civil Rights Commission [January 25, 1962]" Erbe Papers. No such executive order was issued from the governor's office until Governor Hughes issued Executive Order Number 1 on 14 May 1964 in which he declared: "Each state agency responsible to the Governor shall promulgate a clear and unambiguous written policy of nondiscrimination in employment" and made provisions for "regular review" of such. See "Executive Order Number One" Governor Harold E. Hughes Papers, University of Iowa Libraries Special Collections Department, Iowa City, IA.

James S. Schramm, Chair of Education Committee to Dr. Virgil M. Hancher, President of State University of Iowa, 15 February 1962, TLS, Erbe Papers. This project was aimed at refuting the claims of some opponents of an FEP bill that there was no pool of educated black labor by documenting the availability of educated black people for employment in Iowa. Another goal of the project was to inform Iowa's school districts of the availability of black people for teaching positions. The Education Committee's conclusions drawn from the survey were that "On the basis of these estimates, there are between 400 and 500 Negro students (excluding Foreign) presently enrolled in Iowa colleges and universities... from 20 to 30 Negro students graduating in Education this June [1962]." Only 15 out of 501 school districts in the state employed blacks in 1962. See the letter
project, a secondary school essay contest, to "stir up a little interest" in local communities for the FEP legislative campaign\textsuperscript{27} and develop greater understanding of the need for a Fair Employment Practices law.\textsuperscript{28}

While the two projects undertaken by the Education Committee of Governor Erbe's Commission on Civil Rights were somewhat helpful in generating more public interest in an FEP bill, such a bill would not become law unless its opponents, like the Iowa Farm Bureau Federation from the Education Committee to the Presidents of the Board of Education of Iowa school districts dated 29 May 1962 found in the Erbe Papers. The final report of the Commission used the information from the survey to conclude that since "a sufficient percentage of Negroes is...attempting to qualify for professional and technical positions," and since most of these students leave the state to find employment, that "there is a lack of job opportunities for Negroes in Iowa." See Report for the Iowa Governor's Commission on Civil Rights on the Need for Fair Employment Legislation (January 8, 1963), p 1, Erbe Papers.

\textsuperscript{27}Minutes of the Civil Rights Commission Meeting May 15, 1962\textsuperscript{27} Erbe Papers. The commission also made plans to have a special Sunday where Iowa's ministers would speak to the need for an FEP law and allocated some funds for this project.

\textsuperscript{28}Chairman Schramm, to members of the Education Committee, 31 May 1962, TLS, Erbe Papers. In the fall of 1962, school districts in Iowa were asked to encourage students to participate in a writing contest open to all high school seniors in which the top winners would receive scholarships. The commission received over three hundred requests from teachers and others for research material on employment discrimination and planned to give out three scholarships of $300, $250, and $100. Approximately seventy essays on "Incentives and Obstacles to Fair Employment in Iowa" were submitted for the essay contest. See Chairman Schramm, to members of the Education Committee, 31 May 1962, TLS; "Minutes of the Civil Rights Commission Executive Committee Meeting January 30, 1962;" "Minutes of the Civil Rights Commission Meeting November 20, 1962;" "Minutes of the Civil Rights Commission Meeting January 8, 1963" Erbe Papers. The Des Moines Human Rights Commission was given a note of thanks on 20 November 1962 for its help in "developing a packet of material in relation to the essay contest."
(IFBF) and the Iowa Manufacturers Association (IMA), could be either appeased or defeated in the Iowa General Assembly. After relating to Governor Erbe's executive assistant in a letter that "the Commission does not propose to make a token campaign in this matter,"29 Bannister received a letter from the Erbe dated 8 March 1962 stating that the governor was "vitally interested" in Bannister's proposal for an aggressive program in the fair employment practices field in the next legislative session.30 The commission realized early in its campaign for a bill that while a strong, New York-type act would not pass, it would still be best to sponsor such a bill (with provisions for a state commission) in order to "get something passed." The idea was to draft as strong a bill as possible so there would be room to "come down a little on it" and still have a good bill.31

The commissioners felt that they should try for a state civil rights commission set up with a budget by the legislature and perhaps out of this the governor's commission could at least secure legislative standing. This was not a new idea and bills providing for such standing had been defeated in the past. However, it was suggested that the commission draft both a strong FEP bill and a bill for the legislative standing of the commission. Both bills were eventually sponsored in both houses in the 1963 session.32

When drafts of the proposed bills prepared by Senator Mincks were discussed by the full commission in May of 1962, it was made known that

29Chairman Burn Bannister to Executive Assistant to the Governor James R. Maggert, 6 March 1962, TLS, Erbe Papers.
30Governor Norman Erbe to Burn Bannister, Chairman of the Civil Rights Commission, March 8, 1962, TLS, Erbe Papers.
31"Minutes of the Civil Rights Commission Meeting February 13, 1962 [first draft marked 'save for reference']" Erbe Papers. The minutes state that FEP bills had been defeated in the two previous sessions - earlier FEP bills are not mentioned.
the executive committee felt the matter of age and sex of the employee “in certain instances [to be] very proper criteria” in employment practices and therefore had purposely omitted these words.33 The drafts were then adopted by the commission and discussion began about strategy for the legislative campaign to get the bills passed.

The commissioners offered many ideas. One suggested that since approximately eighty percent of Iowa’s legislators were unopposed in the primaries that members of the commission need not wait until after the primaries to begin contacting legislative candidates. A suggestion to “blanket” every county in the state was made and Senator Mincks said that personal contact ahead of time would be excellent and that it would be beneficial to get this in the party platforms at the state convention—which was attempted.34 The discussion concluded with the suggestion that the chairman name a “Strategy Committee” to pursue the campaign for the civil rights law and that it include the commissioners who drafted the bill and any others with legislative experience or special skills in the field of employment. It was agreed that all commission members would have to take an active part in working to pass the bill. 35

33“Minutes of the Civil Rights Commission Meeting May 15, 1962, p 3” Erbe Papers. These categories of discrimination were not added to the civil rights statute until 1970 (sex) and 1972 (age and disability). Both had been added to bills as amendments in past sessions of the legislature. Apparently, the omission of these words drew no verbal complaint from the commissioners present at the meeting.

34Resolutions were presented to both the Democratic Party Platform Committee and the Republican Resolutions Committee in July of 1962. Commissioner June Goldman delivered a speech to the Republicans on July 12, while Shelton presented the proposal before the Democrats on July 13. There was no mention in later commission minutes whether the resolutions were accepted by the platform committees. The texts to both these speeches along with the resolutions may be found in Erbe Papers.

June Goldman became the chair of the new committee to oversee the campaign for the FEP bill. Within three months she and her committee had compiled a worker’s kit (complete with a copy of the bill, questions and answers, background information, etc.) for each commissioner. Goldman stated in the August meeting (whose “primary order of business” was to plan how to enlist support for the proposed FEP bill), that the ultimate success of the bill depended upon the dedication of each member of the commission. It was the consensus of the commission that legislators be contacted quickly about their attitude toward the bill and that legislators with a favorable attitude be asked about sponsoring the bill. The commissioners in attendance concluded that it would be best to sponsor the bill in both houses. Goldman stated that all pertinent information would be mailed to commissioners not in attendance at the meeting and that a list of commission members and their addresses would be prepared and sent out to all members to aid in communication. Also, a synopsis of the bill, along with a letter would be sent to all legislators prior to any contacts.36

The letter later sent to all legislators tried to appeal to the “conservative legislator” by describing the bill not as a “labor law,” but as a “businessmen’s law.” Chairman Bannister reported that he would also send a letter to one lawyer in each congressional district asking that contacts be made with legislators in their district. It was also agreed that some members of the commission should meet with Howard Hill, Iowa Farm Bureau President, and Neal Garrett of the Iowa Manufacturers Association.37

36 Minutes of the Civil Rights Commission Meeting August 21, 1962, p 1” Erbe Papers. The material from the “worker’s kit” may be found in the Erbe Papers.

37 Minutes of the Civil Rights Commission Meeting November 20, 1962, p 2” Erbe Papers. A copy of the letter to legislators dated 15 November 1962 from the commission is in the Erbe Papers. Goldman, Bannister, and Bishop Gordon Smith agreed to be the ones to meet with the two gentlemen.
As the legislative session approached, the commission had to determine how best to handle the transition from Republican Governor Erbe to Democratic Governor-elect Harold E. Hughes in January of 1963. Shortly after he was elected, Hughes received from the commission a packet of material about the FEP bill and a letter asking "what his wishes were" on recognizing the present commission. Hughes told Bannister that he would not have time to establish commissions prior to the legislature but that he would recognize the commission as presently constituted in order to give the commission a little continuity. It was suggested that the five members appointed by Hughes to advise him on civil rights matters be invited to meet with the present commission if another meeting were held. The five advisors were also to be put on the commission's mailing list for the FEP campaign.\(^{38}\)

At the last official meeting of Governor Erbe's Commission on Civil Rights on 8 January 1962, Bannister released the final report of the commission and said that he would expect anyone who came to Des Moines to be on call for Mrs. Goldman and to let her know when they would be in town during the legislative session. Motions were made and carried authorizing the legislative drafting committee to make "such revisions and refinements" in the proposed bill as they saw fit and also allowing the strategy committee to select the person to introduce the bill.\(^{39}\)

\(^{38}\)"Minutes of the Civil Rights Commission Meeting November 20, 1962 (p 3.)" File: "Civil Rights Commission, Minutes and Report" Box 277, Erbe Papers. p 2. The five advisors to Hughes are not listed in the minutes as being in attendance at the last meeting of the Erbe Commission in January of 1963.

\(^{39}\)"Minutes of the Civil Rights Commission Meeting January 8, 1963 (p 2)" File: "Civil Rights Commission, Minutes and Report" Box 277, Erbe Papers. The last report of the commission was a plea for the FEP bill that utilized unemployment and welfare statistics and reiterated how local legislation could not adequately handle the problem. It listed five of the "various factors" leading to employment discrimination, including: the resistance of employers to hire non-whites in positions exposed to the
In a letter to commissioners not in attendance at the meeting on 8 January, Bannister wrote:

We have no means or manpower for professional lobbyists. I would like to ask you to bear a hand.... If you...plan to be in Des Moines at any time during the session, would you get in touch with [us] before or during your visit.

The main issues of fact on which the battle will be joined are...‘does job discrimination actually exist’ and ‘will this bill provide for an administration of the law fair to all parties concerned.’

PUBLIC OR IN SUPERVISION POSITIONS, LACK OF EDUCATION AND JOB EXPERIENCE OF NON-WHITES, RETICENCE OF NON-WHITES IN SEEKING EMPLOYMENT, AND THE LACK OF MOTIVATION OR DISCOURAGEMENT OF NON-WHITES. REPORT FOR THE IOWA GOVERNOR'S COMMISSION ON CIVIL RIGHTS ON THE NEED FOR FAIR EMPLOYMENT LEGISLATION (8 JANUARY 1963) FILE: "CIVIL RIGHTS COMMISSION FEP BILL & REFERENCE [sic] (FAIR EMPLOYMENT PRACTICES)" IN BOX 277 OF THE ERBE PAPERS.

The chairman of the soon to be unofficial Commission on Civil Rights told his fellow commissioners that it would take the work of many volunteers to get a bill passed. Such a volunteer effort would happen. But it would take more than the work and dedication of volunteers to get the FEP bill out of committee—it would take compromise—for while a progressive Democrat named Harold E. Hughes had won the gubernatorial election, the IMA and IFBF still had substantial influence within the Republican Party and controlled most of the major committees in the Iowa General Assembly.

In 1963, the Democrats again were in the minority in both houses of the Iowa General Assembly, as had been the case for every session since 1937. The margin for the Republicans was even greater than it had been in 1961. Since much of the opposition to FEP bills had come from Republicans, it would seem that the chances for passing an FEP law during the 1963 session were not good. But opposition and advocacy surrounding FEP bills had never been defined by political party lines and had been based more upon loyalty to special interests, personal attitudes with regard to the role of government, and whether or not discrimination in employment existed, than on political affiliation. Therefore, passage was

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41 "Considerable work has been done by interested individuals to enlighten the legislators on the provisions of the measure and how such legislation has operated in other states and in some cities." See "Some Legislators Show Lack of Common Knowledge" Bystander 28 February 1963, 4.

42 Frank J. Stork and Cynthia A. Clingan, The Iowa General Assembly: Our Legislative Heritage 1846–1980 (Des Moines: The Iowa State Senate, State of Iowa, 1980), 7, 8. The 1961 House margin for the Rep. was 78-30, the Senate margin was 35-15; 1963 margins were: House (38-12) Senate (79-29) in favor of the Republicans.
still a possibility, provided that the various committees and their unsympathetic Republican chairs could somehow be persuaded to cooperate.\textsuperscript{43}

By this time, editorials in the \textit{Bystander} revealed a pronounced sense of frustration and impatience with the Iowa legislature. In February, shortly after the 1963 session began, the following appeared in an editorial:

Some opponents of the measure have stated objections which, to our way of thinking, make them unfit to serve as legislators, showing clearly that they are not acquainted with the Negro situation in Iowa. They state that there is no discrimination in employment in Iowa. This, of course, is ridiculous and it shows that such people not only fail to look around...but also fail to avail themselves of the reports and surveys which prove that discrimination [exists].

Other critics follow the line...that the Negro is pushing this quest for his rights too fast. Such people forget that the Constitution...defines the rights [of all citizens, including blacks]. Negroes are only asking that their rights be accorded [like any one else].\textsuperscript{44}

The members of Erbe's commission realized that the committee system had blocked all previous FEP bills and decided that they would attempt to "prevail upon" the Speaker of the House and the Lt. Governor to appoint to the committees legislators who were interested in getting an FEP bill to the floor for debate.\textsuperscript{45} An FEP bill did make it out of committee in 1963, but only after a series of compromises--for the Republican com-

\textsuperscript{43}Professor Donald Boles, interview by the author, 5 December 1989.

\textsuperscript{44}"Some Legislators Show Lack of Common Knowledge," \textit{Bystander} 28 February 1963, 4.

\textsuperscript{45}"Minutes of the Civil Rights Commission Meeting February 13, 1962 [first draft marked 'Save for Reference']" Erbe Papers.
mittee chairs and their allies in each house did not originally want to allow the bill to make it out of their committees.\textsuperscript{46}

The legislative struggle proved to be a colorful one. State Senator R. O. Burrows of Belle Plaine, in keeping the bill initiated by the Civil Rights Commission bottled up in his sub-committee made some revealing comments about the ancestry of whites and blacks. The \textit{Hardin County Times} editorialized:

\textit{It must give...Burrows a wonderful feeling of superiority to know that his ancestors have been “out of the jungle” for 5,000 to 10,000 years. And in his own words the senator allows as how “the Negro has only been out of the jungle for 150 years or so.” This, reasons Sen. Burrows, is why Iowa should not have an anti-discrimination bill. Incredible!}

\textit{...Burrows...is bottling up a bill which bans bias in employment...He admits that he intends to ‘sit on it indefinitely unless the rest of the committee jumps on me to have it discussed.’}

Unfortunately, the Belle Plaine Senator finds considerable backing in the Senate from others who say that the state doesn’t need such legislation. Persons who mouth this line of thinking are either plain dishonest or blind. Discrimination in the field of employment can be found in any area of the state where a racial or religious minority exists.

But its this “out of the jungle” reasoning...that will surely win the prize for being the most outlandish statement of the year. We’d bet that even a few jungle people would have the

\textsuperscript{46}There were a total of eight civil rights bills introduced in the 1963 session - all but one failed to pass. HF 144 was a bill to expand the public accommodations law sponsored by the commission; HF 150 was a fair housing bill; HF 49/ SF 43 was the commission bill that would have created a state commission with paid staff; HF 99 was a bill, similar to a bill in 1961 that would have prohibited age discrimination in employment; HF 512 was another fair housing bill; and SF 458 was the FEP bill initiated by the commission which was the basis - greatly “watered-down” and weakened - for the bill that eventually became law.
good manners to apologize for uttering such insults. How about it, Senator?47

The Hardin County Times was not the only rural newspaper to editorialize in support of a civil rights bill. Fred Morain, editor of the Jefferson Herald and a member of the Erbe Commission, in an editorial entitled “How racially biased are you?” wrote:

Iowa...does have its racial discrimination. And it may be more frustrating and more damaging to the human soul than in the deep South, where civil rights--or the lack of them--are more clearly cut....

[The proposed FEP bill] does not directly involve most of the people of Iowa.... Rural legislators...will not involve themselves in supporting the measure unless their friends and neighbors back home show that they want them to do so. We hope this will be done.48

Burrows, a Belle Plaine newspaper publisher, in answer to a letter from Morain had said that he had two reasons for his opposition: one, that no law "could be written which would subdue our prejudice either racial, religious, or otherwise;" two, that "every employer...would be under potential harrassment for failing to hire a person or for discharging somebody...." Morain attempted to refute both these reasons in his editorial calling for passage of the FEP bill.49

In the legislature, House File 589, the bill that would make it to the floor of the Iowa House of Representatives and eventually become Chapter 330 of the Laws of the Sixtieth General Assembly, was sponsored by the

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47"Back To The Jungle, Senator Burrows---," Hardin County Times 26 February 1963, 2. Governor Erbe asked the editor of this paper at the time to become a commissioner in 1961.

48"How racially biased are you?" Jefferson Herald 7 March 1963, 4.

49"How racially biased are you?" Jefferson Herald 7 March 1963, 4.
Judiciary Committee on 17 April 1963. The bill was different from Senate File 458 (the bill initiated by the Civil Rights Commission and supported by Governor Harold Hughes and "Democratic legislators"), in that it had no provision for a state Human Rights Commission and also had a provision (later removed by Republican leaders at the request of FEP supporters) requiring county attorneys to approve a discrimination complaint before it could be filed. The original Erbe commission version which Burrows pigeon-holed had been "watered down" by the elimination of enforcement powers at the request of its opponents, but still could not clear Republican objections in committee. Four house Republicans who had voted against the original bill in a house committee and some senate Republicans who had blocked passage in a senate committee agreed in a caucus to allow the introduction of a compromise bill "suggested by the Iowa Manufacturers Association" by the House Judiciary Committee. The IMA had expressed "concern that a commission might initiate complaints against employers where none were justified."


51 The Bystander editors, upon discovering that a committee chair had again blocked a bill, stated: "When a legislative body is so organized that one member of a committee can prevent consideration of a measure, the situation is pretty bad. That is the situation with regard to the fair employment practice measure now pending in the Iowa legislature...It is not too late to call your representative and ask his support." See "Still Time to Plug for Fair Employment Measure," Bystander 4 April 1963, 6.

The announcement of the compromise bill produced the following editorial comments from the Des Moines Register:

The Iowa Manufacturing Association has proposed scrapping the bill to establish a state Commission on Civil Rights to deal with bias in hiring and enacting instead a law making it an offense punishable by a $100 fine or 30 days in jail.

The new proposal is similar in approach to the existing state Civil Rights Act. Anyone who suffers discrimination... can complain to law enforcement authorities...

Such enforcement actions...are rare. Few persons care to become involved in court suits. County attorneys often are not eager to press litigation against local businessmen.

The [IMA] proposal is more punitive in nature, and could subject employers to more adverse publicity, than use of the commission approach...it is likely to less effective....

However, a law outlawing discrimination in employment would present a considerable gain. 53

The new proposal signalled a weakening of the conservative position and represented an improvement over past actions. The IMA apparently felt that the time had come to make some gesture in order to appease growing sentiment for a civil rights bill. For urban progressives, a major hurdle had been cleared.

The House Judiciary Committee approved the compromise bill, by a vote of 10-0, the Senate Social Security Committee passed it by a vote of 12-0, and it later passed by a vote of 95-9 in the entire house. 54 It con-

53"New Anti-Bias Proposal," DMR, 18 April 1963, 10. The DMR was a strong advocate of civil rights throughout the late 1950s and 1960s.

54The nine nay votes were from Republicans: Baringer of Oelwein, Halling of Orient, Miller of Shenandoah, Ossian of Red Oak, Scherle of Henderson, Shaw of Charles City, Steele of Cherokee, Stokes of LeMars, and VanNostrand of Avoca. All nine were from towns with less than 1.0
tained a provision that stated that "individuals applying for employment would have to be qualified for the job they sought," but a number of other attempted amendments failed. In the house a representative attempted to add "age" to the bill, but failed. In the senate two Republican opponents to the bill, John D. Shoeman of Atlantic and Clifford M. Vance of Mount Pleasant, attempted to add the statement "and physical appearance may be considered in determining qualifications." Civil rights proponents defeated the addition 27-16 in a floor vote. The bill later temporarily stalled in the 13 member Senate Sifting Committee (where a secret ballot vote of 9 ayes was required to bring a bill out for debate), but eventually made it to the floor of the senate where it passed by a 32-12 vote. All the nays in both houses came from Republicans. Governor Hughes signed the bill into law on the last day of April 1963. The law read in part:

It shall be unlawful for any person or employer...or any labor union...to discriminate in employment...or membership...because of race, religion, color, national origin or ancestry. However, as to employment such individual must be qualified to perform the services or work required.

percent nonwhite residents and five were from towns with less than 0.1 percent nonwhite residents (see Table 3).

55 "Groups Back Compromise Rights Plan," DMR 19 April 1963, 3. The final version of the bill provided for a penalty of $100 or 30 days - identical to the penalty provision in the public accommodations law. Journal of the House (1963), 1323; Journal of the Senate (1963), 1139.

56 The twelve state senators who voted against the law were all Republicans: Burrows of Belle Plaine, Cowden of Guthrie Center, Doran of Boone, Dykhouse of Rock Rapids, Fisher of Osceola, Kyle of Parkersburg, Long of Manchester, Phelps of Hillsboro, Scott of West Union, Shoeman of Atlantic, Vance of Mount Pleasant, and Van Eaton of Sioux City. Out of the sixteen, two, Vance and Van Eaton, were from cities with more than 1.0 nonwhite population; ten were from towns with less than 1.0 percent nonwhite population; and seven were from towns with less than 0.1 percent nonwhite population. Only Van Eaton was from a city with a NAACP chapter or a local human rights commission (See Table 3).
Any...convicted...shall be punished by a fine not to exceed one hundred dollars or imprisonment in the county jail not to exceed thirty days.\textsuperscript{57}

Passage of the watered down FEP law drew editorial response from some editors, including Commissioner Morain:

While the new law is not all the...Commission wanted, it is at least a start on a matter which very badly needs attention. The legislature should be commended for not completely ignoring it....

However, truth demands that it be pointed out that what is needed most is a competent, trained, full-time director. No provision has been made...for such an individual. Interested lay people must continue to do whatever is done--and this is far from sufficient....

It is hoped that the next session of the legislature will take the next step.\textsuperscript{58}

And from the editors of the \textit{Des Moines Register}:

Iowa reached a milestone last week.... The law is the culmination of years of effort on the part of successive governor's committees on human rights, statewide organizations, and private citizens. The measure finally adopted had the support of both political parties and was introduced with the backing of the Iowa Manufacturers Association....

Laws cannot solve all problems, especially those involving strong human emotion. But they reflect the conscience of the community, and exert a deterrent effect on discriminatory practices. They are civilized society’s way of expressing its values....

\textsuperscript{57}Laws of the Sixtieth General Assembly (Des Moines: State of Iowa), 513.

We hope Gov. Hughes will follow the example of his recent predecessors and appoint a state commission to...call attention to...civil rights problems and call attention to needs.... Such a commission could remedy a weakness of the job bias law--the lack of an agency to investigate complaints of those who may be unwilling to take punitive court action and to educate and conciliate with employers and labor unions.59

Sixteen years after an FEP bill had first been introduced in the Iowa General Assembly, Iowa had its first Fair Employment Practices Act. The law provided for no state Civil Rights Commission, which had been a part of virtually all FEP bills introduced in the past eight sessions. Nonetheless, it was hailed by its supporters as "Iowa's most significant civil rights legislation..." since 1864 and described by its opponents as a "dangerous piece of legislation" that would infringe employer's rights and lead to the "continual harassment of employers."60

CHAPTER VIII. THE HUGHES COMMISSION YEARS 1963-1965

The last of the governors' rights commissions worked against discrimination during a period of growing national attention on civil rights. The August, 1963, March on Washington helped increase sentiment for a national civil rights law; Iowans held numerous civil rights rallies around the state in the months that followed. Governor Harold E. Hughes issued an executive order in 1964 forbidding discrimination in state government and spoke about civil rights on several occasions between 1963 and 1965. The period also marked a major turning point in the urban-rural reapportionment struggle, as the federal court intervened and forced the state legislature to redistrict. Between 1963 and 1965 the political balance in Iowa changed, resulting in a General Assembly with approximately three times more urban representatives (see Table 4), a Democratic majority in both chambers, and the creation of a state Iowa Civil Rights Commission:

Before a state civil rights commission came into existence, however, changes took place in the area of reapportionment. In 1963, for the second consecutive session, the assembly passed the constitutional amendment known as the "Shaff Plan" of reapportionment. This meant that the plan went to the people for approval at the ballot box. The special election in December 1963 resulted in the defeat of the plan. Liberal interests, especially the Iowa Federation of Labor, had conducted a "very aggressive" campaign against it. Hughes also campaigned against it all over the state.¹

Conservative interest groups worried about other developments in addition to the defeat of the Shaff Plan at the polls. The recent United States Supreme Court decision Baker v. Carr (1962) had opened the door of the federal court to people who wished to sue to obtain equitable representation, which the head of the Iowa Federation of Labor had done,

having filed suit in federal court in Des Moines. Before the special election on reapportionment in December 1963, the federal court in Des Moines declared the current reapportionment scheme unconstitutional, but refused to grant relief to the plaintiff challenging the Shaff Plan, since a referendum was to be held shortly on it. After the defeat in December, the court in January 1964 suggested that a special legislative session be called to draw up a constitutional reapportionment plan. The following month, at the request of Governor Hughes, a special legislative session was convened.²

The 1964 session of the Iowa General Assembly passed two reapportionment plans. It approved a temporary plan for use immediately in the fall elections, while a permanent plan was to be used, if found constitutional, in later elections. Even though the temporary plan used for the 1964 election increased urban representation, 47 percent of the electorate could still elect a majority of representatives, while 39 percent could still elect a majority in the senate. Nonetheless, the 1964 election would prove to be a decisive victory for urban progressives, Democrats, and labor. When the 1965 session convened in January, the political picture in the statehouse had drastically changed.³

By the time the Sixty-First General Assembly began its session, Governor Hughes’ Commission on Human Rights had engaged in one and a half years of activity. Beginning in July of 1963, when the new commission became official, it worked to educate the people of Iowa about the need for a state civil rights commission. In announcing his appointments, the governor stated that he had “re-appointed many members of the commissions that were constituted by Governor Loveless and by Governor

²Wiggins, 419. Sessions of the Iowa legislature only met in odd-numbered years unless specially called by the governor. After 1965, the sessions met every year.

Erbe in order that continuity may be preserved and experience utilized in this vital and crucial area."  

The governor did indeed appoint many experienced commissioners to his rights group. Don Boles, former chairman of the Loveless Commission, was picked to head the Hughes Commission, while Burn Bannister, the chairman for Erbe, was appointed vice-chairman. Four commissioners, Fred Morain, Elizabeth Kruidenier, Robert Turnbull, and Harriet Baum had served on the two previous governor's commissions, while Martin Pardekooper, Eleanora Miller, and June Goldman were repeat members from the Erbe group.

Not surprisingly, more commissioners in Democrat Hughes' rights commission had served on the Loveless commission than on Republican Erbe’s group. In addition to chairman Boles, Morain, Kruidenier, Turnbull, and Baum, the following had served on the Loveless Commission: Blaine Kuehl, a Waukee farmer; Dr. Josef Fox of the Iowa State Teachers College; C. R. Gates, vice president of Coe College in Cedar Rapids; Mrs. Donald Murphy, woman’s editor of the Wallace’s Farmer; Edith Webber of Des Moines; Eugene Garbee, President of Upper Iowa University; and John Klein, Burlington businessman. Conspicuously missing from the list of new commissioners was James Morris of the Iowa Bystander who had served as commissioner for the two previous governors.

The list of first time commissioners for Hughes included two labor representatives from Waterloo, three professors, two businessmen, four religious leaders, a deputy county auditor, a factory manager, the presidents of the Des Moines NAACP and the Iowa Civil Liberties Union, and the executive secretary of the Des Moines Human Rights Commission.  

Appointed among all the commissioners were five African-Americans: Ernest Russell, president of the NAACP in Des Moines; Robert Wright,

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executive secretary, Des Moines Human Rights Commission; Donald Smith, Ames newspaper sports editor; Annabelle Blaney, deputy Polk County auditor; and Charles Toney, Davenport businessman.

Shortly after appointing his new rights commission, Hughes asked it to look into employment practices in both state and local governments to determine whether discrimination existed. The governor said that "government cannot expect the bars to fair employment in private business to come tumbling down if those same bars remain undisturbed in government." Eight months later, following a recommendation from the Human Rights Commission, Hughes announced that he would "place the full power of his office behind the state's laws against discrimination" by issuing an executive order requiring that there be no discrimination in public employment. The order would also require employers licensed to do business by the state to be non-discriminatory. A month later, in May of 1964, the governor signed the executive order.

Two months after Iowa's chief executive signed Executive Order Number One, President Lyndon Johnson signed the sweeping federal Civil Rights Act of 1964, outlawing discrimination in employment and giving "broader protections to blacks than all prior civil rights bills combined."
The previous summer, thirty-five Iowans had traveled to Washington, D. C. as part of the 1963 March on Washington. At least four civil rights rallies took place in Iowa within the next twelve months as the national civil rights movement to secure passage of a powerful federal civil rights act gained momentum. In Davenport, Fort Madison, Waterloo, and Des Moines thousands of Iowans of various races and denominations demonstrated for fair housing, better race relations, improved employment opportunity, and a better national civil rights statute. Such rallies were not new to the state, but became more numerous as the civil rights movement gained adherents in 1963 and 1964. When Iowans went to the polls in November of 1964, events related to civil rights were making headlines, a national employment discrimination law had recently been enacted, reapportionment had redrawn district lines giving more seats to urban areas, Republicans were facing internal dissension, a conservative Republican senator was running for president, and urban progressives were confident of victory.9

The presidential election of 1964 resulted in a landslide victory for the Democratic Party across the nation, including Iowa. Harold Hughes won re-election with a 68 percent vote and the Democrats captured all major statewide offices and control of both chambers of the legislature for the first time in thirty years. Many factors contributed to the liberal victory in Iowa--reapportionment, the campaigns of Goldwater and Johnson, the martyrdom of President Kennedy, the popularity of Hughes, the increasing influence of the labor unions, the progressive influence of the civil rights movement--all were to some degree catalytic to the Democratic mandate.10

The 1964 election brought to the Iowa statehouse a drastically different legislature. More new legislators were elected than at any time in Iowa's history. As a result, it was the most inexperienced group since the "early days" of statehood: over half were first time legislators. The new legislature also consisted of more representatives from urban areas than earlier General Assemblies. In 1963, only sixteen legislators hailed from cities with NAACP chapters; the 1965 session had three times that many (forty-eight) from those same cities. The election was also special in that two blacks were elected to the General Assembly: James H. Jackson of Waterloo and Willie Stevenson Glanton of Des Moines (wife of Judge Glanton), both Democrats. These were the first blacks elected to the legislature in Iowa's history.11 Eighty-four years earlier Iowans had struck the word "white" from the qualification for serving in the state legis-

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Lucken, 451,453; Waterloo protests in 1910s in Stuart, 80-85; for 1940s protests in DM see the Bystander November and December, 1949.

10Larew, 93-94; Wiggins, 420-421.

lature. In addition, significantly fewer farmers and more blue-collar workers were elected in 1964.

Soon after the Sixty-First General Assembly began, the Governor's Commission on Civil Rights sponsored a conference in Des Moines. A few weeks earlier Hughes, in his inaugural address, had urged the legislature to create a commission on human rights and provide it with funds to hire investigative and educational staff. The Iowa Conference on Civil Rights brought together more than three hundred people from all over the state and featured speakers from the United States Commission on Civil Rights, the President's Committee on Equal Employment Opportunity, the Illinois Fair Employment Practice Commission, the Minnesota Commission Against Discrimination, the Kansas Commission on Civil Rights, and the Des Moines Commission on Human Rights. The conference was "mainly educational in nature," to educate Iowa groups about what other states were doing, and what could be done through the federal government.

In addressing the group on February 6, Governor Hughes said that since there were "relatively few Negroes in Iowa, 'discriminatory attitudes here are more subtle and less obvious than in some parts of the country... the job requires a great deal of penetrating thought, together with concerted effort.'" He told the audience that he had asked the legislature for

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13 Nye, 427-433; Larew, 94-95. Both of these works contain summaries of the most "notable" or "significant" accomplishments of this historic legislative session. Both authors, notably, totally ignore the passage of the Iowa Civil Rights Act of 1965. This in and of itself somewhat illustrates one of the reasons why it took eighteen years to enact a civil rights act in Iowa. See Larew, 95; Nye 470-476. 

$40,000 a year to finance a state civil rights commission he hoped would be established by statute. 15

A few weeks later, fifty-four Democrats in the Iowa House of Representatives sponsored a bill to establish just such an Iowa Civil Rights Commission. Members of the Hughes Commission put together the bill, which in addition to creating a seven-member bipartisan commission, would make employment and public accommodation discrimination a civil offense rather than a criminal one. The bill, which appropriated $40,000 for the commission's staff expenses, also called for expansion of the areas considered public accommodations to include "anything open to the general public for a fee." 16

Both Republicans and Democrats spoke in favor of the bill on the floors of each chamber. Within two months, House File 263 passed both houses unanimously with only minor amendments. 17 The governor signed the legislation in late April within hours of receiving it. A special clause made it effective immediately upon official publication in two Iowa newspapers, rather than on July 4, the date on which new laws ordinarily took effect. On 7 May 1965, the law went into effect. 18 Two weeks later, the governor announced the names of the commissioners. 19


16Don Mitchell, "$40,000 Asked for Rights Unit," DMR 7 February 1965, 6. The chief sponsor was Roy Gillette, Democrat from Ames. The commission in its first year was appropriated $32,000.

17The house voted 79-29 to strike from the bill a provision that the courts should give precedence to civil rights cases of over all other matters. Another amendment stipulated that the courts could reverse decisions of the rights commission.

18"Iowa House Passes Bill for Civil Rights Commisison with Strong Penalty Powers," Bystander 1 April 1965, 1; Chapter 121, Laws of the Sixty-First General Assembly (Des Moines: State of Iowa), 195-203. The
The first Iowa Civil Rights Commission (unlike the other commissions that were not created by statute) by law had to be bipartisan and consisted of four Democrats and three Republicans. The seven commissioners appointed by Governor Hughes included two from the very first governor’s commission in 1956: Elizabeth Kruidenier, a Des Moines Democrat who in the past ten years had served on every governors’ rights commission, and Republican Harry Harper, a medical doctor “highly regarded around the state as a civic leader.” Three of the appointees had experience as former commissioners: June P. Goldman, Republican from Forest City had served on the Erbe and Hughes commissions and had been a major figure in the 1962-1963 legislative struggle to get Iowa’s first FEP law enacted; Merle F. Full, Iowa City Democrat and member of the League of Women Voters; and Dr. Donald E. Boles, chairman of both the Loveless and Hughes commissions. The other two commissioners had no experience as commissioners: Lawrence Slotsky, a Sioux City Republican who was executive vice-president of the Sioux City Credit Bureau; and Reverend Philip Hamilton of Dubuque, a Democrat.19

The Iowa Civil Rights Commission held its first meeting in the basement of the statehouse on 19 July 1965. Nearly twenty years earlier, Ted Sloane had introduced the first bill proposing the creation of a state civil

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rights commission. At that time Donald Boles--future university professor, army veteran, and commissioner--was a twenty-year-old college student.
CHAPTER IX. CIVIL RIGHTS, URBAN-RURAL CONFLICT,
AND THE IOWA GENERAL ASSEMBLY

Iowa was one of just two states in 1962 that had a public accommodations law but no fair employment practices law. Iowa and Nebraska had no FEP law and no commission in 1962, when the Supreme Court ruled in Baker v. Carr that federal courts had jurisdiction to determine the constitutionality of legislative representation in the states. Many states managed to enact FEP laws despite the fact that they were apportioned unfairly to the advantage of rural areas. Iowa's failure to enact a civil rights law with provisions for a state civil rights commission can be attributed to a number of factors, most related to the rural nature of Iowa and the conflict between urban and rural interests.

This work has stressed that the Iowa General Assembly was dominated by conservative and predominantly rural interests, which subsequently led to the diminished representation of urban liberals and blacks. Table 3 shows the Iowa cities with a fairly significant non-white population. It also shows which of those cities had NAACP branches, which hosted regional public hearings for the Hoegh commission, and which had local rights commissions in 1962. This table is helpful when examining Table 4, which illustrates how the legislature between 1953 and 1963 was dominated by both Republicans and legislators from towns and cities without National Association for the Advancement of Colored People (NAACP) branches or local rights commissions. It is helpful to examine the legislature in light of these criteria because cities with either an NAACP chapter or a local rights commission not only tended to have more blacks, they also tended to have a more politically involved group of people, both African-American and white, that worked for better race relations and civil rights.1

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1Between 1947 and 1953, the number of civil rights bills were very small. For that reason, 1953 is when the table begins. The 1964 legislature is not included because it was basically the same as the 1963 legislature.
Table 3. Iowa cities (10,000 or more) in 1960 with more than one percent nonwhite population, in order of percentage ranking; black population; where public hearings were held by FEP Commission in 1956; with local civil/human rights commissions in 1962, and with NAACP branches from 1947 to 1965

<table>
<thead>
<tr>
<th>CITIES</th>
<th>WITH 1%</th>
<th>LOCAL</th>
<th>LOCAL</th>
<th>LOCAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>NONWHITE</td>
<td>PERCENT</td>
<td>BLACK</td>
<td>1956 FEP</td>
<td>COMMISSIONS BRANCHES</td>
</tr>
<tr>
<td>IN 1960</td>
<td>NONWHITE</td>
<td>POPUL.</td>
<td>HEARINGS</td>
<td>IN 1962</td>
</tr>
<tr>
<td>Waterloo</td>
<td>4.9</td>
<td>4,850</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Des Moines</td>
<td>4.5</td>
<td>10,535</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Keokuk</td>
<td>3.8</td>
<td>609</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Davenport</td>
<td>2.7</td>
<td>6,156</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Fort Madison</td>
<td>2.4</td>
<td>358</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Sioux City</td>
<td>2.2</td>
<td>1,257</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Burlington</td>
<td>1.6</td>
<td>482</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Iowa City</td>
<td>1.5</td>
<td>281</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Ottumwa</td>
<td>1.3</td>
<td>432</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Marshalltown</td>
<td>1.2</td>
<td>247</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Cedar Rapids</td>
<td>1.2</td>
<td>1,183</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Fort Dodge</td>
<td>1.1</td>
<td>302</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Council Bluffs</td>
<td>1.1</td>
<td>570</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Clinton</td>
<td>1.1</td>
<td>328</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

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*aIncludes only cities with local commissions in 1962. Dollie Mae Lawrence to Rep. David M. Stanley, 9 May 1962, TL, Governor Norman Erbe Papers, State Historical Society of Iowa Archives, State Historical Building, Des Moines, IA.

Table 4. The Iowa General Assembly from 1953-1965 (excluding 1964 special session) by chamber; total members, political party ratio and percent Democratic; members from cities with NAACP, by party and percent; members from cities w/ local rights commissions, by party and percent

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CHAMBER</td>
<td>Sen</td>
<td>Hou</td>
<td>Sen</td>
<td>Hou</td>
<td>Sen</td>
<td>Hou</td>
<td>Sen</td>
</tr>
<tr>
<td>Total Members</td>
<td>50</td>
<td>108</td>
<td>50</td>
<td>108</td>
<td>50</td>
<td>108</td>
<td>50</td>
</tr>
<tr>
<td>Republicans</td>
<td>46</td>
<td>105</td>
<td>44</td>
<td>88</td>
<td>40</td>
<td>72</td>
<td>32</td>
</tr>
<tr>
<td>Democrats</td>
<td>4</td>
<td>3</td>
<td>6</td>
<td>20</td>
<td>10</td>
<td>36</td>
<td>18</td>
</tr>
<tr>
<td>% Democrat</td>
<td>8</td>
<td>3</td>
<td>12</td>
<td>19</td>
<td>20</td>
<td>33</td>
<td>38</td>
</tr>
</tbody>
</table>

Members from cities with NAACP branches

- Republicans: 5, 11, 6, 7, 5, 8, 2, 4, 5, 8, 2, 5, 3, 0
- Democrats: 2, 1, 3, 6, 4, 6, 5, 11, 5, 5, 3, 5, 9, 36
- % of total: 16, 11, 18, 6, 18, 7, 14, 9, 20, 6, 10, 9, 20, 29

Members from cities with local rights commissions

- Republicans: 6, 11, 4, 4, 3, 5, 1, 2, 3, 4, 3, 4, 1, 0
- Democrats: 2, 1, 2, 3, 2, 3, 3, 8, 3, 3, 2, 5, 8, 29
- % of total: 16, 11, 12, 6, 10, 7, 8, 9, 12, 6, 10, 8, 15, 23


Between 1953 and 1963, the percentage of legislators from cities with NAACP branches in the Iowa Senate never exceeded 11 percent. The representation of these cities in the house was somewhat better, reaching 20 percent in 1961. Similar percentages are found when one looks at representatives from cities with rights commissions. This shows that the constituents most likely to be supportive of civil rights laws were grossly underrepresented in the General Assembly (28 percent of the state's population in 1960 lived in the thirteen cities with NAACP branches) due to the lack of fair apportionment, particularly in the senate. It should be noted that after reapportionment in 1964, the legislature had significantly more representatives and senators (all Democrats) from cities with NAACP chapters and local rights commissions.

The overrepresentation of rural, predominantly white Iowa towns is also evident when considering the sponsorship of civil rights bills. Table 5 shows the number of sponsors of civil rights bills in the General Assembly between 1947 and 1965. The sponsors (or amenders) are shown in relation to political party and by their town of residence. The table, while of some utility, reveals surprisingly little. The only significant factor that can be discerned from it is that while Democrats represented only 32 percent of the legislators through this period, they were 58 percent of the sponsors. This illustrates that Democrats in the assembly tended to be more active in sponsoring civil rights bills than Republicans. Other than this, the table reveals little more than that Republicans outnumbered Democrats during this period, that both rural and urban politicians sponsored bills, and that rural politicians outnumbered urban ones.²

The hostility of rural conservative politicians to fair employment practices laws was first revealed in the record in 1963 when a vote was finally recorded on a civil rights bill. The nine nay votes in the house

²In 1965, fifty-four Democrats from all over the state sponsored the bill that became the Iowa Civil Rights Act. This unusually large number of sponsors distorts the data to some degree, not reflecting the predominance of Republicans through this period.
Table 5. The number of times a person sponsored or amended civil rights bills in the Iowa General Assembly 1947-1965, by party, by city of origin relating to local city/human rights commissions and NAACP branches, with percentages

<table>
<thead>
<tr>
<th>Total legislators sponsoring or amending civil rights bills&lt;sup&gt;a&lt;/sup&gt;</th>
<th>TOTAL</th>
<th>REPUBLICANS</th>
<th>DEMOCRATS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of TOTAL (197)</td>
<td>197</td>
<td>83</td>
<td>114</td>
</tr>
<tr>
<td>No. from cities with local civil/human rights commissions&lt;sup&gt;b&lt;/sup&gt;</td>
<td>68</td>
<td>23</td>
<td>45</td>
</tr>
<tr>
<td>Percent of total (68)</td>
<td>100</td>
<td>34</td>
<td>66</td>
</tr>
<tr>
<td>Percent of TOTAL (197)</td>
<td>34</td>
<td>12</td>
<td>23</td>
</tr>
<tr>
<td>No. from cities/towns without local civil/human rights comm.</td>
<td>129</td>
<td>57</td>
<td>72</td>
</tr>
<tr>
<td>Percent of total (129)</td>
<td>100</td>
<td>44</td>
<td>56</td>
</tr>
<tr>
<td>Percent of TOTAL (197)</td>
<td>65</td>
<td>29</td>
<td>37</td>
</tr>
<tr>
<td>No. from cities w/ NAACP branches&lt;sup&gt;c&lt;/sup&gt;</td>
<td>83</td>
<td>26</td>
<td>57</td>
</tr>
<tr>
<td>Percent of total (83)</td>
<td>100</td>
<td>31</td>
<td>69</td>
</tr>
<tr>
<td>Percent of TOTAL (197)</td>
<td>42</td>
<td>13</td>
<td>29</td>
</tr>
<tr>
<td>No. from cities without NAACP br.</td>
<td>114</td>
<td>54</td>
<td>60</td>
</tr>
<tr>
<td>Percent of total (114)</td>
<td>100</td>
<td>47</td>
<td>53</td>
</tr>
<tr>
<td>Percent of TOTAL (197)</td>
<td>58</td>
<td>27</td>
<td>30</td>
</tr>
</tbody>
</table>

<sup>a</sup>Many legislators sponsored more than one bill. Each time a bill was sponsored, all of the sponsors were counted, regardless of whether they had sponsored a bill previously.

<sup>b</sup>The cities with local commissions in 1962. See Table 3.

<sup>c</sup>Only cities with branches in continuous standing from 1947-1965. See Table 3.

An analysis of this vote shows that all nine representatives were from towns (1960 Census) with less than 1.0 percent nonwhite residents and five were from towns that were less than 0.1 percent nonwhite. Out of the twelve senators, two, Vance and Van Eaton, were from cities with more than 1.0 percent nonwhite population; ten were from towns that were less than 1.0 percent nonwhite; and seven were from towns with less than 0.1 percent nonwhite people. Only Van Eaton was from a city with a NAACP chapter or a local human rights commission (see Table 3). Out of the total twenty-one nay votes in 1963, only two were from communities with more than 1.0 percent non-whites, while over 50 percent came from a town where there was less than one African-American for every one thousand whites. All but one vote were from communities without an NAACP branch or a local rights commission. This lone civil rights vote reveals that, at least in this instance, legislators willing to publicly vote against civil rights laws tended to be from small towns with very few blacks.3

The conservative, rural influence of the Iowa Manufacturers Association (IMA) and Iowa Farm Bureau Federation (IFBF) upon the Republican Party, described in previous chapters, was largely responsible for the slow rate of progressive change within the GOP and the subsequent difficulty of securing passage of a bill to create a civil rights commission. The interest groups, particularly the IMA, "held considerably more power than the Republican Party itself" in the 1950s. In 1959, every committee in the house was chaired by a member of the IFBF. 4 Control of these committees, particularly the sifting committee, was of crucial importance to urban people, both liberal and conservative. In 1963, before passage of the FEP bill, the conservative Waterloo Courier ran an editorial claiming that the rural dominance of the sifting committee was unfairly killing bills advantageous to urban areas:

The most important single committee... is the Sifting Committee in both houses. Since these committees determine what bills will be allowed to come to the floor for debate, they determine... what bills shall be killed without debate.

...the... committee membership should certainly represent all segments of the state and all types of attitudes.

The recently appointed House Sifting Committee does not meet... this standard. The five largest counties have about 27 percent of the state's population. Yet [there is only one] member of the committee from these largest counties.

...the smallest counties with 27 percent of the population have a majority of the Sifting Committee membership, while the five counties with the same 27 percent of the population have only one lone member.5


Dominance of the committee system by rural interests, especially the IFBF, helped keep all civil rights bills in committee through eight sessions of the Iowa General Assembly. The IMA relented in 1963 to allow a weak FEP bill reach the floor, but it was not until the Democratic Party gained control of both houses in 1965 that progressive legislators could gain control of the powerful committees and secure passage of a bill creating a civil rights commission.

The hostility of the IFBF and IMA to a fair employment practices law reflects several considerations. A shared conservative economic philosophy and a common antipathy towards labor unions encouraged them to cooperate in most confrontations. Both groups were concerned "primarily with protecting their interests" and therefore were against fair employment practices laws that they perceived as potentially weakening their control of labor and business. They felt that government should stay out of the affairs of business and not try to legislate morality. In addition to their political conservativism, many people in both organizations, being rural residents, rarely interacted with African-Americans and were thus ambivalent about the needs of urban blacks. The owners and managers of over five hundred manufacturing establishments which were members of the IMA were hostile to civil rights laws primarily because they saw them as increasing the power of organized labor. So despite the fact that most IMA members resided in urban areas, it was in their best interests, as they perceived them, to fight attempts to use laws to advance the cause of civil rights.

The strength and influence of the IMA and IFBF, in addition to holding back civil rights laws, also helped reinforce the overwhelming power of

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6 Larew, 16-17.
8 Wiggins, 413.
the Republican Party in Iowa. The virtual monopoly on power of the GOP was such that even urban liberal groups like labor unions for the most part ignored the Democratic Party in favor of trying to gain influence among Republicans. The lack of a healthy two-party system made it more difficult for progressives to gain political power.

In many ways demographics made Iowa less likely to enact fair employment laws and subsequently establish a state civil rights commission. As previously discussed, the state urbanized much later than many other states and in a manner that denied labor vital political influence. Census data regarding Iowa did not illustrate more urban than rural people until 1960. It was not until after World War II that a significant number of people moved to the cities in response to the increase in manufacturing jobs and the changing nature of farming. This migration was not to one or two Iowa cities—it was to many urban centers. This diffusion of labor throughout the state made it difficult for labor unions to organize and mobilize the type of political machine that was effective in states with greater urban centers. Thus urban interest groups were slow to gain power, making the IFBF and IMA that much stronger and civil rights that much less likely.9

Changes within the African-American community in Iowa's cities also made Iowa an unlikely state to create a civil rights commission before reapportionment. In the 1950s a large influx of southern blacks moved into a number of Iowa cities, particularly Des Moines, Davenport, Cedar Rapids, and Waterloo.10 Because these southern African-Americans were to a large extent uneducated and untrained, they were difficult to employ, which put stress on black leadership in these cities. The inability of Iowa


10The black population in all of these cities increased between 1950 and 1960: DM 8,186 to 10,233; Davenport 1,118 to 1,778; CR 795 to 1,145; Waterloo 2,673 to 4,812. See Census of Population: 1960 Volume One Part 17 Iowa. According to Dr. Boles, many of these blacks were from the south. Interview by author, 1 March 1990.
cities to cope adequately with this northern migration of southern blacks hurt the unity of the Africa-American community and lessened the likelihood that it could mobilize its people to force the legislature to address its concerns.

The lack of non-menial job opportunities in Iowa's urban centers was also responsible for weakening leadership within the black community. As young potential leaders became educated, trained, and motivated, many left to go to larger cities where there were more opportunities for work in their chosen fields. This left Iowa's communities in want of talented black leadership, which made it more difficult to lead a political movement. Morris of the Bystander expressed a similar sentiment in a 1957 editorial: "Minorities fare better in larger communities where there is intelligent leadership among them to press their demands. Youngsters in smaller communities who are capable of leadership go elsewhere." 11

Another problem among the African-American leadership related to the one party nature of Iowa politics. Many of Iowa's black leaders, like the Morrises and Harry Harper, were Republicans and did not wish to leave their party. They hoped to achieve change through the Republican Party, which was controlled by rural interests hostile to civil rights laws and very slow to change. These African-American leaders within the GOP, unlike many labor people, apparently were more loyal to their party and refused to abandon it. They were concerned that if the Democratic Party gained power, it would lessen their influence within the black community. Thus some black leaders actually hurt the chances of achieving the enactment of an effective civil rights law by deciding not to change party allegiance. 12

Perhaps the most fundamental factor contributing to the lack of progress in passing a civil rights law prohibiting employment discrimi-

12 Boles, interview by author, 1 March 1990.
ination and creating a state rights commission relates to the progressive-
ness of Iowa's civil rights history and the isolation of its urban blacks.
Through a combination of factors, most people in mid-twentieth century
Iowa did not feel that discrimination in employment was a problem in
their state. Blacks made up less than one percent of the population and
many Iowans had rarely even seen a black person, let alone refused one a
job. Most Iowan's viewed themselves as fair people who came from good
stock. It took the publicity of a number of years of commission activity
and the press coverage of the civil rights movement both in Iowa and
nationally to alter the public's perception with regard to the need for an
FEP law and a civil rights commission. The conservative view of many
Iowans in the powerful Republican party with regard to the role of
government made it even more unlikely that Iowa would be quick to enact
FEP legislation.

It is possible that the progressive civil rights history of nineteenth
century Iowa left a legacy of sorts that endeared most Iowans in the mid-
twentieth century with the notion that Iowa as a state was "too fair" to
have discrimination within its borders. This is not to assert that most
Iowans in the 1950s knew the civil rights history of Iowa, but that over
the decades a certain amount of pride had manifested itself in later gen-
erations which ultimately made it difficult for the descendants of aboli-
tionists and their neighbors to believe that people in their state could be
bigoted and prejudiced. The influence and power of the IFBF and IMA not
only helped keep rural Iowans uninformed about urban discrimination, it
made it extremely difficult for those progressive people in both rural and
urban areas to gain an ear and alter the status quo. In Iowa it took
almost twenty years, as well as reapportionment, for Iowans to realize and
accept that their state was not as free of employment discrimination as
they had thought.

In the years before reapportionment in 1964 rural legislators dom-
inated the Iowa General Assembly. Some of these lawmakers had the "out
of the jungle" mentality of Senator R. O. Burrows of Belle Plaine. Others
simply felt that education was the only way to eradicate employment discrimination and were thus opposed to civil rights laws. Most of these legislators probably rarely dealt with African-Americans and as a result were quite unaware of the problems they faced in Iowa’s cities. Possibly all of these rural senators and representatives were proud Iowans who felt that the people of their state were much too fair to have the racial attitudes attributed to Iowans by their urban counterparts.

The election of 1964, due primarily to reapportionment, brought a substantially different group of individuals to the Iowa General Assembly. This new group had in it many more younger, urban people with idealistic hopes and a different philosophy as to the role of government. Most of these legislators felt that government had an obligation to all its citizens to protect their right to equal opportunity. The “out of the jungle” mentality was probably foreign to most of these new lawmakers.

The Iowa Civil Rights Act of 1965 represented the culmination of nearly twenty years of struggle in the Iowa statehouse. Civil rights advocates worked for the creation of an Iowa Civil Rights Commission in the midst of a great conflict between rural and urban Iowans. The passage of the act came only after many people—both rural and urban, Democratic and Republican, and black and white—worked diligently to overcome the conservative attitudes and blissful ignorance of many of their fellow Iowans.
ACKNOWLEDGEMENTS

The task of writing a thesis such as this requires the assistance of numerous individuals. I wish to thank my major professor, Dr. Dorothy Schwieder, for her thorough assistance with various revisions and also for her insights regarding Iowa history. Dr. Donald Boles is also deserving of a great deal of thanks for his generous sharing of time, memories, and insights regarding Iowa politics and civil rights activity. I am also thankful to Professor Alan Marcus for his criticism of my writing in his seminar. In the course of researching this topic, I had the friendly assistance of a number of people. I gratefully acknowledge and appreciate the help of the staff of the State Historical Society of Iowa Library and the State of Iowa Archives at the Iowa Historical Building. I am also appreciative of the two staffers at the Iowa Legislative Service Bureau at the statehouse who located an essential document for me. Lastly, I wish to thank the good people of the Iowa Civil Rights Commission, particularly Inga Bumbary-Langston and Ione Shadduck, whose willingness to hire me as a researcher last summer led me to redirect my thesis efforts.

In addition to those acknowledged above, I also feel that I should express my appreciation to others less directly involved. I thank my lovely wife, Marilyn, for her generous and supportive attitude throughout the long process of writing this thesis; and my parents, for instilling in me the sense of discipline essential to completing something like this. Finally, I would like to thank two of my former history teachers: Charles Lauritsen, my high school history teacher for two years; and Professor Clair Keller, my first college history professor. The enthusiasm of these two gentlemen was certainly not wasted in my case.
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