

STANDING AT THERMOPYLAE: A HISTORY OF THE AMERICAN
LIBERTY LEAGUE

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ABSTRACT

This dissertation re-examines the history of the American Liberty League, building upon observations in recent works by Kimberly Phillips-Fein and David Farber that trace the origins of the modern American conservative political movement back to the reaction against the New Deal programs implemented by Franklin Roosevelt. The Liberty League, it is argued here, established a tradition of what I describe as Constitutional conservatism. The Liberty League, established in 1934 with the expressed purpose of “upholding the Constitution,” represented the most forceful and coherent contemporary resistance against a trend toward centralization of power in the federal government and the executive branch that took shape during the Progressive Era and was cemented by the New Deal. Historians writing about conservatism in the the U.S. have most often highlighted other explanations for the motivations underpinning the movement, most notably the “racial backlash” thesis, but a theme of Constitutional conservatism can be traced through many of the conservative political organizations that have emerged in the United States since the demise of the Liberty League in 1936.

The first chapter discusses the origins of the Liberty League, which to a considerable extent evolved out of the Association Against the Prohibition Movement. In addition to their shared focus on Constitutional issues, the two organizations utilized the same tactics and showed considerable overlap in terms of membership, leadership and financial backing. Leaders of the organization, discussed in a separate chapter, included Jouett Shouse, William Stayton, Al Smith, Raoul Desvernine, along with a number of wealthy industrialists that provided financial backing, including Pierre du Pont, his

brother Irénée du Pont, John Raskob and E.F. Hutton. Further chapters examine the activities of the local and state branches of the Liberty League, the League's attempts to coordinate efforts with other organizations professing a desire for upholding the Constitution and analysis of the publications produced and distributed by the Liberty League. While the organization was funded largely by a small group of wealthy individuals with a vested interest in protecting their vast fortunes, the Liberty League devoted itself in practice to arguing in favor of the more strict interpretation of the Constitution that had largely prevailed in the United States before the New Deal era. Of course, the League failed utterly to convince the electorate, as evidenced by the overwhelming electoral triumph achieved by President Roosevelt in 1936, but it's relentless attempts to highlight the perceived excesses of the New Deal helped fill the void left by the virtual absence of any meaningful Republican opposition, perhaps helping to place some limits on the extent of the New Deal and laying the ground work for future generations of conservatives that continue to draw on the theme of Constitutional conservatism in their efforts to turn back some of the advances made by proponents of a more activist federal government during the Twentieth Century.

This is dedicated to Brendan, Charlie, Bridget, Caroline and
Finn.

You can accomplish what you want.
Identify your goals and work toward them.
Its never too early and its never too late.
Don't expect it to be easy.

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My parents, Bernard and Martha Patton never had the opportunity to pursue higher education, but it was only through their encouragement, support and sacrifice that I was able to attend and graduate from college. This would not have been possible without their support. I regret that I did not finish this while my father was still alive.

It was of great benefit to me that I was recruited to run for Dan McCallion at Walsh University. He established a culture that encouraged academic success and I learned quickly from teammates that heading to the library for an hour or two after dinner was all that I needed to transition from being a student who did just enough to pass to a student who did just enough to get an A.

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CHAPTER 1

INTRODUCTION

In September of 1934, nearly five years after the stock market crash that served as a harbinger for the the Great Depression, the United States remained mired in an economic morass. Business leaders, once ambivalent toward or even mildly supportive of the Roosevelt administration, by this time seemed to be turning against the New Deal *en masse*. Irénée du Pont, a former president and current board member of the E.I. du Pont de Nemours Corporation (DuPont) , for example, acknowledged casting a vote for Roosevelt in 1932 and donated more than thirteen thousand dollars to the Democrat party and the Democratic National Committee in 1930 and 1933. By the fall of 1934, he was sitting in his Wilmington, Delaware office, not far from the spot where his ancestor, Eleuthère Irénée du Pont, first erected a gunpowder mill on the banks of the Brandywine Creek, thoroughly engrossed in new cause that would take aim at the New Deal.¹

An increasing share of du Pont's energies were consumed in a vigorous correspondence with friends and business associates around the country, the aim of which was to drum up support for the American Liberty League. He played an instrumental role in founding this fledgling organization, with the announced purpose of "upholding the Constitution", in concert with his brother Pierre, their long-time business associate John

¹ Frederick E. Hosen, *The Great Depression and the New Deal: Legislative Acts in Their Entirety (1932-1933) and Statistical Economic Data (1926-1946)* (Jefferson, NC: McFarland & Company, Inc., 1992), 257; "Dupont Political Gifts Disclosed," *Baltimore Sun*, October 30, 1934; Leonard Mosley, *Blood Relations: The Rise and Fall of the du Ponts of Delaware* (New York: Atheneum, 1980), 23-27.

Raskob, former Democrat presidential candidates Al Smith and John Davis and a handful of other influential figures drawn from the realms of politics and business. Brimming with enthusiasm, Irénée du Pont issued countless missives urging the recipients, mainly well-placed contacts from his numerous business, political and philanthropic endeavors, to join this emergent crusade. In return he reaped scores of responses offering advice, encouragement and criticism. An exemplary note arrived from Rembert G. Smith, a Methodist minister based in Sayre, Oklahoma. Smith, later the founder of the Methodist League Against Communism, Fascism and Unpatriotic Pacifism, pledged his firm support, offering to “use what power I have with the pen in the Thermopylae at which we stand today.”²

Smith’s analogy likening a selection of the nation’s most wealthy industrialists to the ill-fated band of Spartans charged with blocking the advance of an overwhelming Persian force at the narrow seaside passes of Thermopylae seems comical at first glance. Still, it quite accurately reflects the perspective of these defenders of the old order on the political landscape confronting them in the early years of the New Deal. Herodotus, they recalled, characterized the Persian war as a struggle between free people and the slavish followers of a tyrannical despot. The leaders of the Liberty League, in what some historians have labeled an act of self-delusion, envisioned themselves in the role of the

² *Chicago Tribune*, July 22, 1937; Rembert G. Smith to Irénée du Pont, October 4, 1934, *IDP*, Box 110

Greeks, defending the freedom, individualism and federalism enshrined in the U.S. Constitution against Franklin Roosevelt and his legions of faithful followers.³

Smith's analogy is apt on another level for students of American political history inclined to take a long view of the ongoing debate between the political forces of liberalism and conservatism in modern American history. While much of the academic literature on American political conservatism treats it as a post-war phenomenon, a handful of recent works put more emphasis on the clear antecedents to this post war conservatism that emerged in reaction to the New Deal. Kimberly Phillips-Fein, for example, begins her study of the manner in which conservative businessmen worked behind the scenes to fund organizations promoting free markets and a set of policies she characterizes as business conservatism with a discussion of the du Pont brothers and their involvement with the Liberty League. David Farber, in a similar vein, has published biographies of Liberty League supporters Alfred Sloan and John Raskob along with an illuminating history of the Conservative political movement in the United States as distilled through the experiences of six of its most prominent advocates. In the latter, Farber argues convincingly that the advent of Roosevelt's New Deal precipitated a sort of dialectical divide between proponents of classical liberalism and the adherents of the newly ascendant New Deal liberalism championed by Franklin Roosevelt. This divide,

³ Frederick Rudolph, "The American Liberty League, 1934-1940," *The American Historical Review* 56 (Oct., 1950): 22; Robert Comerford, "The American Liberty League," Ph.D. dissertation, St. John's University, 1967, 18; Manuel Komroff, ed., *The History of Herodotus* (Garden City, NY: Tudor Publishing Company, 1956).

extraordinarily one-sided at the outset, has considerably shaped the political debate in the United States since the 1930s.⁴

The aim of this dissertation is to re-examine the history of the Liberty League and expand upon the insights provided in this recent scholarship. The result, it is expected, will be a fuller account of the history of the Liberty League and its place in the genealogy of the American conservative political movement. The Liberty League, it will be argued, merits greater consideration than it has received in scholarly treatments of the New Deal era and the conservative political movement because of the key role it played in formulating and disseminating what I describe as “constitutional conservatism,” a critique of President Roosevelt’s new brand of liberalism that continues to serve as a foundational pillar of conservative political philosophy in the United States. The main targets of the Liberty League’s critique of the New Deal included centralization of power both in the federal government at the expense of the states and in the executive branch at the expense of the legislature. The ALL also exhibited an aversion to increased levels of borrowing, spending and taxation, the establishment, growth and exercise of legislative powers by executive bureaucracies like the NRA or the AAA and the perceived efforts of the federal government to promote the power of labor unions. The Liberty League,

⁴ Kim Phillips-Fein, *Invisible Hands: The Making of the Conservative Movement from the New Deal to Reagan* (New York: W.W. Norton, 2009), 3-13; David Farber, *The Rise and Fall of Modern American Conservatism: A Short History* (Princeton, NJ: Princeton University Press, 2010), 7-23; David Farber, *Sloan Rules: Alfred P. Sloan and the Triumph of General Motors* (Chicago: University of Chicago Press, 2002); David Farber, *Everybody Ought to be Rich: The Life and Times of John J. Raskob, Capitalist* (Oxford: Oxford University Press, 2013).

during its two-year stint in the public eye from 1934-1936, provided the most organized and coherent public voice in opposition to these developments.

As Congress ceded legislative power to the Executive branch in measures like the National Industrial Recovery Act (NIRA) and the Agricultural Adjustment Act (AAA), the American Liberty League provided determined opposition at every turn. The League sponsored speakers and broadly disseminated literature, consisting largely of detailed legalistic opinions analyzing the constitutionality of proposed legislation. Without question, the message it advanced failed to achieve popular resonance. After all, contemporary left of center critics of the administration like Father Charles Coughlin, Huey Long and Dr. Francis Townsend could each lay claim to followings numbering in the millions, while the Liberty League's membership peaked at around 125,000 in 1936. A relentless focus on the dangers of surrendering Constitutional prerogatives in the face of an economic emergency never approximated the popular appeal of the Townsend Plan or the Share Our Wealth movement, but it certainly carried greater influence with the editorial boards of the nation's largest newspapers, which often relied on League publications in formulating opinions regarding pending legislation. In this capacity, it is worth considering the possibility that the Liberty League achieved a measure of success by fortifying a faltering opposition at its weakest point and thereby helping to frame the boundaries within which the administration could expect to operate.

When conservatism emerged as a vital political force in the post-war period, strong traces of the Liberty League's rhetoric were not difficult to discern in the movement's foundational works and the pronouncements of its leading figures. Friedrich

Hayek, for example echoed the ALL's often expressed warnings against collectivism and economic planning as dangers to individual liberty. Russell Kirk, whose *The Conservative Mind* has been described as the catalyst for the emergence of a conservative intellectual movement in the U.S., was actually a member of the Liberty League. Ayn Rand's novel, *Atlas Shrugged*, practically drips with the same contempt for government by federal bureaucracy that runs through the literature distributed by the Liberty League. Ronald Reagan, in his much noted speech delivered in support of Barry Goldwater, "A Time for Choosing" referred directly to Al Smith's fiery address at the Liberty League banquet in January 1936 in discussing the reason he had abandoned his youthful support for the party of Roosevelt. Perhaps most importantly, several of the wealthy industrialists, including the du Ponts, John Raskob, J. Howard Pew and Jasper Crane, who had sponsored the Liberty League, continued to fund conservative organizations well into the post war period while maintaining a lower public profile.⁵

This points to an important adjustment in strategy adopted by conservative business leaders in response to their experience with the Liberty League. Irénée du Pont, along with John Raskob and a handful of other prominent industrialists took on vocal roles in the leadership of the ALL. As a result, they became targets for opprobrium at the hands of Roosevelt supporters. In the run up to the 1936 election, Roosevelt seemed

⁵ F.A. Hayek, *The Road to Serfdom: Fiftieth Anniversary Edition* (Chicago: University of Chicago Press, 1994), 63-96; George H. Nash, *The Conservative Intellectual Movement in America Since 1945* (Wilmington, DE: ISI Books, 2006), 109; David Farber, *The Rise and Fall of Modern American Conservatism: A Short History* (Princeton: Princeton University Press, 2010), 171. Ayn Rand, *Atlas Shrugged*, 50th Anniversary Edition (New York: Signet, 1996)

determined to campaign more against the Liberty League than his Republican opponent. The strategy employed by the President and his supporters was to bypass the arguments advanced by the Liberty League, while repeatedly drawing attention to the wealth of its backers. This proved extremely effective as the Liberty League, for all the money it spent, was never able to achieve significant traction in mobilizing public opinion against the New Deal. The du Ponts and other business leaders inclined to support conservative causes, having apparently learned from the failure of the ALL, chose to remain behind the scenes in these future endeavors, as suggested in the title of Kimberly Phillips-Fein's monograph, *Invisible Hands*.

The American Liberty League emerged in August of 1934 with its leadership, membership and tactics drawn heavily from what can be described as a parent organization, the Association Against the Prohibition Amendment (AAPA). The AAPA, established in May of 1918 by retired Naval officer and Delaware lawyer William Stayton devoted itself to advocating for repeal of the Prohibition amendment on the grounds that it represented an unwarranted intrusion by the federal government upon the authority of the states. In the early years of the AAPA, Stayton fought a lonely battle until he attracted the support of wealthy backers like John Raskob and the du Pont brothers. Stayton explicitly rooted his opposition to Prohibition in a belief that it established a dangerous precedent of taking powers that rightly belonged to state and local governments under the Constitution and centralizing them in the hands of the federal government. The organization sought to sway public opinion through the production and mass dissemination of educational pamphlets. Following the

achievement of its objective in 1933, the AAPA suspended most of its operations, but when the American Liberty League emerged a year later, it would utilize the same offices and tactics and rely on many of the same financial supporters and staff members, including William Stayton and Jouett Shouse, as its predecessor.”⁶

The Liberty League employed a strategy quite similar to that of the AAPA, devoting most of its considerable resources to the publication of educational pamphlets intended to influence public opinion. The fruits of its labor included 135 publications over the course of a two year campaign, a yield described as “the most concise and thorough summary of conservative political thought written in the United States since *The Federalist* papers,” and “a more explicit and determined elaboration” of nineteenth century liberalism “than will be found elsewhere in American history.”⁷ In order to maximize the accessibility and impact of its publications, the Liberty League distributed copies to libraries, editorial boards and all members of Congress. Despite this impressive output, the results achieved by the Liberty League fell far short of expectations, especially given the large sums of money placed at its disposal by a veritable roll call of the nation’s business elite. Such lackluster results perhaps explain the marginalization of the Liberty League in historical scholarship on the New Deal era.

⁶ *Baltimore Sun*, December 18, 1932; *New York Times*, July 14, 1942; *Baltimore Sun*, July 14, 1942; George Wolfskill. *The Revolt of the Conservatives: A History of the American Liberty League, 1934-1940* (Boston: Houghton Mifflin Company, 1962), 65

⁷ George Wolfskill. *The Revolt of the Conservatives: A History of the American Liberty League, 1934-1940* (Boston: Houghton Mifflin Company, 1962), 65; Frederick Rudolph, “The American Liberty League, 1934-1940,” *The American Historical Review* 56 (Oct., 1950): 20.

Historiography

In the decades following the triumph of a new American consensus embodied in New Deal liberalism, historians showed relatively little interest in the study of conservative political movements. The persistence of strange creatures like McCarthyites, John Birchers and Goldwater supporters had been adequately explained in the work of Scholars like Richard Hofstadter and Daniel Bell. These “pseudo-conservatives” were nothing more than armies of the disaffected projecting their frustrations and status anxieties onto American society in the form of deranged conspiracy theories. Many historians apparently presumed that such irrational outbursts would decrease in frequency and magnitude over time, while those reluctant to accept this simplistic interpretation showed little inclination toward studying these fringe elements more intensely. Electoral successes achieved by candidates professing conservative ideas during the 1980s and 1990s provoked renewed interest among historians in conservative politics, prompting Alan Brinkley to issue in 1994 a much noted call for historians to liberate the study of conservatism from the proverbial orphanage of the profession.⁸

Since Brinkley admonished his peers in 1994, a significant upsurge in scholarly attention has greatly expanded knowledge of the field, but some gaps remain. In the initial wave of renewed scholarship, there emerged a strong tendency to explain the

⁸ Richard Hofstadter, “The Paranoid Style in American Politics,” *Harpers Magazine*, (Nov., 1964), 77-86; Daniel Bell, ed., *The Radical Right, The New American Right Expanded and Updated* (Garden City, NY: Doubleday, 1963); Alan Brinkley, “The Problem of American Conservatism,” *The American Historical Review*, Vol. 99, No. 2, (Apr., 1994), 409-429

conservative movement as the product of anxieties fueled by the racial and cultural upheavals that swept across the country most notably during the 1960s. More recently, there has been considerable effort to move beyond this racial backlash thesis and to recognize that the roots of the conservative political movement are not so one-dimensional. While this has allowed for the proliferation of monographs on various aspects of conservative ideology and constituencies, Kim Phillips-Fein, writing in *The Nation*, has suggested that many of the younger historians publishing on the subject in recent years are “left of center” scholars motivated by a desire to “understand the conservative movement partly to forge the tools to undermine it.” Such an approach is not necessarily problematic, but it differs from that employed in the study of labor, civil right and social movements for which historians typically have more sympathy. Predominance of such a perspective presents the risk of creating a skewed and incomplete portrait of conservatism in the United States. At any rate, apart from the aforementioned works by Farber and Phillips-Fein, the Liberty League does not figure prominently in the expanding literature on American conservatism.⁹

There is a limited body of work dealing more specifically with the Liberty League, but most of it is quite dated. The only published monograph on the Liberty League is George Wolfskill’s *The Revolt of the Conservatives*. A mere handful of

⁹ Alan Brinkley, “The Problem of American Conservatism,” *The American Historical Review*, Vol. 99, No. 2, (Apr., 1994), 409-429; Kimberly Phillips-Fein, “Conservatism: A State of the Field,” *Journal of American History*, Vol. 98, No. 3, (Dec., 2011), 725;. For a study of the political affiliation of historians and social scientists, see Daniel B. Klein and Charlotta Stern, “Professors and Their Politics: The Policy Views of Social Scientists,” *Critical Review*, Summer 2005, 257-303; Kim Phillips-Fein, “Right Turn,” *The Nation*, September 9, 2009.

articles and dissertations supplemented this work, but a fairly coherent consensus emerged from this initial wave of scholarship. The most essential point of agreement was a conception of the League as an absolute failure. Wolfskill, for example described the ALL as “a study in futility,” and its members appeared to him “as ludicrous as a mummer’s parade to everyone but themselves.” Frederick Rudolph decried the self-delusion, hypocrisy and ignorance preventing Liberty League supporters from recognizing that egalitarianism and humanitarianism, presumably inherent in the New Deal, are, in his reading, at least as important to the American character as their idealized ethic of individualism. Robert Comerford, in an unpublished dissertation, echoed the charge of self-delusion, while dismissing the League’s economic views as “simplistic” and its political effectiveness as “patently negligible.” For Sheldon Richman, the Liberty League amounted to “little more than a clique” of wealthy businessmen that proved, in the end, to be a “colossal failure.”¹⁰

It seems difficult to contest the harsh judgment thus rendered by historians, considering the landslide victory achieved by Roosevelt and the Democrats in 1936. However, the defeat of President Roosevelt, while certainly a desired result, was not the organization’s stated objective. A compliant Congress generally acceded to the will of the new president during his first term, often passing legislation proposed by the

¹⁰ Wolfskill, *Revolt of the Conservatives*; Robert Comerford, “The American Liberty League,” Ph.D dissertation, St. John’s University, 1967; Sheldon Richman, “A Matter of Degree, Not Principle: The Founding of the American Liberty League.” *The Journal of Libertarian Studies* VI (Spring 1982): 145-167; Frederick Rudolph, “The American Liberty League, 1934-1940,” *The American Historical Review* 56 (Oct., 1950).

administration without substantially debating it, while providing broad grants of discretionary authority and funds to the Executive branch. When the Supreme Court invalidated a significant portion of resulting legislation, the President floated a scheme designed to pack the court with more tractable justices. In this context, the League's contention that the Constitution required upholding appears less ridiculous.

On the question of partisanship, the Liberty League was indeed staunch and unrelenting in opposition to most of President Roosevelt's policies from its inception in August of 1934 through its slide into irrelevance in November of 1936. The Liberty League's leadership, however, included many high-ranking Democrats, including its president, Jouett Shouse, who served from 1928 to 1932 as the Chairman of the Executive Committee of the Democratic National Committee. Other prominent members of the League included John Davis and Al Smith, the Democratic presidential candidates in 1924 and 1928, as well as John Raskob, formerly the chairman of the Democratic National Committee. Certainly, there were many Republicans involved with the League, including Congressman James Wadsworth of New York, but it was very much a bipartisan organization. Conservative Democrats, in fact, dominated the League's Executive Committee, making it clear that a major source of their frustration with the administration derived from its pursuit of policies very nearly the opposite of those set forth in the 1932 Democratic Party platform, a document to which Roosevelt pledged his support during the campaign.

Rudolph, Wolfskill and Comerford, like most historians of their era, did not anticipate the emergence of conservatism as a political force during the latter part of the

Twentieth Century. The considerable and expanding body of scholarship devoted to this resurgence necessitates a re-examination of the Liberty League in order to elucidate the role it played in the development of modern American conservatism. In recent years, there have been signs of renewed interest in the Liberty League. Robert F. Burk, for example, published a thorough study of the political activities of the du Pont brothers utilizing sources not available to the earlier scholars who wrote while some of the principal figures were still alive. He painted the du Ponts as paternalistic advocates for “conservative corporatism” who had no real objections to big government provided that it remained under the control of enlightened businessmen like them.¹¹

Kimberly Phillips-Fein established a reputation as a *doyenne* of the new scholarship on conservatism on the strength of her 2009 study, *Invisible Hands*. In it, she highlights the continuing role of prominent business leaders in funding the conservative movement and traces this trend back to the American Liberty League and the reaction of business interests to the New Deal. While this interpretation is more helpful in understanding the development of American conservatism than those focusing more heavily on the racial backlash thesis, it has some limitations as well. Business leaders have historically backed liberal causes and candidates as well. President Obama, for example, raked in more dollars from Wall Street donors in the 2008 election cycle than

¹¹ Robert F. Burk, *The Corporate State and the Broker State: The du Ponts and American National Politics, 1932-1940* (Cambridge, MA: Harvard University Press, 298.

any candidate in history. The New Deal had strong supporters within the business community as well, including Gerald Swope of General Electric.¹²

David Farber similarly places the Liberty League firmly within a tradition of pro-market economic conservatism dating back to the split that occurred within the liberal political tradition in response to the New Deal. In this argument, economic conservatives, including supporters of the Liberty League, have joined with social conservatives to facilitate the creation of a new “disciplinary order generated by hostility to market restraints and fueled by religious faith, devotion to social order, and an individualized conception of political liberty.” This disciplinary order of conservatism, in Farber’s view, has stood in contrast with a liberal disciplinary order more concerned with disciplining the market through regulation to protect those most vulnerable to its ebb and flow and to promote equality.¹³

Farber effectively demonstrates the manner in which the debate over the New Deal gave birth to competing “disciplinary orders” that continue to shape the political divide in the United States to the present day. I suggest, however, that the Liberty League’s critique of the New Deal was not fueled primarily by a hostility to market restraints. A review of the literature published by the Liberty League does not reveal

¹² *New York Times*, February 7, 2010; Kim Phillips-Fein, *Invisible Hands: The Making of the Conservative Movement From the New Deal to Reagan*, New York: W.W. Norton, 2009.

¹³ David Farber, *The Rise and Fall of Modern American Conservatism: A Short History* (Princeton, NJ: Princeton University Press, 2010), 1-7; David Farber, *Sloan Rules: Alfred P. Sloan and the Triumph of General Motors* (Chicago: University of Chicago Press, 2002) 183-7; David Farber, *Everybody Ought to be Rich: The Life and Times of John J. Raskob, Capitalist* (Oxford: Oxford University Press, 2013) 294-311.

much in the way of paeans to the primacy of the free market. In an ALL published critique of the pending Social Security Act in 1935, for example, the League offered a limited endorsement for a new payroll tax to fund unemployment compensation on the grounds that it did not place an excessive burden on employers and left much of the plan's administration to the states. There are similar acknowledgements of the need for sensible restraints in many of the League's publications. The leaders of the Liberty League never really advocated a *laissez faire* approach to government regulation of the economy, but it is accurate to state that they harbored a low opinion of the ability of the general electorate and the politicians it elevated to office to make informed decisions on how to "discipline the market." They were extremely skeptical of far reaching attempts by politicians like Franklin Roosevelt to utilize the power of the federal government to promote equality and justice. They viewed such endeavors as unwise, unlikely to produce the intended results and motivated primarily by a desire to secure the votes of selected constituencies. They viewed the Constitution, strictly interpreted, as a bulwark against the, in their view, unwise inclinations of politicians and, for that matter, democratic majorities and rooted their opposition to the New Deal firmly in this belief.¹⁴

Farber and Phillips-Fein, unlike many scholars who treat conservatism as a post-war phenomenon, correctly place the Liberty League as an antecedent to the development of the American conservative movement. In different ways, however, both historians locate the ALL within a framework of what might be described as business or economic

¹⁴ American Liberty League Document 13, *Economic Security: A Study of Proposed Legislation-It's Advantages, Disadvantages, Its Dangers and Its Background*, February 4, 1935.

conservatism. The Liberty League's stated purpose, though, was to "uphold the Constitution" rather than to serve the interest of a monolithic business community or to promote free market ideology. The Liberty League, rather than harboring blind hostility to market restraints, argued forcefully in favor of a strict interpretation of the limits placed on the Federal Government by the U.S. Constitution. Historians that have written about the American Liberty League have been reluctant to accept these arguments at face value. Regardless of the private motivations of some of its most wealthy sponsors, the Liberty League in practice conducted itself in a manner consistent with its stated purpose. The vast majority of its expenditures supported the publication and dissemination of a substantial body of literature defending an interpretation of the federal Constitution which had prevailed in the United States until the New Deal ushered in what one of the most accomplished and sympathetic scholars of the Roosevelt administration described as a "constitutional revolution" in 1937.¹⁵

While substantial electoral majorities apparently endorsed this revolution, support was far from universal. The Liberty League, though admittedly ineffective politically, mounted the most forceful contemporary opposition. It was also the first in a long line of organizations that have couched their opposition to the continued expansion of the liberal state in an expressed desire for a return to a seemingly outmoded interpretation of the Constitution. It should be noted that recent attempts by Presidents Clinton and Obama to expand on the legacy of the New Deal through federal reform of the health care system

¹⁵ William E. Leuchtenberg, *The Supreme Court Reborn: The Constitutional Revolution in the Age of Roosevelt*, New York: Oxford University Press, 1995

have provoked substantial electoral backlashes. Historians tend to rely too heavily on simplistic explanations like racism or the sinister machinations of wealthy puppeteers to explain these developments. To some extent, this has caused them to ignore or treat with derision the theme of “constitutional conservatism” that runs fairly consistently through the conservative opposition to the modern liberalism that sprung from the New Deal, linking the Liberty League of the 1930s to the Tea Party of today. It seems possible that the reluctance of historians to seriously consider this theme inhibits their ability to understand and explain the continued relevance of conservative ideology in American politics.

Organization and Sources

Following this introduction, the second chapter details the origins of the Liberty League including a brief treatment of the Association Against the Prohibition Amendment, which served as a model for the organizers of the Liberty League. While there exists a considerable literature dealing with the repeal movement, behind which the AAPA was a major driving force, the purpose here will be to demonstrate the continuity between the AAPA and the League in terms of leadership, membership, tactics, philosophy and the blend of sincere concern and thinly veiled self-interest that infused the constitutional arguments set forth by both organizations.

The third chapter focuses on the leadership of the Liberty League. Brief biographical sketches of the principal leaders of the organization including Pierre and Irénée du Pont, John Raskob, Jouett Shouse, Raoul Desvernine and William Stayton are provided. After establishing the backgrounds of the most important leaders, the

remainder of the chapter analyzes the strategies and tactics they employed in fundraising and trying to advance their message. The leadership's attempts to maintain a non-partisan stance by staying out of the 1934 and 1936 political campaigns and publishing a list of its financial contributors when it was not legally required to do so opened the League to easy attacks from its opponents and frustrated its supporters.

Chapter four utilizes the available sources to chronicle the activities of the Liberty League at the local level. The existing literature offers little consideration of the rank and file membership of the Liberty League. Certainly, the lack of primary sources pertaining specifically to the organization's broader membership presents a problem. The available primary sources, however, provide some opportunities to construct a broader portrait of the organization's membership. Fairly extensive records are available for the American Liberty League of Delaware, one of several state chapters affiliated with the national organization. While complete records for other local chapters are not available, Irénée du Pont corresponded frequently with members and interested parties around the country. He seems to have been particularly well connected in the Philadelphia area. Considerable insights on the Liberty League's membership can be gleaned from this correspondence. The results of this investigation show that the local organizations devoted the vast majority of their efforts to promoting knowledge of the Constitution among the general public.

Chapter five discusses the efforts by leaders of the ALL to establish a network of like-minded groups. These efforts at outreach were most often conducted by Irénée du Pont. In his attempts to construct a coalition of organizations committed to upholding the

Constitution, du Pont showed surprisingly poor judgement. He engaged, for example, in fairly extensive correspondence with the head of the Ku Klux Klan and allowed the ALL to be publicly associated with other unsavory groups including the Southern Committee to Uphold the Constitution and the Sentinels of the Republic. While the ALL never really established an active cooperation with any of these groups, these associations damaged the organization on the public relations front.

Chapter six consists of an analysis of the message articulated by the Liberty League, with a particular focus on the expansive body of literature it produced. The League has accrued a reputation as a virulently anti-Roosevelt cabal. Al Smith's fiery address at the January 1936 Liberty League banquet at the Mayflower Hotel is frequently presented as the prime exhibit in support of this perception. A review of the literature published by the Liberty League, however, will show that the organization relied more heavily on reasoned arguments based on constitutional principles than on personal attacks. Of course, this does not imply that the league's arguments were correct, but merely that they were logically constructed and relatively civil in tone. The reaction to the Liberty League from the Roosevelt administration, its supporters and other notable figures is also considered. It is interesting to note that the President and his surrogates almost never made an effort to refute the arguments advanced by the Liberty League, relying instead on the admittedly effective strategy of discrediting them by merely drawing attention to the wealth of the organization's leaders. As Wolfskill noted, the administration took on the Liberty League "not by any logical refutation of its philosophy, but by making it synonymous with greed and hereditary wealth, by parading

its well-heeled members as the defenders of a system as obsolete as the spinning wheel and the muzzle-loader.”¹⁶ A thorough analysis and comparison of the literature published by the Liberty League, and the public response to it by the President and his surrogates should provide an opportunity to reconsider the perception of the ALL as a smear campaign against Franklin Roosevelt. The sources used in this chapter will include the published materials of the Liberty League, as well as the public statements of administration members pertaining to the League.

The dissertation will conclude with an effort to formulate a new interpretation of the Liberty League. The goal will be to move beyond the conception of the League as an abject failure headed by a clique of wealthy industrialists more concerned with preserving their own fortunes than the Constitution they claimed to defend. Undoubtedly, some among the League’s leadership at least partly fit this profile, but it must also be allowed that the small group of politicians and industrialists who conceived of and, to a large extent, funded the Liberty League represented only a miniscule fraction of its membership. The tens of thousands who formed the rank and file of the organization and started or participated in local and college chapters joined because the aims and purposes articulated by the Liberty League and the message it advanced appealed to them. An analysis of the literature disseminated by the organization will show that this message was consistently and unequivocally aligned with the precepts of classical liberalism. Much of the argument advanced by F.A. Hayek, in *The Road to Serfdom*, an influential

¹⁶ George Wolfskill. *The Revolt of the Conservatives: A History of the American Liberty League, 1934-1940* (Boston: Houghton Mifflin Company, 1962), 154

work in which many historians locate the genesis of the conservative political movement in the United States, is anticipated in the expansive body of literature published by the American Liberty League.

In this respect, the relationship of the Liberty League to the conservative political movement that flourished in the latter part of the twentieth century invites renewed consideration. Admittedly, there was no component of social conservatism in the program of the Liberty League, but its message clearly anticipated the arguments of later critics of big government who contributed significantly to the rise of conservatism in the United States. Even these apparent ideological heirs, however, seem to have accepted the characterization of the League as an insincere collection of millionaires deserving of no place of respect in the annals of twentieth century conservatism. The libertarian scholar Sheldon Richman, for example, dismisses the Liberty League with the assertion that its leaders “had no objection *based on principle* to government intervention in the economy.”¹⁷ Richman’s argument was that the League objected less to the principle of government intervention in the economy, which he believes they favored when it worked to their benefit, but more to the degree of intervention employed by the Roosevelt administration. While this is true of some among the leadership of the Liberty League, many of the organizations’ members rooted their opposition to the New Deal’s expansion of federal power in principle.

¹⁷ Sheldon Richman. “A Matter of Degree, Not Principle: The Founding of the American Liberty League.” *The Journal of Libertarian Studies*, Vol. VI, No.2 (Spring 1982).

The prevailing conception in the initial wave of scholarship on the ALL characterized the organization as an ineffectual failure. This has contributed to the Liberty League's exclusion from much of the historiographical discussion pertaining to the origins of the conservative political movement in the United States. Moving the focus away from the men who funded the Liberty League in favor of an analysis of the literature it widely disseminated and a more detailed study of at least a segment of the rank and file membership should help to transcend the dismissive portrait of the Liberty League. In its repeated warnings against unwarranted transfers of legislative authority to the burgeoning executive bureaucracy and federal intrusions on state authority, the league struck an initial, although admittedly blunted, blow against the emerging New Deal order that would remain a principal target of conservative animus. While these protestations met with ridicule from the administration and indifference from much of the electorate, which returned Roosevelt to office in a landslide in 1936, this apparent failure does not merit the exclusion of the Liberty League from the historical narrative of the conservative political movement any more than the aborted attempts at industrial unionization in 1919 should be divorced from the history of the labor movement in the United States.

One of the central contentions advanced in this dissertation is that the Liberty League offered, during the early years of the New Deal, the most consistent, articulate and vigorous defense against the ongoing expansion of federal power at the expense of the states and the concurrent growth in size and power of the executive branch of government. Such a defense, while unpopular and ultimately ending in failure, was not without merit or necessity. The Roosevelt administration persistently sought to

expand federal and executive authority, while Congress, at least for much of Roosevelt's first term, offered little resistance to this expansion, leaving the Liberty League fill the void in opposition. In performing this function, the Liberty League, to an extent that is not fully appreciated in the existing literature, helped construct a bridge between the remnants of nineteenth century Liberalism and the first stirrings of modern Conservatism that historians have previously noted in the immediate post war period. In other words, much like Spartans mowed down at Thermopylae, the Liberty League was thoroughly defeated by a superior force, but it can be argued that the critiques the organization aimed at the New Deal eventually helped to slow the advance of President Roosevelt's new brand of liberalism. Adaptations in strategy by conservative activists and changing circumstances would afford future generations of activists the opportunity to try to turn back some of the advances made by New Deal liberalism.

CHAPTER 2

ORIGINS OF THE LIBERTY LEAGUE

Late in December 1933, the directors of the DuPont corporation assembled for a scheduled board meeting at the company's headquarters in Wilmington, Delaware. In the casual conversation that followed the close of the board meeting, the topic of discussion turned to politics. Several attendees conveyed their mounting frustration with the conduct of the Roosevelt administration, prompting former DuPont and General Motors Vice President John Raskob, to deliver a strongly worded defense of the President. Raskob, who had risen through the corporate ranks after starting as a personal secretary to Pierre S. du Pont, expressed disdain for intemperate critics who, in his view, impugned Roosevelt "without knowing what they were talking about." Though he had been nudged aside in 1932 by Roosevelt loyalists after a successful four-year stint as chairman of the Democratic National Committee, Raskob particularly took issue with a recent public insinuation by the U.S. Chamber of Commerce that the president was promoting unsound monetary policy, a charge he considered, at the time, to be baseless.¹

Several months later, retired DuPont executive and brother-in-law to Pierre and Irénée du Pont R.R.M. (Ruly) Carpenter, sent a letter playfully reminding Raskob of his by this time waning passion in defense of the Roosevelt administration. Carpenter complained that some African American laborers at his South Carolina estate and a cook

¹ Letter, R.R.M. Carpenter to John J Raskob, March 16, 1934, *Papers of John J. Raskob*, File 350.

on his houseboat in Fort Myers had declined offers of continued employment in favor of “easy government jobs.” He went on to suggest that anger then swelling in business circles emanated from Roosevelt’s pursuit of policies that “strangled free speech both over the radio and by the daily papers” and caused “thousands of men” like his cook to eschew private employment in favor of what he saw as more leisurely work supplied by the federal government at the expense of taxpayers. Carpenter encouraged Raskob, as a loyal Democrat and former political associate of the President, to seek an audience with Roosevelt in order to obtain an explanation for the implementation of policies that fostered uncertainty within the business community.²

Raskob, although he had soured considerably on the Roosevelt administration in the intervening months, seemed reluctant to act on this suggestion. He countered, in a letter dated March 20, that Ruly Carpenter, in light of his recent retirement, relative youth and du Pont family connections, should be the one to facilitate the birth of a new movement to be organized, in Raskob’s conception, by the leaders of the DuPont and General Motors corporations. Having stepped away from politics after the 1932 Democratic Convention, Raskob asserted his desire to stay out. Still, he strongly affirmed the need for a new organization to expose the “fallacy of communism” and educate the public on the need to work and “get rich.” He further conveyed a firm

² George Wolfskill, *Revolt of the Conservatives: A History of the American Liberty League, 1934-1940* (Boston: Houghton Mifflin Company, 1962), 23.; Robert Comerford, “The American Liberty League” (Ph.D. diss., St. John’s University, 1967), 20.; Frederick Rudolph, “The American Liberty League, 1934-1940,” *The American Historical Review* 56 (Oct., 1950): 19.; *New York Times*, December 21, 1934; Letter, R.R.M. Carpenter to John J Raskob, March 16, 1934, *Papers of John J. Raskob*, File 350.

belief that none in the business world, including the “Morgans, Mellons and Rockefellers” were better positioned than the du Ponts to spearhead this much-needed movement.³

In searching for the origins of the American Liberty League, scholars have generally followed the lead of Senator Gerald Nye, head of a congressional investigation into the role played by the munitions industry in facilitating U.S. entry into the First World War. During the course of his investigation Nye seized upon and, with apparent glee, publicly released this correspondence between Raskob and Carpenter, proclaiming that it bore “the earmarks of having been the birth-place and the birth-time” of the Liberty League. The sensationalism surrounding the release of these documents by a Senate investigative committee and the tendency of historians to highlight the elitism and implied racial prejudice in Carpenter’s commentary on the workers who spurned his offers of employment has contributed to a caricature of the Liberty League created by its contemporary critics and, to an extent, perpetuated in the scholarly literature. The exchange of private letters, after all, was hardly conspiratorial and Carpenter ultimately did not play an active role in the Liberty League. Still, however little the correspondence between Raskob and Carpenter had to do with his munitions investigation, Senator Nye correctly perceived that it signified the initial stirrings of the movement that culminated the Liberty League. John Raskob, just a few months later, emerged as the primary

³ Letter, Raskob to R.R.M. Carpenter, March 20, 1934, *Raskob Papers*, File 350

driving force during the formative stages of the Liberty League and it seems likely that the suggestion proffered by Carpenter at least planted the seed in his mind.⁴

Having failed to convince Ruly Carpenter to assume the lead in establishing the needed organization, Raskob grew daily more frustrated with the Roosevelt administration. By the summer of 1934, convinced of a growing threat posed by the federal government to the integrity of property rights in the United States, Raskob began reaching out to associates in the business world. In early June, he discussed the need for an organization geared toward the protection of property rights with Donaldson Brown, Chairman of the Finance Committee at General Motors. Brown, in turn, presented Raskob's plan to GM economist Stephen M. DuBrul, requesting his input. DuBrul's insightful reply, in the form of an internal General Motors memorandum, "considerably impressed" Brown and probably went a long way in convincing the organizers that Raskob's stated emphasis on property rights required some modification.⁵

The document in question, which Brown circulated to Raskob, Jouett Shouse, DuPont executives Walter Carpenter, Irénée du Pont and Lamot du Pont, General Motors President Alfred Sloan and GM executives John Pratt and John T. Smith, sharply conveyed that an organization devoted primarily to the protection of property rights would prove "most undesirable and largely ineffective" in the prevailing political climate. While DuBrul agreed that a serious threat to property rights and Constitutional

⁴ *New York Times*, December 21, 1934.

⁵ Letter, Donaldson Brown to John J. Raskob, *Irénée DuPont Papers*, Box 109, Folder July-August, 1934.

rights in general was spreading, he stressed that the problem, though encouraged by the Roosevelt administration, was deeper and more systemic with its roots in the American electorate and the “supine and spineless attitude” of elected legislators, who were easily swayed “like reeds in the wind of public opinion.” Attributing this condition to a breakdown in public morality resulting in the prevailing attitude that “all rights are a matter of the moment and the majority can change them at will,” Dubrul perceived in Roosevelt’s electoral majority a troubling impatience with prescribed impediments to rapid constitutional change, an attitude he found to be compounded by sloppy thinking “so characteristic of the New Deal.”⁶

The central task for the proposed organization, Dubrul argued, should be to restore in the general public “an appreciation of the dangers to individual liberty” he found implicit in a federal government that sought to secure votes “through doles, benefit payment, and so on.” Dubrul’s proposal called for an educational organization that would focus on preserving constitutional liberties while aggressively opposing legislation, which threatened these liberties. He called for a strictly non-partisan organization that must be constructive and educational in its criticism. He stressed the importance of rooting the new movement within the middle class and recruiting to leadership public personalities whose character was “above reproach.” He cautioned against the conspicuous involvement in leadership of prominent men from the world of industry and finance and suggested that the organization’s staff should consist of true

⁶ Memorandum, S.M. DuBrul to Donaldson Brown, June 19, 1934, *Irénée DuPont Papers*, Box 109, Folder: July-August 1934.

believers, rather than professional office holders or propaganda men. In terms of strategy, he favored the practice of producing literature for release to the newspapers in an effort to win editorial support.⁷

Dubrul's observations, not circulated by Donaldson Brown until July 23, seem to have powerfully shaped the thinking of the core group of industrial leaders that by this time were meeting regularly to discuss plans for launching the new organization. When the Liberty League emerged a month later, the emphasis on property rights so prominent in Raskob's original conception of the proposed organization was shunted into the background. The proposed organization publicly adopted the educational and non-partisan character advocated by Dubrul. Of course, not all of his prescriptions were fully implemented. Industrial leaders and politicians, for example, figured prominently in the leadership of the Liberty League, and, while the organizers formulated elaborate plans for a broad-based organization, these were not substantially realized in practice. If the frequently cited correspondence between Carpenter and Raskob represented the movement's birth pangs, Dubrul's memorandum went a long way in providing shape and definition to the Liberty League.

By the beginning of July, discussions aimed toward the formation of a new organization were well under way. Raskob brought Jouett Shouse, a trusted lieutenant from his time as the chairman of the Democratic National Committee who would later serve as president of the Association Against the Prohibition Amendment

⁷ Memorandum, S.M. DuBrul to Donaldson Brown, June 19, 1934, *Irénée DuPont Papers*, Box 109, Folder: July-August 1934.

(AAPA), guiding it down the home stretch as it helped secure repeal, into the discussions. Together they, along with Donaldson Brown, approached John W. Davis, the nominee of the Democratic Party for President in 1924 regarding the advisability of forming a stockholder's association. Raskob found Davis to be "heartily in accord" with the proposal, although Davis advised that it would be more prudent to expand the scope of the organization to include property owners of all types. Having thus secured the blessing of an elder statesman of the Democratic Party, Raskob and Donaldson Brown arranged for a lunch meeting of top executives from DuPont and General Motors to consider plans for some type of property holders association.⁸

The participants in this July 9 meeting engaged in a spirited discussion of the need to warn investors of the dangers menacing them from within the New Deal. Alfred Sloan, chairman of General Motors, indicated to those in attendance his expectation of broad sympathy for the proposed organization among the shareholders of GM. Irénée du Pont expressed approval, but argued that the new group should primarily advocate a return to Constitutional principles. He further stressed the importance of forging strong alliances with likeminded groups, including the remnants of the anti-prohibition Crusaders, the American Legion, an envisioned women's organization reprising the role played by the Women's Organization for National Prohibition Reform (WONPR) in the prohibition fight and perhaps even a kinder, gentler Ku Klux Klan, which, du Pont reassured his colleagues, had recently announced that a return to the

⁸ Letter, Irénée du Pont to P.S du Pont, July 10, 1934 *The Longwood Manuscripts*, Group 10/ Series A: The Papers of P.S. du Pont; File 771 1929-1948; Folder: The American Liberty League, 1934

Constitution was now its “sole objective.” Shouse, the seasoned political operative, brought more practical concerns to the table. In his mind, the most immediate problems included fund-raising and the formation of an executive committee modeled on that of the AAPA. Shouse’s suggestions met with a favorable reception and the meeting adjourned with the general agreement that, by the time of their next meeting, each would formulate a list of approximately twenty-five individuals considered potentially suitable for membership on the Executive Committee of the proposed organization. Irénée du Pont made it known shortly thereafter that list included his brother Pierre, Charles Lindbergh, Congressman James Wadsworth of New York and John Raskob.⁹

In the wake of this meeting, Raskob accelerated his planning, soliciting the opinion of Milton W. Harrison, president of the Security Owner’s Association in New York. Harrison expressed grave concerns with the prevailing political situation, lamenting that the shift of the Democratic Party from advocacy of states rights to a more powerful central government and the currently pathetic, rudderless state of the Republican Party left conservatives without a rallying point. He saw in the New Deal, not a novel political philosophy, but merely a modern counterpart of populism “translated into the actualities of political power.” In response, Harrison argued, conservatives from both parties needed to overcome their traditional tendency toward inaction and unite in a new movement, such as Raskob had proposed. Above all, he contended that the proposed organization must maintain a strictly non-partisan character. In particular, it

⁹ Letter, Irénée du Pont to P.S du Pont, July 10, 1934 *The Longwood Manuscripts*, Group 10/ Series A: The Papers of P.S. du Pont; File 771 1929-1948; Folder: The American Liberty League, 1934.

should refrain from attacking the President who presumably would assume a more favorable stance if he received support from conservative interests against “the organized radical pressure” currently besieging him and infiltrating his circle of advisors.¹⁰

Encouraged and inspired by the feedback his idea was generating, Raskob devoted himself to the task of crafting a statement of principles and purposes for the new organization. On July 16, he read a copy of his draft proposal for what he had tentatively christened the Committee for the Integrity of Property over the phone to Irénée du Pont. In discussing Raskob’s plans with his brother Lammot, Irénée appeared to be favorably impressed. He generally agreed with Raskob’s list of potential officers, including Charles Lindbergh, Jouett Shouse, Grayson Murphy, Howard Heinz, E.F. Hutton, James Wadsworth and Captain William Stayton, suggesting that the group included “a sufficient sprinkling of DuPont men,” while acknowledging that the inclusion of any more might prove disadvantageous in the realm of public opinion. He also expressed doubt as to whether Al Smith should assume a leadership role, citing the fear that his involvement might inspire religious animosity. Irénée also found the name selected by Raskob to be less than inspiring, recommending in its place Defenders of the Constitution.¹¹

The planners convened another meeting in New York on July 17 for the purpose of discussing their proposals for potential officers and executive committee members for the new organization. There was fairly broad sentiment in favor of Shouse

¹⁰ Letter, Milton W. Harrison to John Raskob, July 16, 1934, *Raskob Papers*, File 61, Box 1, Folder 61 B.

¹¹ Letter, Irénée du Pont to Lammot du Pont, July 16, 1934, *Irénée du Pont Papers*, Series J, Box 109, Folder: American Liberty League- June-August 1934.

for president and a number of participants considered Al Smith to be the ideal candidate for Chairman. For his part, Shouse felt that it would be a “grave mistake” for either himself or Smith to be publicly connected with the new association on the grounds that spokesmen in the Roosevelt administration could be expected to preemptively attack them as malcontents from the Democratic Party with an axe to grind against Roosevelt. Shouse was particularly adamant about Al Smith, writing to Raskob that, though he greatly admired the Happy Warrior, he would not consider assuming the presidency of the new organization if Smith were to be named its chairman. The appointment of Pierre du Pont as chairman, Shouse informed Raskob, would be a wiser choice and make him considerably more receptive to an invitation to serve as president, assuming the organization would meet his financial requirements, which he took the liberty of communicating to Raskob. Shouse demanded an annual operating budget of approximately \$250,000, not including his own salary and expenses, which he figured at \$4,500 per month. The operating expenses, as envisioned by Shouse, would support the salaries and activities of publicity and research departments, each led by a department head of his choosing. Shouse also requested a \$25,000 cash retainer to secure his services. He informed Raskob that he had scheduled a meeting to discuss these terms with Lamot du Pont and Alfred Sloan on July 23, suggesting that his former mentor attend as well.¹²

¹² Letter, Jouett Shouse to John Raskob, July 20, 1934, , *Irénée du Pont Papers*, Series J, Box 109, Folder: American Liberty League- June-August 1934.

Raskob attended the meeting and read the latest version of his organizational charter to the assembled GM and DuPont executives. Sloan circulated his reaction to the proposal on July 24, expressing some concern with the fact that the organization's objective crammed one hundred and eighty-four words into a single run-on sentence. The result of Sloan's attempt to formulate a simplified and concise statement of objective was a convoluted, though admittedly shorter, discourse on the centrality of respect for property rights to the maintenance of any successful form of government. Sloan also expressed reservation over the name proposed by Raskob, although his alternative proposal, Association Asserting the Rights of Property, is difficult to characterize as a significant upgrade. Minor semantic squabbling aside, the planners generally agreed to move forward with Shouse as the president, although the du Ponts found his request for a \$25,000 retainer to be unjustified and declined to provide it.¹³

A barrage of correspondence attempting to refine both the name and the stated aims and purposes of the new organization ensued. Raskob's next proposal, Union Asserting the Integrity of Persons and Property was not well received. Shouse found it unnecessarily long and confusing while P.S. du Pont questioned the inclusion of "integrity" in the title. Shouse countered with National Property League, but Raskob, still enamored with his own proposal, responded with definitions of the word integrity

¹³ Letter, Alfred Sloan to John Raskob, July 24, 1934, *Irénée du Pont Papers*, Series J, Box 109, Folder: American Liberty League- June-August 1934; Letter, Lamont du Pont to John Raskob, July 24, 1934. *Irénée du Pont Papers*, Series J, Box 109, Folder: American Liberty League- June-August 1934.

copied directly from a dictionary in an effort to convince P.S. du Pont that his employment of the term was grammatically appropriate. The circulation of Stephen DuBrul's memorandum around this time probably helped break the impasse and prompted the leaders of the emerging organization to consider titles that did not overtly reference a concern with property rights. Accordingly, by August 3, they had reached a tentative agreement on the name Defenders of the Constitution.¹⁴

Pierre du Pont, though he had taken the lead among the business interests involved in the AAPA, remained detached from the formative discussions for this new organization. While receiving regular status reports and exchanging ideas with his brother Irénée and his close friend John Raskob, Pierre did not participate in the planning sessions. At the same time, he had long recognized the need for an organization devoted to educating the public on Constitutional issues. He and Stayton had contemplated using Repeal Associates, the successor to the AAPA, as a potential vehicle for hatching such an organization for some time. Near the end of July, Stayton, still unaware of Raskob's plans, proposed to draft a series of memos intended for distribution to the former members of the AAPA. The purpose was to alert these individuals of a grave danger inherent in the New Deal's perceived move away from Constitutional principle. Stayton feared this trend was endangering future prosperity and posing an existential threat to the American form of government. In the proposed memoranda, he planned to highlight the

¹⁴ Letter, John Raskob to P.S. du Pont. July 30, 1934 *Raskob Papers*, File 61, Box 1, Folder 61 A; Letter, Jouett Shouse to John Raskob. July 25, 1934 *Raskob Papers*, File 61, Box 1, Folder 61 B; Letter, P.S. du Pont to John Raskob. July 26, 1934 *Raskob Papers*, File 61, Box 1, Folder 61 B; Letter, John Raskob to John W. Davis. August 3, 1934 *Raskob Papers*, File 61, Box 1, Folder 61 C.

need for a new association to fight for Constitutional principle and invite former members of the AAPA to support this initiative. Stayton stressed that his time in recent months had been devoted almost exclusively to this endeavor. He had already consulted with more than five hundred directors and members of the defunct AAPA, along with the heads of at least a dozen patriotic societies. Stayton believed his efforts toward the establishment of such an association to be “as important a job as I have ever undertaken” and asked Pierre to consider his memoranda with “as much care as you would accord to an important series of business reports.”¹⁵

Pierre du Pont responded with encouragement, informing Stayton of Raskob and Irénée’s involvement in the planning of a new organization that he deemed “quite similar to that which you and I have been advocating.” He noted that Shouse, who had worked closely with Stayton in the AAPA, was involved and would soon be in contact. While Pierre believed that Raskob’s organization did not necessarily preclude the plans he and Stayton had been turning over, he suggested the possibility that they might “make a joint effort.” In any case, he welcomed Stayton’s proposal for circulating the former membership of the AAPA and promised to read and comment upon the memoranda with some enthusiasm.¹⁶

¹⁵ Letter, William Stayton to P.S. du Pont, July 30, 1934, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 1929-1948; Folder: The American Liberty League, 1934.

¹⁶ Letter, P.S. du Pont to William Stayton, August 3, 1934, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 1929-1948; Folder: The American Liberty League, 1934

Stayton, apparently energized by the proposition of cooperating with Raskob's group, soon thereafter distributed a draft of the first memo, forwarding a copy to Irénée du Pont. The document, tentatively addressed to "Members of our Former Executive Committee" proposed a union of the dormant membership of the AAPA to promote "the restoration and preservation of those constitutional principles under which our country developed the liberty, prosperity and happiness which seem endangered by recent tendencies." The problem, as Stayton portrayed it, was Federal usurpation of powers reserved to the states. He stressed that this trend had deep historical roots, but was greatly aggravated by the recent experiences of World War I and the onset of the Depression. He singled out the Sixteenth Amendment, providing for a Federal income tax, as "the source of nearly all of our calamities and woes," decrying its use as an "instrument to re-distribute wealth, to communize the nation and to confiscate the property of one man and dole it out to others." Stayton expressed dismay over the widespread notion that interpretations of the Constitution should be allowed to change in order to "adapt it to modern economic conditions." With apparent horror, he informed his readers that even the president of the United States Chamber of Commerce had echoed such sentiment at a recent conference in Charlottesville, VA. Quoting from Jefferson's enumerated indictment of King George III, Stayton charged the Roosevelt administration with erecting "a multitude of new offices" and sending "swarms of officers to harass our people and eat out their substance."¹⁷

¹⁷ William Stayton, Undated Memorandum, *Irénée du Pont Papers*, Series J, Box 109, Folder: American Liberty League- June-August 1934

With Stayton and the remnants of his AAPA apparently on board, Raskob initiated discussions regarding a potential merger with another organization born of the fight against Prohibition. In May of 1929, appalled by the brazen violence associated with the liquor trade and most notably exhibited a few months earlier in the St. Valentine's Day Massacre, a group of young business executives in Cleveland established the Crusaders. Eventually claiming a membership of more than one million, the group devoted itself to abolishing Prohibition, at times coordinating its efforts with the AAPA. Like Stayton's organization, the Crusaders did not completely disband following repeal, but merely scaled back activities. On the evening of August 2, Raskob, Shouse and Lamot du Pont met with some of the Crusader's leading contributors, including E.F. Hutton, Walter Chrysler, Thomas Chadbourne and George Moffett. The three-hour discussion left Raskob with the impression that he had convinced them to join his budding organization. According to the plans established at the meeting, Hutton, Chrysler, Moffett and Chadbourne would recommend to the Crusaders that they enter Raskob's organization, still tentatively called "Defenders of the Constitution," forming a self-contained division thereof. It was also proposed that Fred Clark, founder and still President of the Crusaders, would become a member of the new association's executive committee and that the operating budget would include an appropriation specifically for the Crusaders. The apparently successful negotiations energized Raskob, who contacted Dr. Virgil Jordan of the National Industrial Conference Board, an alliance of business

trade associations, seeking a list of other potentially sympathetic organizations that might be willing to join his crusade.¹⁸

Donaldson Brown of General Motors, while he declined an invitation to attend the meeting with representatives of the Crusaders on the grounds that “too many cooks spoil the broth,” discussed the potential merger over lunch with Raskob. After pondering the matter, he recommended against absorbing the Crusaders, advocating instead a policy of affiliation and cooperation with other groups harboring similar objectives. Brown also came out strongly against the name proposed by E.F. Hutton for the envisioned organization, The American Federation of Business. Astutely, Brown observed that it would be perceived as a deliberate statement of antagonism to the purposes of the American Federation of Labor when the aims of the new organization were, in his view, “absolutely in keeping with the true interests of labor.” Brown warned against needlessly creating a “class distinction in the name of business,” arguing instead that the principle task in front of the organizers was to allay the fears currently inhibiting investment. He particularly stressed the need to restore confidence in the sanctity of contracts and opportunity to pursue legitimate business enterprise and, most importantly to gain assurance of sound monetary policy.” Presumably, the insinuation that the

¹⁸ David Kyvig, *Repealing National Prohibition* 2nd ed., (Kent, OH: Kent State University Press, 2000), 129-130; Letter, John Raskob to John W. Davis, August 3, 1934, *Raskob Papers*, File 61, Box 1, Folder 61C

Roosevelt administration commitment to sound money was in question no longer offended Raskob.¹⁹

The Liberty League finally began to take shape early in August 1934. Shouse plunged into the task of organization, drawing up a proposal for an underwriting agreement, which would be used to secure large donations. His scheme to secure funding for the first year of operation involved convincing sixty individuals of considerable means to pledge \$25,000 each, allowing for a reservoir of \$1.5 million to cover operating expenses. The first \$5,000 of this total was to be an outright donation, while the remainder was characterized as a loan that would be repaid once the group acquired a contributing mass membership large enough to render it financially self-sustaining. Shouse and Raskob solicited comments on the proposed underwriting agreement from John W. Davis, among others. Davis, who had in the wake of his failed presidential run cemented a reputation as one of the country's foremost attorneys, arguing more than one hundred and forty cases before the Supreme Court, in sending along his written approval of the document as legally sound, included his own list of potential names for the organization. Among the ten proposals submitted by Davis was the American Liberties League. In the margin next to this entry, Davis or one of the recipients scrawled "The

¹⁹ Letter, Donaldson Brown to John Raskob, August 3, 1934, *Raskob Papers*, File 61, Box 1, Folder 61C

Liberty League,” finally bestowing upon the organization name that was acceptable to all involved.²⁰

As Shouse proceeded with fundraising efforts, Stayton and Raskob intensified their recruiting drive. Throughout the month of August, Stayton continued with his serial memoranda to the former members of the AAPA. He characterized the growing federal budget and “destructively enormous” and decried the recently concluded session of Congress as “prodigal in bestowing legislative power and wealth in the executive department.” He denounced the proliferation of executive bureaucracies as “quite unconstitutional” and warned that the Supreme Court was not doing enough to check violations of the Constitution by the administration and a compliant Congress. He further likened the New Deal to the “Stuart tyranny” in England, noting that this was not the first time in the history of the Anglo-Saxon peoples in which the taxing power had been “distorted into an implement of injustice and despotism.”²¹

Despite the rather dark picture Stayton painted, he conveyed a more optimistic expectation that the new organization might be helped indirectly by people like Senators William Borah and Harry Byrd and the columnist Mark Sullivan, who, while not members or overt supporters of the Liberty League, could “be relied upon to preach the

²⁰ Letter, Irénée du Pont to G. d’ Andelot Belin, August 28, 1934, IDP, Box 109, Folder: American Liberty League: June-August, 1934; Letter, John W. Davis to John Raskob, August 8, 1934, *Raskob Papers*, File 61, Box 1, Folder 61C

²¹ William Stayton, Memorandum #2, August 7, 1934 *Irénée du Pont Papers*, Series J, Box 109, Folder: American Liberty League- June-August 1934; William Stayton, Memorandum #3, August 9, 1934 *Irénée du Pont Papers*, Series J, Box 109, Folder: American Liberty League- June-August 1934

doctrines we are here discussing.” In the last of these memoranda, he argued forcefully that the central task facing the Liberty League was to convince the American people of the need to recover rightful powers that had been abdicated or usurped. He held up the AAPA as a tactical model for the Liberty League, stressing the importance of research and publicity, along the lines of the work conducted by Shouse for the AAPA in 1932-1933. He recommended the immediate establishment of state branches of the Liberty League and the formation of a lawyer’s organization in the mold of the Voluntary Committee of Lawyers that had so ably served the AAPA. Citing the Gettysburg Address, Stayton pointed out that the restoration or preservation of the Constitution was an idea capable of generating a powerful popular appeal. In light of this appeal, he argued that preservation of the Constitution should be the solitary focus of the Liberty League.²²

As Stayton reached out to the membership of the AAPA, Raskob exploited his business and political contacts in an effort to locate prominent individuals in various cities to promote local organization for the Liberty League. Samuel Harden Church, director of the Carnegie Institute in Pittsburgh recommended Michael L. Benedum, a local oil executive he described as “one of our best and most aggressive citizens for anything that concerns the welfare of our country.” Church took the opportunity to lament the dearth of effective public leadership from the business community since the

²² William Stayton, Memorandum #4, August 13, 1934 *Irénée du Pont Papers*, Series J, Box 109, Folder: American Liberty League- June-August 1934; William Stayton, Memorandum #7, August 24, 1934 *Irénée du Pont Papers*, Series J, Box 109, Folder: American Liberty League- June-August 1934

passing of Judge Elbert Gary, a founder of U.S. Steel who lent his name to the steel town of Gary, IN. Apparently viewing the Liberty League as a vehicle for supplying business leadership, Church expressed the hope that it would prove as valuable as the AAPA, “through which we secured for the American people the repeal of the Eighteenth Amendment.”²³

On August 14, Raskob sent a telegram to Benedum, inviting him to help organize for the Liberty League in Pittsburgh. Similar correspondence went out to Richard K. Mellon in Pittsburgh, Harvey Firestone in Akron, OH and Walter Briggs, soon to be the owner of the Detroit Tigers baseball franchise. At about the same time, Raskob invited Henry I. Harriman, president of the United States Chamber of Commerce in Washington to come to New York to discuss the Liberty League. While Harriman cancelled their planned meeting at the last minute, he sent a letter filling Raskob in on the prevailing sentiments at a conference of mid-western manufacturers he had recently attended in Chicago. William Butterworth, president of John Deere, Walter Kohler, president of Kohler Company and formerly a Republican Governor of Wisconsin and Philip Reed, Treasurer of Armour & Company were among the attendees. They, along with the heads of several mid-western industrial trade associations, had lost patience, according to

²³ Letter, Samuel Harden Church to John Raskob, August 10, 1934, *Raskob Papers*, File 61, Box 1, Folder 61C; Letter, Samuel Harden Church to John Raskob, August 16, 1934, *Raskob Papers*, File 61, Box 1, Folder 61C

Harriman, with the National Recovery Administration (NRA) and wanted to see it abolished.²⁴

With the fundraising and membership recruitment activities well underway, the founders prepared to incorporate their new organization as the American Liberty League. Prior to filing the papers, Shouse arranged a private meeting with President Roosevelt to provide advance notice of the movement and to stress its non-partisan character. In an hour-long conversation later characterized by Shouse as entirely amicable in tone, he presented the purposes of the Liberty League as “to defend and uphold the Constitution... teach... respect for the rights of persons and property as fundamental to every successful form of government...and...teach the duty of the government to encourage and protect individual and group initiative and enterprise...” Roosevelt’s responded that he could subscribe “one-hundred percent” and while Shouse sat with him in the office, the President called his Secretary, Marvin McIntyre, and instructed him to, in the event the President were out of town when the Liberty League went public, issue a statement to the effect that the aims of the organization had been presented to him and that he approved of them “most heartily.” With this assurance from the President in hand, Shouse filed the

²⁴ Telegrams, John Raskob to M.L. Benedum, R.K. Mellon, Harvey Firestone, William Briggs, August 14, 1934, *Raskob Papers*, File 61, Box 1, Folder 61C; Letter Henry I. Harriman to John Raskob August 16, 1934, *Raskob Papers*, File 61, Box 1, Folder 61C

necessary paperwork providing for the incorporation of the American Liberty League on August 15th.²⁵

Though the Liberty League had officially incorporated, its leadership determined not to make any public announcement until after the mid-term elections in November. By staying out of the public eye during the campaign, they hoped to defuse the inevitable charges of partisanship from supporters of the President. Naturally, the Press had other ideas. On August 16th, Walter Chrysler forwarded Raskob a clipping from that morning's *New York Times*. The article detailed accusations by former Chairman of the New York Democratic Party, W.W. Farley, that a group of Republicans had "kidnapped" the Crusaders and planned to use the organization as a vehicle to undermine the New Deal. Farley further alleged that their campaign would masquerade as an effort to cultivate support for the Constitution, but its real purpose would be "to oppose the policies of President Roosevelt."²⁶

Shortly thereafter, Elliot Thurston, head of the Washington bureau for the New York *World* notified Shouse that he had obtained information on the Liberty League's plans. Hoping to avoid sustaining the public relations damage that would likely result from the publication of another story based on rumors, Shouse secured an agreement from Thurston that the *World* would hold off on publishing its story for a few days to

²⁵ Wolfskill, *Revolt of the Conservatives*, 27-28; Burk, *The Corporate State*, 140-141; Certificate of Formation of American Liberty League, August 15, 1934, *Raskob Papers*, File 61, Box 1, Folder 61A

²⁶ Letter Walter Chrysler to John Raskob, August 16, 1934, *Raskob Papers*, File 61, Box 1, Folder 61C; *New York Times* August 16, 1934

give him the opportunity to prepare a press release. Interestingly, Thurston's predecessor at the New York *World* was Charlie Michelson, whom Shouse had personally recruited away to head the publicity department for the Democratic Party in 1929. It is probable that Michelson, by this time serving as a public relations guru for the Democrat Party, was the source for Thurston's story. This is especially true given that certain inaccuracies in the proposed story, including the assertion that democratic senators Harry Byrd, Carter Glass, Thomas Gore, Millard Tydings and Josiah Bailey were on board, strongly indicated that the leak did not come from within the Liberty League. The administration perhaps hoped to force early public disavowals of the ALL from these more conservative leaning members of the Democratic caucus.²⁷

An exasperated Jouett Shouse called a press conference for the afternoon of August 22 and proceeded to lay out for the throng of reporters gathered in his offices in Washington's National Press Building, the plans for and purposes of the American Liberty League. He placed heavy emphasis on the non-partisan character of the Liberty League insisting that its aims were educational and that its primary goal was to "uphold the Constitution." He announced plans for the formation of a large advisory board consisting of outstanding citizens from every state in the union, along with a smaller executive committee that would oversee the organization's activities. Those who had already committed to serve on the executive committee, he informed the assembled press, included former Democratic presidential nominees John Davis and Al Smith, Republican

²⁷ Burk, *The Corporate State*, 144; Wolfskill, *Revolt of the Conservatives*, 26, 58; *New York Times* August 24, 1934.

Congressman James Wadsworth, former Republican Governor of New York Nathan Miller and Irénée du Pont. Shouse stressed repeatedly that the Liberty League was not anti-Roosevelt and would not participate in the upcoming mid-term elections. He expressed the expectation that the League could enlist as many as three million members who would be enrolled in various divisions based on the form of property they owned, including homeowners, farmers, laborers, savings depositors, life insurance policy holders, stockholders and bondholders. With this announcement, the American Liberty League officially entered the public consciousness.²⁸

The story behind the Liberty League's founding provides an opportunity for consideration of the motivations of its founders. Both contemporary observers and subsequent scholars have questioned the motives underlying the Liberty League's campaign and these questions have undoubtedly contributed to the organization's relative marginalization in the historiography of the New Deal and the conservative political movement. Robert Comerford, for example, dismissed the Liberty League as a front for the selfish interests of "the corporate world." Sheldon Richman reaches a similar conclusion, alleging that the founders were concerned mainly with preserving their status and influence.²⁹

²⁸ *New York Times*, August 23, 1934

²⁹ Robert Comerford, "The American Liberty League" (Ph.D. diss., St. John's University, 1967), 4; Sheldon Richman, "A Matter of Degree, Not Principle: The Founding of the American Liberty League." *The Journal of Libertarian Studies* VI (Spring 1982): 145-167.

There is considerable evidence to support such claims in the founding of the Liberty League. Clearly John Raskob acted as the driving force behind the establishment of the Liberty League. While he had supported Al Smith for the Democratic nomination as chairman of the DNC in 1932, Raskob came only slowly to his opposition to the Roosevelt administration. He made significant contributions, both directly and indirectly to the election of Franklin Roosevelt. In 1928, seeking a strong Democratic gubernatorial candidate for New York in an effort to maximize the vote total in that state for Al Smith, Raskob approached Roosevelt, who flatly refused on the grounds that the significant debt racked up by his Warm Springs Foundation precluded any such candidacy. Raskob overcame this reluctance by donating \$25,000.00, while agreeing to provide a loan to cover the remaining \$125,000.00 in outstanding debt until a fundraising campaign supposed to be undertaken by Roosevelt could be implemented. Without Raskob's financial backing, Roosevelt would not have been in position to run for Governor, an office he would use as a stepping stone to the Democratic nomination four years later. Further, Raskob's efforts as chairman of the DNC between 1928 and 1932 can be regarded as a less direct contribution to Roosevelt's successful candidacy in 1932. In addition to his work directed toward modernizing the party, Raskob brought in as his top Lieutenant, the seasoned political operative Jouett Shouse, who in turn hired Charlie Michelson to head the publicity department of the party. Together, they orchestrated a campaign that thoroughly discredited Herbert Hoover, rendering his campaign for re-election utterly hopeless.³⁰

³⁰ Letter, John Raskob to Franklin Roosevelt, October 10, 1928, *Raskob Papers*,

Though all of these steps were intended to pave the way for another run by Al Smith in 1932, they accrued to the benefit of Franklin Roosevelt. Setting aside his disappointment, Raskob contributed \$23,000.00 to Roosevelt's presidential campaign in 1932. If his previously discussed defense of the administration provides any indication, Raskob remained supportive even at the end of 1933. By the time he corresponded with Ruly Carpenter in March 1934, however, his opinion was shifting and by June he was actively promoting the need for an organization to combat radical tendencies of the administration.³¹

Given the timeline of Raskob's shift from a generally supportive stance to one of opposition to the Roosevelt administration, the most likely explanation is the President's message to Congress on February 9 requesting legislation for regulation of the stock market. In it, the president declared the need for a federal authority to prevent the sort of "naked speculation" to which he attributed the current economic crisis. The message, followed that same day by the introduction of the Fletcher-Rayburn Bill, which proposed regulations along the lines of those requested, in both houses of Congress, provoked considerable anxiety on Wall Street. The President signed it into law on June 6, 1934 as the Securities Exchange Act, leaving many in the business and financial community,

File 1989; Letter, Franklin Roosevelt to John Raskob, October 16, 1928, *Raskob Papers*, File 1989; Douglas Craig, *After Wilson: The Struggle for the Democratic Party*, (Chapel Hill, NC: University of North Carolina Press, 1992).

³¹ Sheldon Richman, "A Matter of Degree, Not Principle: The Founding of the American Liberty League." *The Journal of Libertarian Studies* VI (Spring 1982), 154.

possibly including Raskob, with the recognition that they had less influence over the administration than previously imagined.³²

Raskob probably found the president's reference to reining in "naked speculation" particularly galling. He had long been a staunch advocate for broad popular investment in the stock market. At General Motors and DuPont, Raskob promoted the idea of providing stock options to employees. He saw stock market investment as an opportunity for working class people to achieve a comfortable lifestyle and was not shy about making public pronouncements advocating investment. Raskob had made millions through the stock market and he saw no reason why millions of Americans couldn't do the same. While he overestimated the amount of disposable income working class families had available for this purpose and, strangely given the huge losses he personally suffered during the stock market crash of 1929, underestimated the risk inherent in stock trading, he seemed to be sincere in the belief that the market was a path to riches for the working man. In fact, the only published academic biography of John Raskob takes its name from the title of an interview he gave to the *Ladies Home Journal* in 1929 entitled "Everybody Ought to be Rich." Given his history, it's not surprising that Raskob might have taken offense at Roosevelt's plan to regulate the stock market.³³

The introduction of the Fletcher-Rayburn bill came not long before Raskob's noted correspondence with Ruly Carpenter, while its passage immediately preceded the

³² *New York Times*, February 10, 1934; February 14, 1934; June 7, 1934

³³ David Farber, *Everybody Ought to be Rich: The Life and Times of John J. Raskob, Capitalist* (New York: Oxford University Press, 2013), 190-192, 260-261.

start of his active campaign to establish the organization that would become the Liberty League. The fact that he initially conceived of the organization as a stockholders association, broadening it to include all types of property holders only at the recommendation of John Davis, supports this conclusion. The list of proposed names for the new organization exchanged by Raskob and some of his associates indicates clearly that their primary concern was the protection of property rights. While the DuBrul memorandum helped the organizers to understand the fallacy of such an appeal and brought about the shift in emphasis to a defense of constitutional principles in general, the underlying motivation behind the establishment of the Liberty League was the protection of property rights.

Contemporary critics from within the administration correctly perceived this fact, effectively dismissing the League's emphasis on property rights at the expense of human rights. Historians, as well, have generally recognized a level of disconnect between the rhetoric espoused by the Liberty League and the concerns of the men who established and funded it. This recognition has perhaps contributed to the dismissive attitude with which historians have approached the organization. It is important to remember, however, that the business executives who helped establish the Liberty League, for the most part played a limited role in its day to day operations, which were placed in the hands of Shouse, Stayton and the research staff they assembled. William Stayton, through his AAPA and later Repeal Associates, had long been warning against a trend toward expansion of federal government powers in violation of the Constitution. The du Ponts had allied themselves with Stayton well before the foundation of the Liberty League. Further, the

message advanced by this staff in the numerous publications distributed by the Liberty League was generally consistent with the publicly stated aims of the organization and it was the presumably the appeal of this literature that ultimately brought in a membership of approximately 125,000.

CHAPTER 3

LEADERSHIP OF THE LIBERTY LEAGUE

During the latter stages of the 1936 presidential campaign, Franklin Roosevelt attacked the “economic royalists” and the “forces of selfishness” opposing his administration. “They are unanimous in their hate for me” he famously declared, “and I welcome their hatred.” The President obviously intended for his audience to understand that the leaders of the Liberty League were foremost among these forces of selfishness. This was in keeping with Roosevelt’s campaign strategy, as described by Democrat Party publicity director Charles Michelson following the election. Michelson asserted that the Liberty League was actually an asset, rather than a liability to the Roosevelt campaign. He noted the ease with which the Democrats were able keep the League in the public eye as a “symbol of massed plutocracy warring on the common people.”¹

Without question, this strategy proved to be extremely effective in practice during the 1936 campaign. It is fair to state that, for a majority of the American electorate, the public perception of the Liberty League was exactly that which the Roosevelt campaign sought to cultivate. The people, broadly conceived, liked and trusted the president. They did not trust the maligned captains of industry on whom they blamed the Depression and, in the public mind, the Liberty League was nothing more than a front for these discredited interests. These facts rendered the arguments advanced

¹ *Los Angeles Times*, June 28, 1936; *Washington Post*, November 1, 1936; *New York Times*, November 15, 1936.

by the Liberty League largely irrelevant. The extensive intellectual and financial resources that went into preparing a long series of carefully argued pamphlets and reports were to apparently minimal effect. It is almost certainly the case, as Michelson alleged, that in the struggle to defeat President Roosevelt in the 1936 election, the Liberty League did more harm than good, serving essentially as a punching bag for the Roosevelt campaign.

The American people appeared quite receptive to the president's caricature of the Liberty League as a haven for greedy "economic royalists" warped by their consuming hatred for the president. This view of the opposition was aptly summarized by journalist Marquis Childs in a 1936 article written for *Harper's Monthly* and entitled "They Hate Roosevelt." Childs wrote of a consuming fanatical, irrational and personal hatred of the president and his family that permeated "the whole upper stratum of American society." Childs predicted that the "temper of the two percent" would be a source of considerable perplexity for the social historians of the future, and it has been.²

A study of the league's leaders and their activities will show that this perception cultivated by supporters of the administration and largely accepted by the voters and, to a lesser extent, by some historians, is not entirely accurate. A review of the surviving correspondence between several leaders of the League did not turn up any references to Roosevelt as "that man" or a "traitor to his class" or any other stereotypical

² Marquis Childs, "They Hate Roosevelt," *Harper's Monthly Magazine*, 1935: Dec.-1936: May, 634.

epithets of the kind. Nearly all of the principal leaders of the League supported the election of Franklin Roosevelt in 1932. Most reported casting votes for Roosevelt in 1932 both publicly and in private correspondence. Raskob provided considerable financial assistance to Roosevelt's Warm Springs foundation. He and the president expressed their mutual friendship, admiration and even "love and loyalty" in a 1928 exchange of letters. Raskob accepted an invitation to attend Roosevelt's inauguration in 1933 and also agreed to serve on a planning committee for a dinner honoring the First Lady in February 1933. In short, the leaders of the Liberty League were not motivated primarily by personal hatred or greed. They did have differences with the administration over many of its policies, but these were expressed clearly and publicly in the volumes of literature produced and distributed by the League.³

Another charge commonly leveled at the leadership of the Liberty League is ineptitude. George Wolfskill, for example, described the organization as a "study in futility" and its leaders to be "as ludicrous as a mummer's parade." This characterization is accurate to an extent. However, the stated purpose of the organization was to "uphold the Constitution." Viewing this as their primary task, the leadership of the League developed an extensive, forceful and well-reasoned critique of the administration policies

³ Irénée du Pont to Earl Reeves, September 1, 1934, *IDP*, Box 109, Folder: Sep. 1-15, 1934; "Pierre du Pont's Vote Will Go to Roosevelt," *New York Times*, November 5, 1932; John Raskob to Franklin Roosevelt, October 10, 1928, *Raskob Papers*, Files 1972-1996; Roberts, Herbert- Rosenwald, Julius; Franklin Roosevelt to John Raskob, October 16, 1928, *Raskob Papers*, Files 1972-1996; Roberts, Herbert- Rosenwald, Julius; John Raskob to Franklin Roosevelt, December 3, 1928, *Raskob Papers*, Files 1972-1996; Roberts, Herbert- Rosenwald, Julius; John Raskob to Frank A. Vanderlip, January 10, 1933, *Raskob Papers*, Files 1972-1996; Roberts, Herbert- Rosenwald, Julius.

they felt were in violation of the Constitution. The League staff proved quite proficient at crafting and ensuring the broad dissemination of its message. However, the leaders of the Liberty League demonstrated a fundamental misunderstanding of the electorate. They saw their arguments regarding the constitutionality of various New Deal programs as self-evident. It was only necessary, in their view, to place the arguments before the American people. The problem was that the Depression weary people were not in the mood to be lectured by the wealthy. Political supporters of the Roosevelt recognized that they could effectively neutralize the Liberty League simply by drawing attention to the wealth of its leadership and they did so repeatedly. Most of the League's endeavors, as a result, devolved into public relations disasters and its message fell, for the most part, on deaf ears.⁴

This chapter will analyze the leadership of the Liberty League. The literature which represented the bulk of the organization's work is considered in a separate chapter. The focus in this section is on the strategy and tactics employed by the principal figures in the League. Nearly all of the initiatives undertaken by the Liberty League yielded results that were not in accord with the intentions of the leaders. In most cases, these endeavors wound up causing more harm, in the realm of public relations, to the Liberty League than to the administration they sought to critique. Brief biographical sketches are included to provide some background information on the most important leaders.

⁴ George Wolfskill, *Revolt of the Conservatives: A History of the American Liberty League, 1934-1940* (Boston: Houghton Mifflin Company, 1962), 215, 259

John Raskob, probably the most important driving force behind the creation of the Liberty League, was born in Lockport, New York in 1879 to parents of modest means. His father, also John Raskob, was a cigar maker of German descent, while his mother Anna Frances was the daughter of Irish immigrants. Forced to quit school to support his family following the death of his father, Raskob took a job earning \$7.50 per week as a stenographer for a local pump manufacturing company. After a few years, a friend in Lorain, Ohio notified Raskob that Pierre du Pont, then president of Johnson Steel, was looking for a secretary. Raskob wrote to P.S. du Pont to apply for the job, requesting a salary of one thousand dollars per year, then an exorbitant sum for such a position. Surprisingly, du Pont hired him in 1900. When Pierre and his cousins purchased a controlling interest in the DuPont company a few years later, he brought Raskob along as a personal assistant.⁵

Raskob's fortunes advanced with those of his by this time friend and mentor. When Pierre du Pont assumed the presidency of the DuPont Corporation, Raskob continued to rise through the organization, eventually ascending to the rank of Treasurer. In 1915, Raskob started investing heavily in General Motors Corporation and soon thereafter persuaded du Pont to follow suit. As a result of their investments, both Raskob and du Pont quickly received appointment to the company's board of directors. Pierre assumed the presidency of General Motors in 1920 and Raskob was named chairman of the finance committee. In that position, Raskob was instrumental in the creation of GMAC, which helped popularize the practice of selling vehicles on

⁵ *New York Times*, July 12, 1928.

installment loans, which would greatly increase the accessibility of automobiles to the general public.⁶

In 1928 Raskob left his position at General Motors and assumed, at the request of his friend Al Smith, the chairmanship of the Democratic National Committee. Although Smith lost the 1928 election to Herbert Hoover, Raskob remained as the chair of the DNC until 1932 and devoted considerable personal financial resources to rejuvenating the Democratic Party. Raskob presented a gift of one hundred thousand dollars to kick off the party's victory fund in 1932. He made additional loans of several hundred thousand dollars to the party during the course of his chairmanship. It was also during this period that Raskob played a central role in financing the construction of the Empire State Building, which at the time of completion was the tallest structure in the world.⁷

Raskob and his wife, Helena, were devout Catholics and had twelve children. They donated heavily to the Catholic Diocese of Wilmington and to a number of Catholic schools and charities. When an automobile accident claimed the life of his eldest son in 1928, Raskob set aside one million dollars to endow the Bill Raskob foundation to provide support for poor children and orphans. The elder Raskob remained

⁶ *New York Times*, July 12, 1928; Clipping, *New York Times*, October 16, 1950, Temple University Urban Archives, Clipping Collection, Envelope: Raskob, John J.

⁷ *New York Times*, July 12, 1928; Clipping, *New York Times*, October 16, 1950, Temple University Urban Archives, Clipping Collection, Envelope: Raskob, John J; *New York Times*, May 2, 1931; *New York Times*, June 10, 1932.

largely out of the public eye in his later years following the demise of the Liberty League.

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Raskob's friend and mentor Pierre Samuel du Pont was one of the chief financial backers of the Liberty League. Pierre was born in Wilmington, Delaware in 1870. His father, Lamot du Pont, was a heralded chemist and explosives expert working in the family powder mills. When Pierre was about fourteen, an explosion in a DuPont research laboratory claimed the life of his father. From this point, Pierre assumed leadership of the family to such an extent that his younger siblings referred to him as "daddy" throughout their lives. Pierre studied chemistry at MIT and joined the DuPont company as assistant superintendent of the facility at Carney's Point, New Jersey at a salary of eighty dollars per month. Dissatisfied with his relatively limited role in the family business, Pierre set out on his own and made lucrative investments in real estate and in the manufacture of street cars in Ohio. In 1902, the DuPont company faced financial difficulties and the family decided to sell to the highest bidder. Pierre, along with his cousins Alfred I. du Pont and T. Coleman du Pont made a successful bid to take control of the company.⁹

⁸ *New York Times*, July 12, 1928; Clipping, *New York Times*, October 16, 1950, *Temple University Urban Archives*, Clipping Collection, Envelope: Raskob, John J; *Baltimore Sun*, October 16, 1950. For a more detailed biography of John Raskob, see the recently published work by David Farber, *Everybody Ought to be Rich: The Life and Times of John J. Raskob, Capitalist* (Oxford: Oxford University Press, 2013).

⁹ *New York Times*, April 6, 1954, Clipping, *Philadelphia Evening Bulletin*, April 6, 1954, *Temple University Urban Archives*, Clipping Collection.

In 1915, Pierre was able to buy out T. Coleman du Pont and assumed full control of the company as president. The onset of the First World War produced an enormous surge in the demand for gunpowder and DuPont would supply approximately forty percent of the powder used by the Allies in the conflict. The war resulted in unprecedented profits, but Pierre, along with his brothers Irénée and Lammot who succeeded him in turn as president, realized the temporary nature of such profits and took the necessary steps to diversify, transforming DuPont from a gunpowder manufacturer into one of the world's leading chemical companies.¹⁰

In 1918, Pierre, acting on the advice of John Raskob, began pouring DuPont profits into shares of General Motors stock. In 1920, Pierre was elected President and Chairman of the Board of the General Motors Corporation and from 1923-29, he served as Chairman of DuPont and GM simultaneously. Working in concert with fellow future Liberty League backers John Raskob and Alfred Sloan, du Pont re-invented the Chevrolet brand to help General Motors compete with the lower cost vehicles offered by the Ford Motor Company. In 1929, Pierre stepped down from most of his business positions to devote himself more fully to the fight against Prohibition.¹¹

¹⁰ *New York Times*, April 6, 1954, Clipping, *Philadelphia Evening Bulletin*, April 6, 1954, *Temple University Urban Archives*, Clipping Collection.

¹¹ *New York Times*, April 6, 1954, Clipping, *Philadelphia Evening Bulletin*, April 6, 1954, *Temple University Urban Archives*, Clipping Collection; Alfred D. Chandler, Jr. and Stephen Salsbury, *Pierre S. du Pont and the Making of the Modern Corporation*, (New York: Harper & Row, Publishers, 1971) 512-518; David Farber, *Sloan Rules: Alfred P. Sloan and the Triumph of General Motors*, (Chicago: University of Chicago Press, 2002), 52-69.

Pierre was also a philanthropist lauded for his efforts to improve public education. During the 1920s, he paid the entire cost, nearly two million dollars, to replace all of the dilapidated public schools for African Americans across the state of Delaware with new modern facilities. He subsequently donated another four million dollars to help the state construct new schools for white students as well. Additional millions went toward the development of schools and roads in the communities surrounding Longwood, his estate in Chester County, Pennsylvania. Longwood, of course, was known then, as today, for its magnificent gardens and du Pont created and maintained them at considerable expense, while allowing free access to the public. When a young chauffeur that he was particularly fond of died in the influenza epidemic of 1917-1918, du Pont donated more than a million dollars to rebuild and modernize the Chester County Hospital in honor of his departed driver, who had been a patient there. During the Second World War, Pierre and his wife converted part of the Longwood estate to a military hospital housing as many as seventy-two patients.¹²

Irénée du Pont, Pierre's younger brother, was another of the principle financial supporters of the Liberty League. Irénée, who, in addition to providing funding, assumed an active leadership role in the League, was born in Wilmington, Delaware in

¹² *New York Times*, April 6, 1954, Clipping, *Philadelphia Evening Bulletin*, April 6, 1954, *Temple University Urban Archives*, Clipping Collection; *New York Times*, August 10, 1924; *Chicago Defender*, November 22, 1924; *Baltimore Sun*, January 16, 1927; For more information on Longwood Gardens and the philanthropic endeavors of P.S. du Pont, see George Thomson, *A Man and His Garden*, (Kennett Square, PA: Longwood Gardens, Inc., 1976) or Robert Taggart, *Private Philanthropy and Public Education: Pierre S. du Pont and the Delaware Schools, 1890-1940*, (Newark, DE: University of Delaware Press, 1997); Leonard Mosley, *Blood Relations: The Rise and Fall of the du Ponts of Delaware* (New York: Atheneum, 1980), 372.

1876. He was about eight years old at the time of his father's death. Irénée studied at the William Penn charter school before enrolling at the Massachusetts Institute of Technology, where he earned a master's degree in chemical engineering in 1898. Control of the DuPont empire rested, at that time in the hands of another branch of the family, so young Irénée sought his fortune elsewhere, taking a two dollar a week internship at a Wilmington machine shop. He then spent about four years in business as a general contractor before joining the DuPont company after Pierre and his cousins were able to wrest control of the firm.¹³

In the DuPont company, Irénée worked in a variety of roles in the research and development department culminating in his appointment as manager of the development division. In that capacity, he oversaw the company's effort to diversify from a producer of gunpowder to a manufacturer of plastics, chemicals, coatings, dyes and a variety of other materials. He continued this process of diversification after taking over the presidency of the Company in 1919. Significant developments during his seven year tenure as president included scaling up the production of Rayon fiber and cellophane wrap. Irénée noted that he was most proud of his efforts to improve workplace safety and reduce accidents such as the one that killed his father.¹⁴

Irénée married a cousin, Irene du Pont, and they had seven daughters and one son. In terms of politics, he was a long time Republican, who crossed over to vote

¹³ *New York Times*, November 20, 1963; *Boston Globe*, November 20, 1963.

¹⁴ *New York Times*, November 20, 1963; *Washington Post*, November 20, 1963; Associate Press Biographical Service, Sketch 3705, November 15, 1951, *Temple University Urban Archives*, Clipping Collection.

for Al Smith in 1928 and Franklin Roosevelt in 1932 on account of his opposition to Prohibition. Irénée also engaged in philanthropy, most notably donating millions of dollars to cancer research at the University of Pennsylvania and later at the Franklin Institute. He died in 1963 at the age of 86.¹⁵

Jouett Shouse was the Liberty League's only president. He was born in Kentucky in 1879 and later moved with his family to Missouri. He studied at the University of Missouri at Columbia before working as a reporter and editor at the *Lexington Herald* and later publishing *The Kentucky Farmer and Breeder*. In 1911, Shouse moved to Kansas, where he was elected to the state senate and then served two terms in the U.S. House of Representatives as a Democrat. In 1919, he was appointed Assistant Secretary of the Treasury in the administration of Woodrow Wilson. He practiced law and remained involved in Democratic politics during the 1920s before accepting an appointment as chairman of the executive committee of the Democratic National Committee in 1928.¹⁶

In this role, he worked closely with DNC chair John Raskob to revamp the fortunes of the Democratic Party. Shouse hired Charles Michelson of the *New York World* as a publicity director for the DNC and together they engineered an extensive publicity campaign designed to discredit President Hoover and his Republican allies in Congress. Of course, Raskob's massive infusion of cash to the party coffers and the deteriorating economic conditions ameliorated their task, but many credited Shouse and

¹⁵ *New York Times*, March 4, 1953; *New York Times*, November 20, 1963.

¹⁶ *New York Times*, June 3, 1968

Michelson with laying the groundwork for Democratic successes in the 1930 midterm elections. Raskob and Shouse preferred Al Smith or former Cleveland mayor and Secretary of War Newton D. Baker over Roosevelt for the party's nomination in 1932 and they were pushed out of their roles at the DNC after Roosevelt secured it, but Michelson, who stayed on as the party's publicity director throughout the New Deal years, still credited them as the architects of Roosevelt's election in 1932.¹⁷

Shouse quickly transitioned into a new role, taking over the presidency of the Association Against the Prohibition Amendment. Ratification of the Twenty-First Amendment repealing prohibition in December 1933 again put Shouse out of work, but it was less than a year until he assumed the presidency of the American Liberty League. He continued in that role until the final dissolution of the Liberty League in 1940. In later years, Shouse practiced law, served on the boards of such corporations as General Aniline and Film and General Dyestuffs before being named chairman of the board of Anton Smit and Company, a New York based industrial diamond firm, in 1953. Shouse stayed out of politics for the most part after 1940, but he voiced support for Eisenhower in 1956 and wrote to the *New York Times* in 1960 to complain of its failure to publicize purported voter fraud in Chicago that he suggested might have swung the presidential election to John F. Kennedy.¹⁸

¹⁷ *New York Times*, November 15, 1936; *New York Times*, June 3, 1968

¹⁸ *Washington Post*, June 4, 1968; *Washington Post*, September 21, 1956; *New York Times*, December 5, 1960.

Shouse and his second wife, Catherine Filene Shouse, heiress to the founders of the Boston based *Filene's* department store chain, resided at their estate, Wolf Trap Farm in Vienna, Virginia. There, Shouse occupied his time breeding show dogs and prize racehorses. A few years before he died in 1968, the Shouses arranged to donate this property to the federal government on the condition that it would become a national park devoted to the performing arts. Mrs. Shouse agreed to personally finance the construction of a \$1.7 million dollar amphi-theater on the property as part of the transition. The approximately one hundred acre property became the Wolf Trap Farm National Park for the Performing Arts, opening in 1971.¹⁹

William H. Stayton, the Liberty League's secretary and probably its most ardent supporter, was born at Smyrna, Delaware in 1861. He joined the Navy as a teenager and graduated from the Naval Academy at Annapolis in 1881. While still on active duty, Stayton earned a law degree from Columbian College, now George Washington University, in 1889. Two years later, he resigned from the Navy and took up the practice of admiralty law in Baltimore. Stayton worked his way into the steamship business, eventually becoming president of the Baltimore Steamship Company and the Baltimore Trading Company. He remained engaged in Naval affairs and, in 1895, provided an interview to the *New York Times* in which he sharply criticized the design and construction of the recently commissioned battleship *U.S.S. Maine*, the explosion of which in Havana due to indeterminate causes a few years later helped provoke the

¹⁹ *New York Times*, December 15, 1994.

Spanish American War. This conflict pulled Stayton back into the Navy and he commanded several naval vessels during the course of the war.²⁰

While Captain Stayton, as he was commonly addressed, “never took a drink,” he is best remembered for his role in the fight against Prohibition. He, along with a group of friends, established the Association Against the Prohibition Amendment in May of 1918. In the early years of the AAPA, Stayton fought almost singlehanded as the prevailing opinion, even among those opposed to Prohibition, was that repeal was an impossibility. Stayton, described as tall, strongly built and mild-mannered, persevered in the face of such defeatism until he was able to win the support of wealthy backers like John Raskob and the du Pont brothers. Stayton explicitly rooted his opposition to Prohibition in a belief that it established a dangerous precedent of taking powers that rightly belonged to state and local governments under the Constitution and centralizing them in the hands of the federal government. Speaking to supporters in December 1932, he warned that, even after the repeal of Prohibition, they would need to remain vigilant against “a lot of radicals who want to do things which you must not let them do.” He called on members of the AAPA to continue to work toward “preserving the Constitution of the fathers as they intended it should be preserved.”²¹

With the ratification of the Twenty-First Amendment in 1933, the AAPA was dissolved. Supporters heaped praise on Captain Stayton for his perseverance.

²⁰ *New York Times*, November 18, 1895; *New York Times*, July 14, 1942; *Baltimore Sun*, July 14, 1942.

²¹ *Baltimore Sun*, December 18, 1932; *New York Times*, July 14, 1942; *Baltimore Sun*, July 14, 1942.

AAPA president Jouett Shouse argued that Stayton deserved more credit than any other individual for repeal. H.L. Mencken wrote that Stayton had done more for his country than “a thousand war heroes and a million politicians.” The *Washington Post* and *Baltimore Sun* each described him as the “father of repeal.” Stayton, of course, would not rest on his laurels. Instead he re-organized the AAPA in scaled back form as Repeal Associates. Through this organization, he kept in contact with supporters and he would use these connections to help build the membership of the Liberty League.²²

Stayton devoted himself as tirelessly to the Liberty League as he had to the AAPA. He served as the chief assistant to Shouse, overseeing the distribution of the voluminous literature produced by the League. When the Executive Committee of the organization directed Stayton to file papers dissolving the Liberty League, he couldn’t bring himself to carry out the order. He continued work on an exhaustive chronicle of the history of the Liberty League until his death in Smyrna, Delaware in 1942. He arranged for this chronicle to be deposited in the Library of Congress, but it was unfinished at the time of his death. Stayton even went so far as to send mailings to the League’s membership seeking contributions to keep the organization alive against the wishes of the executive committee.²³

Raoul Desvernine, head of the National Lawyer’s Committee of the American Liberty League, was born in New York City in 1892. His father was a Cuban

²² *Baltimore Sun*, December 18, 1932; *Washington Post*, July 14, 1942; *Baltimore Sun*, July 14, 1942.

²³ Jouett Shouse to P.S. du Pont, August 18, 1942, *LMSS*, Box 1293, Folder: American Liberty League 1942.

immigrant who established a successful business importing cocoa and coffee.

Desvernine earned a law degree from the New York Law School in 1914. In 1920, he joined the New York law firm of William Hornblower, an unconfirmed nominee by Grover Cleveland to the U.S. Supreme Court and Lindley Miller Garrison, who served three years as Secretary of War in the Wilson administration. Desvernine remained with the firm for eighteen years, representing clients such as the Cuban embassy, the New York Stock Exchange, and a number of German and American iron and steel manufacturers.²⁴

Desvernine, described as a heavy set man of medium height who nearly always had a cigar in his mouth, assumed the presidency of Crucible Steel in 1938. He published three books, including *Democratic Despotism*, a sharp critique of the New Deal. Desvernine embraced the isolationist cause in the years leading up to U.S. entry in the second World War, warning that involvement in the conflict would signal the “death knell of the free enterprise system.” Desvernine was a devout Catholic and a high ranking member of a centuries old lay organization known as the Equestrian Order of the Holy Sepulchre. He died in New York in June of 1966.²⁵

The aforementioned individuals comprised the core of the American Liberty League. A handful of others played lesser, but still important roles. Alfred E. Smith, the standard bearer for the Democrat Party in the 1928 election, was involved

²⁴ *Wall Street Journal*, May 6, 1938; *Washington Post*, June 3, 1966; *New York Times*, June 3 1966.

²⁵ *New York Times*, December 13, 1946; *Washington Post*, June 3, 1966; *New York Times*, June 3 1966.

from the beginning and generated considerable publicity with a fiery address he delivered before a lavish banquet sponsored by the Liberty League in January 1936. Edward F. Hutton, another self made multi-millionaire, who served as chairman of General Foods Corporation, organized the brokerage firm that bears his name and established the Freedoms Foundation at Valley Forge, was a very active promoter of the Liberty League in its early days before growing frustrated with its lack of progress. Pauline Morton Sabin, founder of the Women's National Organization for the Repeal of Prohibition was also quite active in the early days of the Liberty League, signing on to head a proposed women's division of the new organization. Sabin, like Hutton, grew frustrated with the inactivity of the League and receded into the background. J. Howard Pew, the multi-millionaire, philanthropist and long time president of the Sun Oil Company also took a strong interest in the Liberty League and advised its leadership on strategy and tactics.²⁶

One of the first orders of business for the leadership of the Liberty League was to raise money to fund their operations. Early on, the leaders envisioned that the new organization would be able to enlist a membership numbering in the millions and that the League's operations could be funded by their donations. They devised a fundraising scheme that would allow them to borrow against these imagined future contributions. The idea was to enlist forty to sixty individuals of considerable wealth. Each would agree to underwrite the Liberty League to the tune of twenty-five thousand dollars. Five thousand dollars was to be given up front as a direct contribution, while the remaining

²⁶ *New York Times*, July 12, 1962; *Baltimore Sun*, December 29, 1955; *New York Times*, November 28, 1971.

twenty-thousand, considered a loan, would be called in, as needed, to cover the operating expenses of the League. This would provide the League with funds to start up operations until the expected flood of contributions started pouring in, while the underwriters would be repaid through future contributions. The League established a finance committee consisting of Irénée du Pont, John Raskob and Edward F. Hutton and assigned them the task of soliciting underwriting agreements. Originally, the loan agreements were not to become binding until a total subscription of one million dollars had been achieved, but when fundraising proceeded slower than expected, several subscribers, including Raskob, Hutton and the du Ponts, agreed to waive this requirement.²⁷

By early November 1934, the total amount subscribed approached \$750,000.00, with the bulk of this deriving from twenty-three individuals who pledged between twenty and twenty-five thousand dollars. Twelve of these large contributors were executives at General Motors, DuPont or, in several cases, both. These included Raskob, several members of the extended du Pont family, Alfred Sloan, John Pratt, John Smith, Frank Donaldson Brown, Charles Copeland and future owner of the Philadelphia Phillies baseball team R.R.M. Carpenter. Large subscribers who were not associated with DuPont or General Motors included a number of prominent industrialists. Ernest Weir created both Weirton Steel and National Steel and founded the town of Weirton, West Virginia. Ernest Woodward had served as head of the Jell-O corporation and later as an executive at General Foods. Walter Chrysler established the Chrysler Motor

²⁷ William Stayton to P.S. du Pont, January 15, 1935, *LMSS*, Box 1294, Folder: American Liberty League 1935.

Company and financed the construction of the Chrysler building in New York. Clarence Geist of Philadelphia was the country's largest holder of public utilities stocks. H.B. Earhart of the White Star Refining Company and George Moffet of the Corn Products Refining Company were also subscribers. Joseph Widener of Philadelphia, owner of one of the world's finest collections of art, contributed twenty-five thousand as well. Movie producer Hal Roach, creator of the "Little Rascals," and famed Amazon explorer Dr. Alexander Hamilton Rice were not industrialists, but they were included in this group of large subscribers.²⁸

Irénée du Pont proved to be one of the organization's most enthusiastic recruiters. From the moment the league went public, he began corresponding with friends and business associates all over the country. Irénée was a strong advocate for a decentralized model of organization and he frequently encouraged his associates to start up local chapters in their hometowns. Probably on account of his history of funding cancer research, Irénée seems to have been well connected in the medical field and he received supportive inquiries from several individuals in the field almost immediately following Shouse's press conference announcing the formation of the Liberty League. Dr. Frederick Hoffman, for example, of the University of Pennsylvania's Graduate School of Medicine Cancer Library wrote on August 23rd of his strong interest and desire to enroll in the Liberty League. Around the same time Richard H. Street of Chicago reported that he was thrilled by the establishment of the League and that he expected to

²⁸ William Stayton to John Raskob, List of Subscribers to American Liberty League, November 6, 1934, *IDP*, Box 110; *New York Times*, September 11, 1937; *Boston Globe*, January 20, 1942; *New York Times*, June 12, 1949

be able to recruit “several hundred” doctors, dentists and other medical professionals in the Chicago area.²⁹

Of course, Irénée’s contacts were not limited to the medical profession and he fielded inquiries from business associates all over the country. In almost all cases he encouraged his associates who expressed interest to get involved with their local ALL chapter or to create a chapter if none existed. He encouraged William Clayton of Houston, for example, to work with Colonel Charles Diehl of San Antonio to establish a Texas branch. Clayton was a founder of what was, at the time, the world’s largest cotton company, while Diehl was a retired newspaperman who had served as assistant general manager of the Associated Press for several years. Du Pont responded to inquiries from Philadelphia banker William Gest and Howard Heinz, president of the Pittsburgh condiment manufacturer H.J Heinz & Company, in similar fashion, encouraging them to get involved in efforts to build local organizations. Apparently energized by the Liberty League’s cause, Irénée du Pont engaged in extensive correspondence with strangers as well. He engaged in an extended correspondence, for example, with George Felder, a Philadelphia resident who sent rambling hand-written notes riddled with quotes from scripture and attacks against the American system of private ownership of property. Not only did du Pont apparently take the time to read Felder’s missives, he crafted several lengthy replies arguing against the supposed virtues of Soviet communism before

²⁹ Frederick L. Hoffman to Irénée du Pont, August 23, 1934, *IDP*, Box 109; Richard H. Street to Irénée du Pont, August 23, 1934, *IDP*, Box 109;

declaring himself too busy to continue the debate and advising Felder to emigrate to Russia if he thought so highly of its political system.³⁰

In November 1934, Irénée du Pont, Raskob and E.F. Hutton travelled to California to promote the League and seek additional funding. They met with limited success and apparently endured some ridicule at the hands of actor and comedian Will Rogers, who attended one of their events. Rogers, who later wrote Hutton to apologize for “getting fresh,” tried to get Hutton to acknowledge that the prospect of three wealthy individuals crusading on behalf of the Constitution lent itself to “some little touch of humor.” Rogers advised the League to stop sniping at Rex Tugwell and other administration officials and to admit that their quarrel was with Roosevelt himself. He declined Hutton’s entreaties to “do some good” and help the Liberty League, noting that he was paid “entertaining wages, not salvation wages.”³¹

Not long after returning from California, Irénée accepted an invitation to visit West Thorpe Farm, the Devon, Pennsylvania home of Mrs. Charlotte Augusta Lea. Mrs. Lea, a staunch Republican, invited approximately two-hundred friends to hear him speak about the Liberty League. In correspondence leading up to the event, she noted that little was known about the League, even among her circle of presumably wealthy friends. She even reported facing accusations of “going over to the Democrats” on

³⁰ Irénée du Pont to William Clayton, October 8, 1934, *IDP*, Box 109; “William Clayton Dead at 86,” *New York Times*, February 9, 1966; “Col. C.S. Diehl, Former Texas Publisher, Dies,” *Chicago Tribune*, August 20, 1946; Irénée du Pont to William P. Gest, October 16, 1934, *IDP*, Box 109; Irénée du Pont to Howard Heinz, October 30, 1934, *IDP*, Box 110.

³¹ Will Rogers to E.F. Hutton, April 15, 1935, *Raskob Papers*, File 61, Box 2.

account of her decision to invite an ALL speaker. Irénée was pleased with the results, reporting considerable enthusiasm on behalf of the Constitution among the invited guests and commending Mrs. Lea to Pauline Sabin, head of the women's division of the ALL.³²

The fact that the Liberty League was still relatively unknown to many of the attendees at this event draws attention to a problem of leadership that plagued the League during the first several months of its existence. The leaders, in order to avoid the appearance of partisanship, originally decided to keep their plans secret until the beginning of 1935, well after the conclusion of the mid-term congressional elections. When these plans leaked to a reporter for the *New York World* in August 1934, Shouse was forced to hastily announce the creation of the Liberty League. In spite of this drastic change in circumstances, the leaders stuck with their original plan to try to stay out of the public eye until 1935. This had the dual effect of frustrating supporters and financial contributors who seethed at the organization's inactivity and emboldening critics, who seized the opportunity to pile on the League, which not only made for an easy target on account of the vast wealth of some of its backers, but also showed little inclination to defend itself. In an illustrative example, Roosevelt campaign manager and Postmaster General Jim Farley characterized the Liberty Leaguers as "selfish forces of money, power and greed," and "blind reactionaries...under the banner of the Republican Party." In this

³² Irénée du Pont to Mrs. Charles Sabin, January 2, 1935 *IDP*, Box 111; Mrs. C.A. Lea to Irénée du Pont, December 28, 1934 *IDP*, Box 111; Irénée du Pont to Mrs. Charlotte Augusta Lea, January 2, 1935 *IDP*, Box 111.

manner, critics of the Liberty League easily and repeatedly reinforced exactly the public perception its leaders tried to avoid by staying out of the public eye.³³

By the time Shouse and his operatives started regularly producing and disseminating pamphlets near the beginning of 1935, the Liberty League had already been buried under an avalanche of criticism. Many supporters were starting to vent their frustrations. J. Howard Pew, for example, wrote to all members of the executive committee to complain about recently proposed revisions by Al Smith to the organization's statement of aims and purposes. The document, according to Pew, was a compilation of "pious and pointless platitudes" designed to avoid offending anyone. Pew called on the Liberty League to take strong stances, lest they risk the biblical admonition given by John to the Laodiceans, "because thou art lukewarm...I will spew thee out of my mouth." Henry Rust of Pittsburgh, an associate of Andrew Mellon and head of one of the largest coal and coke producing firms in the country, echoed these sentiments a few days later in a letter to Jouett Shouse. Rust urged the League to deliver a strong but positive statement on the recent Supreme Court decision overturning a federal ban on interstate shipments of "hot oil." Rust lamented the many lost opportunities that had already slipped past the Liberty League, suggesting that "if it loses this one, I think it

³³ "Farley Bids Nation Support President for War on Greed," *New York Times*, September 3, 1934.

might as well fold up its tents.” Rust reported universal concern from his generally supportive associates that the League was “dying on its feet.”³⁴

While the League had finally kick-started its prolific and relatively low-maintenance pamphleteering machine, a new crisis of leadership was brewing. Memberships and financial contributions were lagging far behind stated expectations and it was becoming clear that the League would never bring in the expected flood of small contributions that would allow it to repay the “loans” provided by its initial sponsors. At such an inopportune time, both Irénée du Pont and John Raskob, the organization’s most active recruiters and fundraisers, decided to take extended vacations abroad. Du Pont notified associates that he would head to *Xanadu*, a sprawling seaside estate he had constructed in Varadero, Cuba. At about the same time, John Raskob departed with his family on a five-month cruise around the world.³⁵

Irénée du Pont and John Raskob were not essential to the Liberty League’s primary activity, which consisted of researching, writing and distributing pamphlets dealing with the constitutionality of various pieces of New Deal legislation. Their absence, however, caused significant problems for the organization’s fundraising operation as well as its relationship with existing donors. Many of the industrialists who had signed underwriting agreements were disappointed with the lack of tangible results.

³⁴ J. Howard Pew to John Raskob, January 4, 1935, *Raskob Papers*, File 61, Box 2; Henry B. Rust to Jouett Shouse, January 10, 1935, *Raskob Papers*, File 61, Box 2; “Henry B. Rust Dies,” *New York Times*, January 18, 1936; “New Deal-Supreme Court Box Score,” *Baltimore Sun*, January 7, 1936.

³⁵ “Alluring Cuban Resort Carved Out of the Jungle,” *Chicago Tribune*, February 1, 1952; Irénée du Pont to Hiram Evans, December 28, 1934, *IDP*, Box 110

These men weren't interested in dealing with Shouse and Stayton and several began leaving the impression that they did not intend to follow through with their underwriting agreements. Walter Chrysler and Clarence Geist, for example made it clear that they would not pay against their loan agreements. Edward F. Hutton, the lone member of the League's finance committee not on extended vacation, quickly grew frustrated at having to deal with these problems alone. Irénée du Pont returned from Cuba in mid February and sent out new solicitations to Arthur Dorrance of the Campbell Soup Company and J.E. Zimmerman of United Gas Improvement Company, among others. Dorrance gave the League his full endorsement, but would not contribute while Zimmerman, who had been "very enthusiastic" about the Liberty League when it formed, reported that he was now "bitterly disappointed." He cited the need for a strong leader like Al Smith, noting that "people simply won't listen to...Shouse."³⁶

Irénée du Pont returned to Cuba in March resulting in further angst.

Pauline Sabin, who had been venting for some time over the fact that she had been given nothing constructive to work on, announced that she would close the women's division of the Liberty League effective May 1st. George Stuart Patterson of Philadelphia wrote to Ruly Carpenter to complain that the League was wasting so much money with such inadequate results. Pierre du Pont sent telegrams to Raskob in Japan and in Hawaii, imploring him to cut short his vacation and return to devote his attention to the Liberty

³⁶ Irénée du Pont to Arthur C. Dorrance, March 16, 1935 *IDP*, Box 111; Irénée du Pont to J.E. Zimmerman, March 16, 1935 *IDP*, Box 111; John E. Zimmerman to Irénée du Pont, March 26, 1935 *IDP*, Box 111; Arthur Dorrance to Irénée du Pont, March 19, 1935 *IDP*, Box 111

League. Pierre warned that the situation was reaching a crisis point and that “dissolution” was being considered. Raskob responded, expressing dismay that men “whom one would expect to support this movement seem scared to death.” He cited Andrew Mellon as an example of one who feared being “cracked down.” Still he declined Pierre’s request to return early.³⁷

The Liberty League survived this crisis, perhaps buoyed by some timely Supreme Court decisions. Jouett Shouse, in May 1935, delivered a press conference to mark the court’s landmark decisions striking down the NRA and the Frazier-Lemke Farm Bankruptcy Act. He characterized the unanimous ruling in *Schechter* as a “stunning rebuke” to those seeking to modify the Constitution by “indirection.” Irénée du Pont, writing to the disgruntled underwriter Clarence Geist, heralded the decision, noting that while the League couldn’t claim credit, it probably had an effect by “calling attention to the necessity of upholding the Constitution.”³⁸

President Roosevelt’s response to the *Schechter* decision, in which he accused the court of trying to send the country back to the “horse and buggy” age with its outmoded interpretation of the Constitution, served to further rejuvenate the spirits of the Liberty League. Shouse could barely contain his excitement at what he believed to be a grievous error by the President. He discarded the statement he had been preparing to

³⁷ William Stayton to Pierre du Pont, April 19, 1935 *IDP*, Box 111; P.S. du Pont to John Raskob, April 15, 1945, *LMSS*, Box 1294, Folder: American Liberty League 1935 John Raskob to P.S. du Pont, April 30, 1945, *LMSS*, Box 1294, Folder: American Liberty League 1935

³⁸ “Supreme Court Action Cause for Rejoicing, Says Shouse,” *Baltimore Sun*, May 29, 1935; Irénée du Pont to Clarence Geist, May 29, 1935 *IDP*, Box 111.

deliver on the NRA decision and immediately drew up a new one blasting Roosevelt for having “renounced entirely the theory of states’ rights.” This was the type of fight that many supporters of the Liberty League, not to mention some in the Roosevelt camp including the combative Harold Ickes, had been waiting for. While Senate Democratic leader Joe Robinson was quick to defend the President against Shouse, many Congressional Democrats sought to distance themselves from Roosevelt’s comments. Senator James Pope of Idaho, one of the relatively few Democrats to whole-heartedly back the President in this matter, went so far as to claim that the “public welfare” was the highest priority and “if the Constitution gets in the way, it must yield.”³⁹

To the leaders of the Liberty League, such comments by the President and his supporters seemed like a blunt admission of intent to subvert the Constitution. Still the expected flood of new converts to their cause failed to materialize. While Americans generally expressed support for the Constitution and the Supreme Court in the abstract, significant majorities clearly did not view the Liberty League as an unbiased defender of the document. Neither, did they perceive the President as posing a threat to the Constitution. Fairly or not, the known and well-publicized wealth of many of its leading members effectively disqualified, for a large segment of the population, the Liberty League as an honest participant in this debate over the Constitution. In any event, the

³⁹ “States Rights Comment Issued by Shouse Rouses Robinson,” *Washington Post*, June 1, 1935; Jouett Shouse to Irénée du Pont, June 4, 1935 *IDP*, Box 111; Harold Ickes, *The Secret Diary of Harold Ickes: The First Thousand Days, 1933-1936*, (New York: Simon and Schuster, 1954), 371-372.

Schechter decision provided a jolt of energy to the League and with Irénée du Pont and John Raskob back from their respective vacations, any talk of dissolution ceased.⁴⁰

A few weeks later, more than eighty members of the League's Executive and Advisory Committees gathered in Chicago for a joint session. Following this meeting the Liberty League issued a resolution celebrating the recent Supreme Court decisions and strongly condemning calls by New Deal supporters in Congress for constitutional amendments granting the federal government expanded regulatory powers. The resolution further called for maintenance of a sound currency, a balanced budget and a "drastic reduction" in the growing federal bureaucracy. Shouse was adamant in his belief that Al Smith should hold a press conference at the meeting to comment upon the Supreme Court decision invalidating the NRA. Smith seemed to agree and asked Shouse to have his staff prepare data that he could put into his own words before backing off. Smith, perhaps possessed of better political instincts than some of his colleagues, concluded that it would not be a good idea for the league to hold a public meeting. While he eventually attended the Chicago meeting, Smith declined to deliver any public remarks. The other significant development from the Chicago meeting of the League's leadership was the announcement of the formation of a National Lawyer's Committee.⁴¹

⁴⁰ "Supreme Court Curb Opposed by Majority," *Washington Post*, November 3, 1935; "On What Do Americans Base Their Opinions," *Washington Post*, November 3, 1935;

⁴¹ "Bureaucracy Hit By Liberty League," *Baltimore Sun*, June 15, 1935; Jouett Shouse to John Raskob, June 12, 1935, *Raskob Papers*, File 61, Box 2.

Within days of the press conference announcing the establishment of the Liberty League, Raoul Desvernine wrote separate letters to Shouse, Raskob and Irénée du Pont offering his services to the fledgling organization. Desvernine was apparently quite enthusiastic about the league. In his note to Raskob, Desvernine noted his “profound” interest in the league, while suggesting that, in light of his recent experience representing U.S. Steel and the New York Stock Exchange, he could be helpful to the Liberty League. After a delay of several months, the organization finally put Desvernine to work with the establishment of the National Lawyer’s Committee.⁴²

Just a few days before the joint meeting of the Liberty League’s executive committee and advisory council in Chicago, Shouse and Desvernine issued a press release announcing the formation of the National Lawyer’s Committee of the American Liberty League. The primary purpose of the committee, as announced, was to examine important legislative proposals and provide detailed opinions relative to the consonance of these proposals with the “American Constitutional system and American traditions.” At the time of this press release, the committee had forty-eight members, with healthy representation from both political parties.⁴³

The committee included a number of prominent lawyers, among them several past or future presidents of the American Bar Association. Desvernine agreed to chair the committee, but perhaps the most notable member was John W. Davis, the

⁴² Raoul Desvernine to John Raskob, August 29, 1934, *Raskob Papers*, File 61, Box 1; Raoul Desvernine to Irénée du Pont, September 9, 1934, *IDP*, Box 109.

⁴³ Press Release “National Lawyers Committee of the American Liberty League,” June 1935, *IDP*, Box 111.

presidential candidate of the Democrat Party in 1924, who argued in his career an unprecedented one hundred and forty cases before the United States Supreme Court. Former U.S. senators on the committee included Joseph Forney Johnston, an Alabama Democrat, David Reed, a Republican from Pennsylvania and Missouri Democrat James Reed. The group also included a former Solicitor General, James Beck and a former Attorney General in George Wickersham. Joseph Ely served two terms as a Democrat Governor of Massachusetts, while Harold Gallagher, Frederick Stinchfield and John Davis each served terms as president of the American Bar Association. Joseph Proskauer, a long time head of the American Jewish Committee, was another notable member, as was Frederic Coudert, a six term conservative congressman from Manhattan who would later serve as the chairman for William F. Buckley's mayoral campaign in New York City.⁴⁴

In August, Desvernine submitted a draft of the committee's first publication, along with a progress report, to the leadership of the Liberty League. He had organized sub-committees and assigned them to various pieces of New Deal legislation. These included the National Labor Relations Act, the Tennessee Valley Authority, the AAA and its associated processing tax, the public utilities bill, the Guffey Coal bill, the Securities and Exchange Commission and Social Security. After studying the legislative proposals in questions, the task of the assigned sub-committee was to prepare a detailed

⁴⁴ Press Release "National Lawyers Committee of the American Liberty League," June 1935, *IDP*, Box 111; *Washington Post*, January 27, 1936; *Chicago Daily Tribune*, February 26, 1950; *New York Times*, January 17, 1950; *Washington Post*, March 25, 1955; *Washington Post*, June 14, 1956; *The Jewish Exponent*, April 29, 1949.

report consisting of two parts. A relatively short summary of the conclusion would be presented up front in simple language and this would be followed by a detailed legal brief with supporting arguments. Desvernine wrote to Raskob to stress the importance of securing wide distribution for these reports. For the initial report on the NLRA, he particularly hoped to reach the “large industrialists...who are most affected.” Desvernine was convinced that the report on the NLRA would convince the business community of the “great utility” of the Liberty League, while demonstrating to doubters that the organization was not “just a voice in the wilderness.” He showed some concern with the commitment of the League’s leadership to arrange wide distribution for the reports, noting that it would be a source of embarrassment for him to have secured “such an eminent group of lawyers...if the maximum benefit was not derived.”⁴⁵

The Liberty League released the National Lawyers Committee’s report on the NLRA in September of 1935. The report, well over one hundred pages in length, concluded, as might be expected, that the National Labor Relations Act was “unconstitutional” and represented a “complete departure from our constitutional and traditional theories of government.” The authors dismissed the government pretext that the statute could be grounded in the power to regulate interstate commerce, noting that in substance the law covered the relationship between employer and employee, “a matter which has no direct connection to commerce.” The report presented a detailed history of

⁴⁵ Raoul Desvernine to John Raskob, August 15, 1935, *Raskob Papers*, File 61, Box 2; Raoul Desvernine to John Raskob, August 22, 1935, *Raskob Papers*, File 61, Box 2.

federal regulations and Supreme Court decisions through which the boundaries of Congress' ability to act in regulation of interstate commerce had been established.⁴⁶

The decision in the 1934 case of *Chassaniol v City of Greenwood*, in which Justice Louis Brandeis concluded that the growing, ginning, local transportation, compressing, buying and warehousing of cotton were each transactions in intrastate, rather than interstate commerce and thus not subject to regulation by the federal government, was cited in support of the League's opinion. From the 1895 decision *United States v E.C. Knight Company*, the report quoted the conclusion that "commerce succeeds to manufacture and is not a part of it." In *Hammer v Dagenhart* (1918), the authors noted, a government attempt to prohibit the interstate shipment of goods produced in facilities utilizing child labor, was invalidated on similar grounds. The recent unanimous decision in *A.L.A. Schechter Poultry Corp. v United States* figured prominently in the report as well. The *Schechter* decision had affirmed that where the effect of transactions on interstate commerce was indirect, the Congress lacked the authority to regulate. Chief Justice Hughes's opinion contended that if the commerce clause were construed to cover enterprises and transactions bearing only an indirect impact on interstate commerce, the power of Congress to enact regulation would be

⁴⁶ National Lawyers Committee of the American Liberty League, *Report on the Constitutionality of the National Labor Relations Act*, (Pittsburgh, PA: Smith Bros. Inc., Law Publishers, 1935)

sufficiently broad that “the authority of the state over its domestic concerns would exist only by sufferance of the federal government.”⁴⁷

The League’s temerity in offering this opinion on the constitutionality of National Labor Relations Act before the Supreme Court had an opportunity to pass judgment naturally provoked a strong backlash from supporters of the Roosevelt administration. Secretary of the Interior Harold Ickes blasted the decision of “Chief Justice Shouse” and his aides, suggesting that if the Liberty League were to double his ample salary, Shouse could take on the duties of the legislature and executive branches as well. Ickes, a lawyer himself, notably didn’t bother to address the arguments presented in the report, aside from making the somewhat irrelevant point that administrative bodies like the NLRB had been in place in England for some time. He also pronounced this attempt to anticipate a Supreme Court decision as “certainly unethical.” Some members of the bar association apparently agreed with this last point, lodging complaints until an investigative committee was established to look into the matter. The ABA’s committee on professional ethics ultimately determined that the members of the NLC had violated “no canon of legal ethics.”⁴⁸

Perhaps encouraged by this decision, the National Lawyers Committee continued its efforts, producing an evaluation of the Guffey Coal Act. This attempt to regulate coal production provided for the establishment of a National Bituminous Coal

⁴⁷ National Lawyers Committee of the American Liberty League, *Report on the Constitutionality of the National Labor Relations Act*, (Pittsburgh, PA: Smith Bros. Inc., Law Publishers, 1935).

⁴⁸ *New York Times*, September 2, 1935; *Chicago Tribune*, November 18, 1935.

Commission with the power to fix prices and “allocate tonnage among districts.” It also imposed a twenty-five percent tax on coal, the vast majority of which was to be rebated to producers who complied with the law. Provisions were included to force smaller producers to abide by the wage and hour agreements made by large producers as well. The NLC report on the Guffey Act advanced the argument that it was unconstitutional on two fronts. The first complaint was the act’s “capricious and arbitrary” infringement on the liberties of producers and employers, while the second concerned the attempt by Congress to regulate activities, namely the mining and production of coal, that were “essentially and inherently local in character.” The Supreme Court closely followed the reasoning of the NLC report in declaring the Guffey Act unconstitutional in January 1937. Justice Sutherland’s majority opinion noted that “the employment of men, the fixing of their wages, hours of labor and working conditions, the bargaining with respect of these things is strictly local.”⁴⁹

Shouse, Desvernine and Earl F. Reed, a lawyer for Weirton Steel who chaired the NLC subcommittee that had prepared the report, subjected themselves to sharp questioning from an unusually large contingent of reporters at a Washington press conference staged to discuss the report. According to newspaper accounts, the press conference “bristled and crackled from beginning to end” as reporters questioned the purposes and motives behind the Liberty League’s release of this report. Desvernine offered a spirited defense of the effort. He deflected charges that the committee was

⁴⁹ *Boston Globe*, December 9, 1935; James D. Watkinson, “An Exercise in Futility: The Guffey Coal Act of 1935,” *Pennsylvania History*, Vol. 54, No. 2 (April 1987), pp 103-114.

“packed with Republicans” by noting the participation in drafting the report of several prominent democrats including John W. Davis, former Massachusetts governor Joseph Ely, former Missouri Senator James Reed and former Secretary of State Bainbridge Colby. He allowed that most of the lawyers on the committee were affiliates of big business, but stressed that it would be difficult to “choose any committee of well-known lawyers competent in the field of Constitutional law” without drawing heavily from the legal representation of major corporations.”⁵⁰

The National Lawyers Committee continued its barrage with the December 1935 release of a report on the Potato Control Act. The act was designed to limit the domestic production of potatoes in order to maintain an acceptable price level for this commodity. This was to be accomplished by imposing a heavy fine on producers that did not voluntarily comply with AAA covenants establishing production limits. The lawyers’ committee report blasted the Potato Control Act as “flagrantly unconstitutional.” It held that the production of potatoes by local farmers bore no direct impact on interstate commerce and was not subject to regulation under the commerce clause in the constitution. The lawyer’s committee further argued that the “pretended” use of the tax power did not bring the legislation into compliance with the constitution as the levied tax was “merely a penalty to force compliance” and not a true revenue measure.⁵¹

⁵⁰ *Washington Post*, September 19, 1935.

⁵¹ *Washington Post*, December 30, 1935; *Chicago Daily Tribune*, December 30, 1935;

Just a week later, in January 1936, the Supreme Court handed down its decision in *United States v. Butler*. In the *Butler* case, the court declared the Agricultural Adjustment Act to be unconstitutional. The lawyer's committee was understandably pleased with the decision, but not with the dissenting opinion offered by Justice Harlan Stone and joined by justices Cardozo and Brandeis. The next task of the lawyers committee was to prepare a lengthy report critiquing the minority opinion in the *Butler* case. This report, released in April 1936, applauded the majority decision as legally sound and "of transcendent importance." The authors, including Raoul Desvernine, James Beck, Joseph Ely, Frederic Coudert and Joseph Proskauer characterized Stone's opinion as "contrary to established constitutional law" and accused the dissenters of misconceiving the majority opinion.⁵²

The other significant public endeavor undertaken by the Liberty League in 1935 was its sponsorship, in July, of a week-long session on the Constitution versus the New Deal. This symposium, held under the auspices of the University of Virginia's Institute of Public Affairs, consisted of a series of debates and discussion panels dealing with various aspects of New Deal policy. The Liberty League, at the request of the Institute's founder and director Dr. Charles Maphis, agreed to sponsor the forum and present eight speakers to represent the League's position on the constitutionality of the New Deal. Maphis, in turn, would arrange for opposing speakers to defend the administration's positions. Maphis, however, reported considerable difficulty in securing

⁵² *Wall Street Journal*, January 7, 1936; *New York Times*, January 7, 1936; *New York Times*, January 8, 1936; *New York Times*, April 6, 1936.

high level speakers. After inviting several cabinet members and a number of Congressman and Senators, just a few weeks before the scheduled forum, he only had acceptances from Internal Revenue Commissioner Guy Helvering and original brains trustee Raymond Moley. Even Helvering and Moley would back out at the last minute, reportedly at the direction of Democratic publicity director Charles Michelson. Maphis was forced to fill the void with a battery of relatively unknown congressmen and high level bureaucrats.⁵³

The event opened on July 8, 1935 with Nicholas Roosevelt, a writer for the *New York Times* and distant cousin of the president leading off the attack for the Liberty League. Roosevelt thundered against the administration of his relative, arguing that the federal government and the executive branch in particular were making unwarranted and usurpations of powers reserved to the states and to the legislative and judicial branches. While Charles Putnam of the NRA was technically part of the same program, he “made no effort to answer Mr. Roosevelt.” Putnam declined to engage in debate, claiming that he had come merely to talk about the processes, purposes and goals of the NRA, which by this time had been doomed by the *Schechter* decision.⁵⁴

The audience, according to newspaper accounts, was considerably more determined to confront the assertions of the Liberty League speaker. A series of audience members peppered Nicholas Roosevelt with rhetorical thrusts for more than two hours after he finished speaking. The *Baltimore Sun* provided a blanket description of the

⁵³ *Baltimore Sun*, June 23, 1935; *New York Times*, July 21, 1935

⁵⁴ *Baltimore Sun*, July 9, 1935.

audience participants as “belligerents” who displayed “militant support” for the New Deal. It seems that a majority of the audience shared this support as each of the audience members who rose to challenge the Liberty League speaker garnered loud applause. It was also pointed that the challengers, who were required to identify themselves before speaking, were all visitors from other states. Later in the day, Noel Sargent of the National Association of Manufacturer’s spoke against the president’s tax plan. Dr. Joseph Harris of the government’s Commission on Social Security was also an invited speaker, but he, like Putnam, declined to engage in debate and offered no general defense of the administration’s tax policy.⁵⁵

On the second day of the program, writer Demarest Lloyd, a Harvard classmate of Franklin Roosevelt’s and the son of the famed muck-raking journalist Henry Demarest Lloyd, delivered a sharp attack on the New Deal. He denounced the “Fabian Socialism,” which, in his view, had “infected, if not permeated” the Roosevelt administration. Reverend Wythe Lee Kinsolving spoke in defense of the administration, dismissing the Liberty League critics as “damn Yankees who came down here to tell us what to do.” Kinsolving claimed that the New Deal represented the “first real attempt in the history of the world to carry out the teachings of the Sermon on the Mount.”⁵⁶

In the following day’s session, the topic scheduled for discussion was “The People’s Money.” Economist Walter Spahr presented the case for the Liberty League. He complained that the President had surrounded himself with “men of no

⁵⁵ *Baltimore Sun*, July 9, 1935.

⁵⁶ *New York Times*, July 10, 1935.

standing, reputation or experience” in monetary affairs with the result being an “orgy of wild and fantastic legislation” considered a laughing stock by the world’s leading monetary authorities. In Spahr’s view, the New Deal substituted “wishful thinking” and “loud professions of a consuming interest in the welfare of the masses” for a sound economic program designed to actually improve conditions. New York congressman Fred Sisson was on hand to give the contrasting view, but he declared that he did not care to speak on the assigned panel topic. Sisson instead made the argument that the Supreme Court had no authority to declare an act of Congress to be unconstitutional.⁵⁷

Representative David Lewis of Maryland echoed this contention in a subsequent session. Speaking on panel with Raoul Desvernine of the Liberty League and Senator Alben Barkley of Kentucky, Lewis made the case that the Supreme Court lacked the power to invalidate legislation. Other speakers sympathetic to the administration blasted the Liberty League, often to considerable applause from the audience, consisting of more than twelve hundred individual from across the United States and from several foreign countries. James Hart, a professor of Political Science at Johns Hopkins University, for example, warned that in the Liberty League lurked the danger of Fascism. Hart, debating William Stayton, further suggested that the League “outreds the Reds” and was the greatest enemy of orderly change in the United States. Senator Rush Holt of West Virginia, in a similar vein, denounced the leaders of the Liberty League as “Tories” that were “worse than all the communists” in the country. General Hugh Johnson, formerly the head of the NRA, acknowledged the need for a balanced budget and agreed

⁵⁷ *New York Times*, July 11, 1935.

that the federal government should use the taxing power strictly for revenue generation, but he dismissed the Liberty Leaguers as “Bourbons” and “pelf-pilferers” who would make a “poor pirate blush like a peony.”⁵⁸

Once again, the best laid plans of the Liberty League unraveled in practice. The League agreed to sponsor the forum at the University of Virginia with considerable confidence in their ability to win a debate on the facts with senior New Deal officials that were invited. These high level officials didn’t even bother to respond to the invitations and the slate of junior varsity new dealers sent in their place seem to have been instructed to avoid debate. Historian George Wolfskill, who is generally critical of the Liberty League, acknowledged that its speakers got the better of the debate at the Institute for Public Affairs forum, but he also noted, as did contemporary accounts, that the audience, for the most part, remained unimpressed. As an account in the *New York Times* observed, the audiences at some sessions were “so openly hostile to the league and its spokesmen that the roundtable proved something of a boomerang.” Such was the case with many of the initiatives undertaken by the Liberty League. Like Wile E. Coyote chasing the roadrunner, the leaders of the Liberty League developed elaborate plans to expose the Roosevelt administration, often at considerable expense, only to see them explode in their faces. These results seem to be the result less of any particular ineptitude

⁵⁸ *New York Times*, July 11, 1935; *New York Times*, July 12, 1935; *New York Times*, July 13, 1935; *New York Times*, July 14, 1935.

on the part of the planners than on a prevailing public mood of distrust directed at the former captains of industry.⁵⁹

As the election year of 1936 approached, the leadership of the Liberty League sensed that the president's political prospects were weakening. This judgment was not without foundation. Throughout 1935, Roosevelt had endured the sniping from the Left flank within his own electoral coalition. Charismatic figures like Father Charles Coughlin, Dr. Francis Townsend and Huey Long amassed huge followings among the discontented with their various schemes advocating redistribution of wealth. Roosevelt's campaign director, Jim Farley directed the DNC to conduct a secret poll in 1935, the results of which suggested that Huey Long might be able to command as many as four million votes on a third party ticket in 1936, a showing that could easily place the outcome of the election in question. Many historians have suggested that the "second" New Deal of 1935, including such measures as Social Security, the National Labor Relations Act and the "soak the rich" Revenue Act, was designed to undercut these demagogues. As Roosevelt explained it to one reporter, in order to combat "crackpot

⁵⁹ George Wolfskill, *Revolt of the Conservatives: A History of the American Liberty League, 1934-1940* (Boston: Houghton Mifflin Company, 1962), 70; *New York Times*, July 21, 1935.

ideas” he was inclined to throw the handful of Americans with income in excess of one million dollars per year “to the wolves.”⁶⁰

While some of the programs offered by the Second New Deal might have served to stem the momentum of critics like Coughlin, Long and Townsend, they also had the effect of alienating many business leaders and more conservative democrats that had previously been willing to go along with the administration. The Liberty League hoped to exploit this perceived softening in the president’s political position and draw newly minted dissidents to another standard bearer in 1936. To this end, Raskob and the du Ponts arranged for Al Smith to deliver the keynote address at an extravagant banquet planned to coincide with a joint session of the Executive Committee and Advisory Council of the Liberty League in Washington.⁶¹

The du Ponts and their associates looked forward to the event with considerable anticipation. They arranged for a sizeable contingent to travel together on a train from Wilmington. Irénée wrote to J. Howard Pew, encouraging him to pull together a similarly strong delegation from Philadelphia. He shared his anticipation that a strong

⁶⁰ Arthur M. Schlesinger, Jr. *The Politics of Upheaval*, vol. 3 of *The Age of Roosevelt* (Boston: Houghton Mifflin Company, 2003), 15-68; David H. Bennett, *Demagogues in the Depression: American Radicals and the Union Party, 1932-1936* (New Brunswick, NJ: Rutgers University Press, 1969); Alan Brinkley, *Voices of Protest: Huey Long, Father Coughlin and the Great Depression* (New York: Vintage Books, 1983); James Farley, *Jim Farley’s Story: The Roosevelt Years* (New York: McGraw-Hill Book Company, Inc., 1948, 50-52; David M. Kennedy, *Freedom From Fear: The American People in Depression and War, 1929-1945* (New York: Oxford University Press, 1999), 284.

⁶¹ David M. Kennedy, *Freedom From Fear: The American People in Depression and War, 1929-1945* (New York: Oxford University Press, 1999), 275-279; Jouett Shouse to John Raskob, January 2, 1936, *Raskob Papers*, File 61, Box 2, Folder 61K.

showing would demonstrate to the President and to the Congress that the “Liberty League is worth cultivating.” The gala, scheduled for the evening of January 25 at the elegant Mayflower Hotel in Washington, had been booked to capacity for weeks. League President Jouett Shouse claimed that, in addition to the two-thousand expected guests, he had to turn away an additional four-thousand requests for tickets due to lack of capacity and that he continued to receive such requests at a rate of close to seven hundred per day.⁶²

In addition to Al Smith, scheduled speakers included Charles I. Dawson of Kentucky and Neil Carothers, director of the College of Business Administration at Lehigh University. Carothers, in agreeing to speak, wrote to Shouse of how he had overcome his initial misgivings against joining an organization that might be perceived as an instrument of the reactionary rich. With the passage of time, it had become evident to Carothers that the Liberty League was the “most useful single agency in the country for presenting the truth about economic matters.” Dawson, who had recently resigned his position as a federal district court judge, made news earlier in the year when he handed down a series of rulings overturning New Deal legislation including the National Industrial Recovery Act. Carothers warmed up the audience with a spirited defense of business and private property and a dismissal of the “amateur planners” and “wolfish minorities bent on extorting special privileges.” Judge Dawson offered dire predictions,

⁶² Jouett Shouse to John Raskob, January 2, 1936, *Raskob Papers*, File 61, Box 2, Folder 61K; Irénée du Pont to J. Howard Pew, December 24, 1935, *IDP*, Box 112, Folder: November-December 1935; “Rush on Liberty League,” *New York Times*, January 18, 1936.

suggesting that the Constitution could not survive another term under Franklin Roosevelt. He warned of the administration's already demonstrated intent to force unconstitutional acts on the country through judicial construction rather than amendment of the Constitution. Dawson stated plainly that President Roosevelt, if re-elected, would try to pack the Supreme Court with enough justices sharing his own views to ensure that the construction of the Constitution in the United States would be permanently changed.⁶³

Of course, the thousands in attendance and millions listening on live radio were more interested what Al Smith had to say and he did not disappoint them. Speaking in his twangy East Side accent and peppering his speech mispronunciations and colloquialisms like "ain't," a red-faced Smith had the well dressed and well fed crowd rolling with applause that "shook the ballroom." In a speech entitled "The Facts in the Case," the former governor read out a biting indictment of the administration's record to date. Smith first assured his listeners that he was not a candidate for office and his motivations were not personal. "During my whole public life," he continued, "I put patriotism above partisanship." He denounced the New Dealers for their efforts to array class against class with the claim that "you can't soak the rich without soaking labor at the same time." He lamented the vast buildup of new government bureaus that drained resources from the private sector and placed unwarranted power in the hands of unelected officials. His most strident complaint against the Roosevelt administration was its perceived failure to carry out the Democrat Party platform of 1932. This platform, Smith

⁶³ Neil Carothers to Jouett Shouse, December 9, 1935, *IDP*, Box 112, Folder: November-December 1935 "Dawson Quits the Bench," *New York Times*, June 1, 1935; "Assert President Betrayed Oath," *New York Times*, January 26, 1936.

alleged, was a “covenant with the people” and one that the President had failed to honor. The governor challenged his audience to lay out, side by side on their dining room tables, copies of both the Democratic and Socialist party platforms from 1932. He claimed that any objective analysis of these platforms against the historical record would show clearly that the New Deal squared more closely with the Socialist platform. The young brain-trusters, Smith claimed, had come upon the Socialists in swimming and “ran away with their clothes.” The once happy warrior then turned his attention to the upcoming Democratic convention in Philadelphia, suggesting that when the party formally endorsed Roosevelt and his New Deal policies, Smith and his fellow “disciples of Jefferson and Jackson” would face a stark choice. “We can take on the mantle of hypocrisy,” he thundered, “or we can take a walk, and we will probably do the latter.”⁶⁴

In the eyes of the Liberty League’s leadership and supporters, the speech was a smashing success. To Pierre du Pont, Smith’s performance was, in a word, “perfect.” Raskob similarly lauded the content as “splendid”. Republican Representative L.T. Marshall of Ohio described the speech as the “most straightforward human discussion of the fundamental principles of our government that I have ever heard. In many respects, Smith’s speech was successful. Just a few days after delivering it, the governor reported that he had already received more than two thousand letters and telegrams that were mostly favorable in tone. Many of these contained donations for the Liberty League in denominations of between one and one-hundred dollars with the total haul approaching

⁶⁴ “Smith’s Oratory Dominates 2,000 Hilarious New Deal Foes,” *Washington Post*, January 26, 1936; “The Facts in the Case,” Text of Al Smith Speech to the Liberty League Dinner, *IDP*, Box 112, Folder: January 1936.

two thousand dollars. Shouse reported that he had already received more than nine thousand requests for copies of the speech, which the League promptly published and distributed in pamphlet form. The Liberty League's home office received a similar flood of correspondence, with more than a thousand telegrams, of which Shouse estimated 95% were "commendatory," arriving on the day after the speech alone.⁶⁵

Shouse apparently forwarded these letters to the appropriate state organizations to aid in their membership recruitment. Louis Drexler, head of the American Liberty League of Delaware set to work immediately on contacting residents of Delaware who had written complimentary letters relating to Smith's address. Some examples included C. Clifford Reese, owner of a Wilmington metal working shop, who wrote that the governor's words "stirred something within me politically that makes me want to shout..." Reese, a die-hard Republican, affirmed his willingness to cross over and cast a vote for Al Smith "regardless of politics or religion." Edmund Lincoln of Wilmington expressed similar sentiments, contending that Smith had rendered an "immeasurable service" and that this was the most enjoyable speech he had ever heard. Drexler contacted these and other Delaware supporters, inviting them to join the League or help in recruiting additional members.⁶⁶

⁶⁵ "Smith's Speech Draws Praise and Criticism," *Chicago Daily Tribune*, January 26, 1936; George Wolfskill, *The Revolt of the Conservatives* (Boston: Houghton Mifflin Company, 1962), 160-161.

⁶⁶ Edmund E. Lincoln to Al Smith, January 28, 1936, *IDP*, Box 265, Folder: L; Louis Drexler to Edmund Lincoln, February 3, 1936, *IDP*, Box 265, Folder: L; C. Clifford Reese to Al Smith, January 27, 1936, *IDP*, Box 265, Folder: R.

Certainly, Smith's speech helped to generate enthusiasm among League supporters and attract new members, but it must be regarded as something of a Pyrrhic victory. Well timed pre-emptive strikes by the administration and its supporters combined with the requisite unforced public relations blunders by the Liberty League at least severely blunted the effectiveness of the event, if not turning into yet another boomerang that would hit the League harder than its intended target. The political skill of the Roosevelt administration is evident in its handling of the Liberty League dinner.

Little more than a week before the Mayflower Hotel dinner Harold Ickes fretted privately in his diary over the unimpeded buildup that had been afforded to Smith in advance of the speech. Ickes, who had often played the role of attack dog for the administration was itching for a chance to go on the offensive. Ickes was despondent that "nothing has been done" to counteract Smith, but cooler heads within the administration already had the situation under control. Between them, James Farley, Charles Michelson and his assistant Edward Roddan devised and carried out a simple and effective strategy. Rather than refuting or even acknowledging the Liberty League's arguments, they would instead "parade their directorate before the people" and "blame them for everything." The administration sought mostly to remain above the fray, but the president got in a few indirect attacks. Roosevelt's state of the union message, lamented by his opponents as a nakedly political speech inappropriate to the occasion characterized his critics as forces of "entrenched greed" and "money changers" who had "stolen the livery of the Constitution." At the Jefferson Jackson Day dinner a few nights later, the president continued with this theme. In front of a crowd that had paid fifty dollars a plate to hear

him speak, coincidentally at the same Mayflower Hotel that would host the Liberty League dinner less than two weeks later, he again referred to the “enemies” of popular government as the “forces of privilege and greed.” The President likened his own situation with that faced by Jackson in years past. Jackson, he claimed, stood nearly alone against the “material power” of business, “haughty and sterile intellectualism,” the media and “hollow and outworn traditionalism.” At times, continued Roosevelt, again using Jackson as a proxy, it seemed that “all were against him, all but the people of the United States.”⁶⁷

The president never mentioned the Liberty League by name, but it was obvious who the “forces of selfishness” were. To reinforce this point, officials of the Treasury department, apparently acting under direction from the President, filed a tax claim for more than \$617,000 against Pierre du Pont on January 11. Du Pont and Raskob, having taken huge losses in the stock market crash of 1929, devised a scheme in an apparent effort to reduce their respective tax liabilities for that year. They arranged to sell each other more than four million dollars in stocks in order to realize losses that would reduce their respective tax liabilities. Certainly, the legality of such a maneuver was questionable and courts would subsequently disallow it after a prolonged fight, but the

⁶⁷ Harold L. Ickes, *The Secret Diary of Harold Ickes: The First Thousand Days, 1933-1936* (New York: Simon and Schuster, 1954), 516-517; George Wolfskill, *The Revolt of the Conservatives* (Boston: Houghton Mifflin, 1962), 212-213; “Foes Hasten to Reply,” *New York Times*, January 5, 1936; “States the Basic Issue,” *New York Times*, January 9, 1936.

timing of the claim, coming more than six years after the transaction in question and just days before the Liberty League dinner, suggests that the intent was purely political.⁶⁸

The announcement provoked a brutal attack on the Senate floor by Lewis Schwellenbach of Washington. The Senator derided the Liberty League as a haven for “rascals and crooks...leeches and bloodsuckers.” He characterized Raskob and du Pont as “racketeers,” while also accusing League supporter E.F. Hutton of “crooked and dishonest stock manipulation.” Republican Senator Daniel Hastings of Delaware defended P.S. du Pont on the senate floor a few days later, noting that, even with the questionable transaction, du Pont had paid more than \$4.5 million in individual income tax in 1929, a figure that represented more than half a percent of the total income tax collected from individuals during that year and the highest total paid by any American citizen. In addition, Hastings noted, du Pont had given more than one million dollars to charity in 1929. Of course, the administration’s goal of discrediting the Liberty League in advance of Smith’s speech had already been accomplished and Hasting’s defense was little noted.⁶⁹

The leaders of the Liberty League did themselves no favors in planning the dinner. Newspaper accounts printed the scheduled menu, which included tomato stuffed with lobster and crab flakes, mock turtle with old sherry, *filet mignon* with *pate de fois*

⁶⁸ “President Drafted Du Pont Tax Action,” *New York Times*, January 12, 1936; Robert F. Burk, *The Corporate State and the Broker State: The Du Ponts and American National Politics, 1925-1940*, 66-67, George Wolfskill, *The Revolt of the Conservatives* (Boston: Houghton Mifflin, 1962), 145.

⁶⁹ *Washington Post*, January 24, 1936; “Defends du Pont in Senate Speech,” *New York Times*, January 31, 1936.

gras, hearts of romaine with honeydew melon and alligator pear and fresh strawberries with hazelnut ice cream for dessert. While the guests only paid five dollars a plate for the Liberty League dinner, a bargain compared to the fifty dollar a plate dinner addressed by Roosevelt in the same ballroom a few weeks previously, it was still a price that relatively few Americans could afford after seven years of depression. The guest list, which like the cost and menu, was widely commented upon in newspaper accounts further confirmed the impression of the Liberty League as a country club. Several accounts noted that the guest list included “an even dozen du Ponts,” a total which did not even include the married sisters and daughters of Irénée that were in attendance. Other symbols of wealth included in the guest list were Cornelius Vanderbilt, Jr., S. Bayard Colgate, Winthrop W. Aldrich, long-time president of Chase National Bank, Alice Roosevelt Longworth, Princess Cantacuzene, a granddaughter of President Grant who had married a Russian prince and Robert Fleming, the president of the American Banker’s Association. There were a number of political figures from both parties as well, including several former governors and senators and at least seven sitting members of Congress and even a handful of former Roosevelt administration officials like James Warburg, Dean Acheson and Silliman Evans. Perhaps with an assist from the Roosevelt administration and sympathetic spokesmen, the majority of the majority of the American electorate seems to have concluded that the Liberty League was, in fact, an instrument of massed plutocracy and simply tuned out anything Governor Smith had to say on its behalf.⁷⁰

⁷⁰*Chicago Daily Tribune*, January 26, 1936; *Boston Globe*, January 26, 1936;

John Raskob, seeking to capitalize on the expected rush of enthusiasm to come in the wake of the Liberty League dinner, devised a plan that he believed would help to dramatically expand the membership of the Liberty League. He crafted a letter detailing his rise to a position of wealth and power from humble origins. In this letter, he stressed that his success story was made possible by the accident of his birth in a country founded on a constitution “which respects the rights of persons and property” and teaches “the duty of government to encourage...individual and group initiative.” Raskob warned of a “vicious radical element” in both parties that threatened to overturn this system. Paraphrasing the Declaration of Independence, he urged “all liberty loving citizens” with a “decent respect to themselves and posterity” to “rally around a common standard” to defend the constitutional principles on which the nation’s foundation rested. He pointed to the Liberty League as this common standard, lauding its ongoing dissemination of pamphlets “so carefully prepared that not one statement of fact has been successfully contradicted.”⁷¹

Raskob and Shouse viewed this letter as a powerful appeal that would generate as many as 75,000 new membership pledges. Their plan was to send it out in a mass mailing operation. Raskob assembled mailing lists, writing to the heads of corporations for which he served as a member of the board of directors, including DuPont and General Motors, to request shareholder addresses. Lamont du Pont agreed to provide the requested list, but Alfred Sloan of General Motors was reluctant. Sloan,

“National Figures Among the Guests,” *New York Times*, January 26, 1936.

⁷¹ *New York Times*, February 1, 1936.

while sympathetic, declined on the grounds that his position didn't allow for the perception of involvement in political questions. Raskob and Stayton worked with a marketing company to obtain an additional mailing list of Americans with an estimated net worth of more than five hundred thousand dollars.⁷²

Ultimately, Raskob personally covered the entire cost for the Liberty League to send out more than 150,000 copies of his letter. The mailings also contained copies of a Liberty League pamphlet, *Facts About the Liberty League*, which included an membership application. Shouse arranged to print special color-coded copies of the pamphlet for this mailing, so that it would be easy to trace how many membership subscriptions came in as a result of the effort. The letters went out on January 29 and copies were released to the press the following day, ensuring maximum publicity. Several papers simply printed the letter in its entirety.⁷³

As was the case with many endeavors of the Liberty League, the results of this mass mailing fell short of expectations. Certainly, there was a significant positive response. Shouse's secretary reported that two individuals showed up at the headquarters of the Liberty League immediately after receiving the letter on January 31 to join. One of

⁷² *New York Times*, February 1, 1936; Pierre du Pont to John Raskob, January 8, 1936, *Raskob Papers*, File 61, Box 2, Folder 61K; Alfred Sloan to John Raskob, January 15, 1936, *Raskob Papers*, File 61, Box 2, Folder 61K; P. Bunker to William Stayton, January 22, 1936, *Raskob Papers*, File 61, Box 2, Folder 61J.

⁷³ John Raskob to Pierre du Pont, January 9, 1936, *Raskob Papers*, File 61, Box 2, Folder 61K; John Raskob to Jouett Shouse, January 10, 1936, *Raskob Papers*, File 61, Box 2, Folder 61K; Erma Garey to Harold Seer, January 10, 1936, *Raskob Papers*, File 61, Box 2, Folder 61K; *Chester Times* January 30, 1936; *New York Times*, February 1, 1936.

the men made a contribution of five dollars. Others who joined in the days following the mailing offered more sizable contributions, including New York attorney John Prentiss who gave a thousand dollars and textile exporter Benjamin Cone of Greensboro, NC, who gave five hundred. Several of the favorable responses included requests for additional membership blanks. Using the color coded application blanks, Shouse was able to determine that Raskob's letter yielded nearly two thousand new memberships. Approximately 85% of these new members made financial contributions as well with a combined total of \$30,170.⁷⁴

While Raskob's letter achieved some success in bringing in new members and funding, in the court of public opinion, the results were mixed at best. Even among those who sympathized with the expressed aims of the Liberty League, many conveyed serious reservations as to whether the League was an effective vehicle for their accomplishment. Several respondents active in Republican politics contended that Raskob bore considerable responsibility for the election of Roosevelt on account of his involvement with Shouse and Charles Michelson, in the "smear campaign" against President Hoover. John Blodgett, a Michigan banker, pointed out that Michelson was now using the same tactics against the Liberty League that had been employed against

⁷⁴ Erma Garey to Harold Seer, January 31, 1936, *Raskob Papers*, File 61, Box 2, Folder 61K; Charles Holladay to John Raskob, January 31, 1936, *Raskob Papers*, File 61, Box 2, Folder 61K; E.H. Landers to John Raskob, February 3, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; Harold Seer to John W. Prentiss, February 3, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; Harold Seer to Benjamin Cone, February 3, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; W.N. Jennings to John Raskob, February 1, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; Dr. Harry L. Farmer to John Raskob, February 26, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; Erma Garey to Harold Seer, March 18, 1936, *Raskob Papers*, File 61, Box 2, Folder 61M.

Hoover. While expressing his sincere hope for success of the Liberty League, Blodgett declined to join both on the basis of Raskob's conduct as head of the DNC and because he saw the League as "too vulnerable" in its connection to individuals of great wealth. In similar fashion Baltimore & Ohio railroad president Daniel Willard and Pittsburgh industrialist John Casey expressed sympathy but declined to join either from fear of bad publicity or a preference to "work through Republican channels." Walter Snelling, the noted scientist who invented the first process for distillation of propane gas, echoed these sentiments. While conveying his thorough agreement with the League's principles, Snelling perceived the prominence of wealthy industrialists in the organization as its "fatal weakness." He stressed the need for awakening the middle class to the "insidious nature" of the forces undermining the American system of government, but warned that the methods employed by the Liberty League were not equal to the task.⁷⁵

A number of sympathetic respondents sought to advise the Raskob on how to enhance the League's appeal to the masses. Solomon Stanwood Menken, a New York attorney, wrote to inform Raskob that he would not join the Liberty League because he did not approve of its top down approach. Menken lauded his own experience in founding the National Security League, an organization devoted to increased military preparedness, in 1914. He claimed to have mobilized more than one million members in

⁷⁵ Millard Brown to John Raskob, January 31, 1936, *Raskob Papers*, File 61, Box 2, Folder 61K; Mark Requa to John Raskob, February 4, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; John F. Casey to John Raskob, February 8, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; John W. Blodgett to John Raskob, February 12, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; Daniel Willard to John Raskob, February 3, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; Walter O. Snelling to John Raskob, March 28, 1936, *Raskob Papers*, File 61, Box 2, Folder 61M.

this effort and offered to meet with Raskob to offer advice on generating mass membership. Hathaway Watson of Chicago concurred, suggesting that lower class voters would not give “more than a few seconds” to the questions involved. Appealing to these voters, Watson argued, required the “language of the gutter.” In his view, hatred was the “greatest rallying point in mass psychology” and it was, therefore, necessary to promote hatred of radicalism, socialism and waste of public money among the masses. Watson envisioned an organization tentatively called the American Citizen to undertake this task. He had already taken up the subject with Mr. Cunningham of the ALL’s Chicago office, who had made it “quite clear” that the Liberty League had no interest. J.G. Royse of Illinois wrote a very similar letter looking for “sub rosa” funding to create an organization that “the rabble can feel is theirs.”⁷⁶

Of course, many recipients of Raskob’s letter were not sympathetic at all and this sentiment manifested itself in a torrent of angry responses. Hope Walker of Staten Island, for example, demanded to know how Raskob obtained her address. Walker noted that while she had been born into more favorable circumstances than Raskob, she had never “lost sight of the feelings of those less fortunate.” She demanded that the Liberty League remove her from its mailing list and stop sending her its “offensive” literature. J.J. Shores of Camden and Evelyn Preston of New York, both shareholders in General Motors, similarly expressed concern over how Raskob obtained their addresses.

⁷⁶ S. Stanwood Menken to John Raskob, February 3, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; Hathaway Watson to John Raskob, March 6, 1936, *Raskob Papers*, File 61, Box 2, Folder 61M; J.G. Royse to John Raskob, March 27, 1936, *Raskob Papers*, File 61, Box 2, Folder 61M; Harold Seer to J.G. Royse, January 31, 1936, *Raskob Papers*, File 61, Box 2, Folder 61M.

Preston, a member of the Junior League who had recently been arrested for disorderly conduct in relation to her participation in a strike outside a Brooklyn department store, forwarded a copy of her response to the *New York Post*, which printed it under the headline “Raskob Sends a Note to the Wrong Young Lady.”⁷⁷

The Liberty League sent copies of the letter to members of Congress and other elected officials, provoking a number of acerbic replies. Progressive Republican and New Deal supporter Senator James Couzens of Michigan sent a letter asking Raskob to identify the “vicious radical element” to which he had referred. Raskob continued the correspondence by indicating that the roots of the radicalism he perceived in the Roosevelt administration could be found in the college professors and in the “group of visionaries” placed in responsible offices by the President. This, again, was not specific enough for Senator Couzens, who demanded a list of names. Raskob responded that he could not provide such a list because there were “countless thousands of them” poisoning the minds of future voters, but he conceded that his implied list of radicals included President Roosevelt, members of his cabinet and a significant portion of the Congress, presumably including Couzens.⁷⁸

⁷⁷ Hope Walker to John Raskob, February 3, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; J.J. Shores to John Raskob, February 3, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; *New York Post*, February 3, 1936.

⁷⁸ James Couzens to John Raskob, February 6, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; John Raskob to James Couzens, April 15, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L; James Couzens to John Raskob, April 16, 1936, *Raskob Papers*, File 61, Box 2, Folder 61M; John Raskob to James Couzens, April 24, 1936, *Raskob Papers*, File 61, Box 2, Folder 61M

Raskob was apparently quite proud of his correspondence with Senator Couzens. He sent copies of his April 15 reply to all of his colleagues on the boards of corporations for which he served as a director, including DuPont, General Motors, Bankers Trust Company and Lawyers Trust Company. He received a number of congratulatory responses. Alfred Sloan of GM registered his approval and conveyed his exasperation with the President's recent remarks to the Young Democrats of Maryland. The President had floated the idea of creating new government restrictions designed to reduce unemployment by limiting the pool of eligible workers to those between the ages of 18 and 65. Sloan noted that he had always questioned the President's intellectual honesty, but this most recent speech forced him to question Roosevelt's intellectual capability. Sloan characterized the plan as a "pathetic exhibition of an entirely wrong approach" to the problem of unemployment and complained that even if the President didn't know better, "there ought to be others surrounding him" who could point out his fallacious reasoning.⁷⁹

Senator Sherman Minton of Indiana penned an immediate and angry response. Minton, an ardent supporter of the New Deal who would later be appointed to the Supreme Court, noted that while he also came from humble origins, he remained "with his gang." Raskob and Al Smith, he continued, had "run out" on the poor and lacked the sympathy with the less fortunate that the Senator and his fellow New Deal supporters possessed. Minton wondered why Raskob and the du Ponts were not as concerned with

⁷⁹ Alfred Sloan to John Raskob, April 22, 1936, *Raskob Papers*, File 61, Box 2, Folder 61M; *New York Times*, April 14, 1936.

the federal deficit during the war years “when the budget was unbalanced to buy your munitions of war to kill American boys.”⁸⁰

Pulitzer Prize winning playwright Elmer Rice expressed similar sentiments in his response. Rice recounted his own “bitter early years of drudgery and starvation wages.” Contrasting himself with the leaders of the Liberty League, Rice touted his ability to still identify with the underprivileged millions “from whose blood and sinew such great fortunes as yours...are distilled.” He dismissed the du Ponts as “feudal barons” who had “coined their wealth from the bodies that strew the battlefields of the world.” Rice ridiculed the tone of “happy resiliency” that permeated Raskob’s letter and declared himself in accord with the “vicious radical element” that so concerned Raskob.⁸¹

Once again, Raskob devoted considerable time and financial resources to the creation and distribution of this form letter. The results were mixed at best and far from the tidal wave of support that he evidently expected to generate. Certainly, the letter brought in some new members and contributions, but it also provoked a powerful backlash. In retrospect, it is difficult to argue with the conclusions conveyed to Raskob by Memphis cotton merchant A.E. Hohenberg, a supporter who found the “squandering of tax payer’s money, the inefficiency in government” and the “prostitution of public service...shocking to my nature and faith.” Hohenberg argued that the Liberty League

⁸⁰ Sherman Minton to John Raskob, February 3, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L

⁸¹ Elmer Rice to John Raskob, February 4, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L

was not the “proper instrumentality to bring to the average citizen just what the government is doing to him.” The League, he continued, was merely a front for Wall Street in the public conception, and its thrusts against the administration served only to “consolidate the enemy-to revive old prejudices and to further promote class hatred.”⁸²

Aside from the continued publication and distribution of pamphlets, the only significant undertaking by the leadership of the Liberty League during 1936 was an ill-conceived “get out the vote” campaign.” The League’s Executive Committee approved this initiative in a May 15 meeting. Apparently convinced that Roosevelt’s margin of victory in 1932 was the product of low voter turnout, the League prepared a form letter stressing the importance of every eligible voter exercising the right to vote. The letter, sent to all of the League’s mailing lists, asked recipients to sign a pledge to vote in the 1936 election. It stressed, again to maintain the appearance of non-partisanship, that the pledge was merely to vote and not for any particular candidate. Recipients were also asked to secure pledges from ten other citizens and to forward their names to the Liberty League in order that copies of the letter could be sent to them for signature.⁸³

Louis Drexler, head of the American Liberty League of Delaware, questioned the wisdom of this initiative, but ultimately complied with the wishes of

⁸² A.E. Hohenberg to John Raskob, February 13, 1936, *Raskob Papers*, File 61, Box 2, Folder 61L

⁸³ Jouett Shouse to John Raskob, June 5, 1936, *Raskob Papers*, File 61, Box 2, Folder 61N; Form Letter: Get Out the Vote Campaign of the American Liberty League, *Raskob Papers*, File 61, Box 2, Folder 61N.

League's executive committee. He reported that the Delaware branch devoted most of its time in the months leading up to the 1936 election to the "get out the vote campaign." He further pointed out that the results were not in line with expectations. He cited statistics showing that turnout had indeed increased significantly in both Pennsylvania and Delaware compared to the 1932 election, but that the increased turnout only served to increase Roosevelt's margin of victory. In Drexler's view, the "large latent vote...was not sufficiently informed...to act with good judgment." The League's effort to maintain a non-partisan stance rendered this campaign, which involved considerable expenditure of resources, largely counterproductive.⁸⁴

Once again in the interest of presenting a non-partisan face to the public, the Liberty League laid off much of its staff and scaled back dramatically on the production of pamphlets following the nominating conventions and the start of the political campaign in the summer of 1936. The "get out the vote" campaign proceeded as planned but, for the most part, the Liberty League tried to stay out of the campaign. The Roosevelt campaign, however, preferred to keep the Liberty League front and center. Its speakers repeatedly tried to link Republican candidate Alf Landon to the League. Henry Wallace, for example, in September 1936, railed against the "munition makers" and the Liberty League he claimed were the forces behind the Republican party. Harold Ickes delivered a similar message in August, declaring that Landon had fallen into the grip of "cold, heartless and exploiting men." Wall Street and the Liberty League, he

⁸⁴ Louis Drexler to Carey Jarman, December 2, 1936, *IDP*, Box 264, Folder: Carey Jarman.

continued, had escorted the Republican candidate to the top of a high mountain and, in the manner of the devil tempting Jesus, promised him “all the kingdoms of the world.” Roosevelt campaign manager Jim Farley charged the League with having “disgraced American politics with their appeals to race prejudice, religious intolerance, and personalities so gross that they had to be repudiated by the regular Republican organization.”⁸⁵

The resounding victory of Franklin Roosevelt in the 1936 election sounded the death knell for the public career of the American Liberty League. The magnitude of the popular mandate awarded to the President perhaps finally drove home to the leaders of the Liberty League the fact that their organization, as constituted, could not hope to exert significant leverage on public opinion. The prevalence of wealthy industrialists in the group’s leadership represented a fatal flaw. The Liberty League, of course, did not disband, but rather scaled back its operations dramatically and began working behind the scenes to support the opposition in Congress, while not presenting such an obvious target for counter-attacks by the administration and its supporters.

⁸⁵ William Stayton to P.S. du Pont, “Memorandum Concerning the Activities of the American Liberty League From its Origination,” July 13, 1938, *LMSS*, Box 1293, Folder: American Liberty League 1938; “Wallace, Acting for Roosevelt, Answers Landon,” *Chicago Tribune*, September 26, 1936; “Ickes Berates Rich Man Fight on Roosevelt,” *Chicago Tribune*, August 4, 1936; “Liberty League Chiefs Hurl Lie at Jim Farley,” *Chicago Tribune*, July 1, 1936.

CHAPTER 4

THE LIBERTY LEAGUE AT THE LOCAL LEVEL

Most scholars who have considered the Liberty League have focused heavily on the small group of wealthy industrialists who helped to establish and provided the funding for the organization. While it is important to note the involvement of these individuals, too much focus on them tends to reinforce the perception of the ALL advanced by its critics as a clique of disgruntled capitalists determined to bring down the president. Aside from a few exceptions, most notably Irénée du Pont and John Raskob, most of these wealthy donors had very little involvement in the day to day operations of the Liberty League. An analysis of the activities undertaken by the League's leadership showed considerable evidence that they viewed the ALL as an educational organization designed to promote a traditional view of the Constitution and acted accordingly. The discussion of the available evidence on the League's state, local and college chapters undertaken in this chapter shows a similar determination to focus on promoting the Constitution.

In establishing the ALL's first state chapter in Delaware, its founders looked for inspiration to the Constitutional convention, when delegates from twelve of the original thirteen states gathered at Philadelphia in May of 1787. Their fledgling government, born in revolutionary triumph, floundered in practice. Chief among the flaws in its founding document, the Articles of Confederation, was a failure to provision the federal government with adequate powers to regulate interstate commerce, provide for the

common defense or raise revenue in support of these efforts. Although Congress unambiguously called the convention “for the sole and express purpose of revising the Articles of Confederation,” the delegates, among them George Washington, Alexander Hamilton, James Madison and Ben Franklin, exceeded their mandate. Through the long and unusually warm summer they worked, crafting by September a document that remains history’s most enduring written constitution.¹

Three months later, at the Golden Fleece Tavern in Dover, thirty of Delaware’s most prominent citizens, ten from each of its three counties, unanimously ratified the new Constitution. In this act, they secured an historic legacy for Delaware as the first state to approve this document. That this achievement remained a source of intense and enduring pride within the state is evident in the passage, in November 1933, of a joint resolution by the state’s General Assembly enshrining the anniversary of ratification, December 7, as Delaware Day.²

This legacy weighed heavily on the minds of Captain William Stayton, Irénée du Pont and Henry Davis as they moved swiftly to ensure that Delaware would again seize the initiative and become the first state to rise in answer to the Liberty League’s call to uphold this hallowed document. On September 1, 1934, little more than a week after Shouse’s press conference announcing the national organization, they filed a certificate of incorporation creating the American Liberty League of Delaware. A few

¹ Catherine Drinker Bowen, *Miracle at Philadelphia: The Story of the Constitutional Convention May to September 1787*, (Boston: Little, Brown & Company, 1966), 4.

² “Launching the Ship of State, ALLDE publication, ID papers

days later, they convened the first official meeting of the incorporators of the Delaware organization in Wilmington. Assembled at Irénée's office in the Du Pont Building, they adopted by-laws and named Captain Stayton the acting secretary. An executive committee consisting of Irénée and Pierre du Pont, William Stayton, Henry Davis, Louis Drexler, Ernest May and J.K. Garrigues was also established with Irénée acting as the Chairman and J. Simpson Dean named Treasurer.³

The American Liberty League of Delaware, the first of seventeen state and local affiliates of the national organization to emerge, exemplified Irénée du Pont's vision of localism. While the national headquarters devoted itself to publicity, research and the dissemination of educational pamphlets, it was hoped that prominent supporters around the country would take the initiative and establish local branches to carry out the organizational and recruiting work that would provide the League with a grass roots foundation. This chapter will provide insight into the activities of the state and college chapters of the Liberty League. Since previous scholarly accounts dealing with the Liberty League focused almost exclusively on the national organization, the chapter will include analysis of how the activities of the local branches conform to the perceptions of the Liberty League advanced by its previous historians. The availability of archival sources necessitates an otherwise unwarranted emphasis on the Liberty League of Delaware, which is the only branch for which more than fragmentary records have been preserved.

³ "Minute Book: American Liberty League of Delaware, Inc."

While the parent organization remained dormant in the months following its prematurely forced announcement, Captain Stayton set to work immediately trying to build an effective local unit in Delaware. He arranged for a mass meeting on September 17, Constitution Day, at the 1,250 seat Wilmington Playhouse Theater. The general theme for the event was “The Constitution: What has it done for us in the past and why we should preserve it?” John Hemphill, a prominent attorney and the 1930 Democratic gubernatorial candidate from Pennsylvania, served as the featured speaker. Hemphill’s connections with the du Ponts dated back to his unsuccessful 1930 campaign. The AAPA supported his candidacy after the Republicans nominated an unabashed dry, Gifford Pinchot, who went on to win the election.⁴

Pierre du Pont presided at the meeting and later characterized Hemphill’s address as “admirable and generally well received.” While acknowledging the perception that the speech might have given offense to “a few rock-ribbed Republicans and former drys,” du Pont insisted that this was a favorable comment upon its content. Stayton, for his part, was extremely pleased with the outcome. He reported a significant influx of letters, financial contributions and offers of voluntary service specifically referencing the gathering in Wilmington. Hemphill was also apparently satisfied with his role, expressing to P.S. du Pont the expectation that he would look back later in life on this

⁴ Letter, William Stayton to Pierre du Pont, September 11, 1934, *LMSS*, Box 1294, Folder: American Liberty League 1934; David Kyvig, *Repealing National Prohibition*, (Kent, OH: Kent State University Press, 2000), 142.

speech with great pride “because of the success and the significance of the movement that was begun.”⁵

In reality, the Wilmington meeting turned out to be more of a false start than an effective beginning to the campaign. The national leadership, in an ultimately futile effort to deflect charges of partisanship, refused to waver from its original plan to stay out of the public eye until after the November mid-term elections. This policy trickled down to the Delaware organization, as evidenced in the frustration conveyed by the group’s publicity director, Brooks Darlington, to Pierre du Pont. In a series of letters, Darlington presented his vision for how the Liberty League should be promoted in Delaware. He thought it of primary importance that they attract influential citizens across the state to serve on the executive committee, while also securing public declarations of support from well respected citizens, including the du Pont brothers. He also emphasized the need to combat any public perception of the Liberty League as in opposition to the New Deal, suggesting that the speech by Hemphill at the Wilmington rally might have unfortunately encouraged such an impression. Darlington and du Pont agreed that the

⁵Letter, P.S. du Pont to John Hemphill, September 27, 1934, *LMSS*, Box 1294, Folder: American Liberty League 1934; Letter, William Stayton to P.S. du Pont, September 20, 1934 *LMSS*, Box 1294, Folder: American Liberty League 1934; Letter, John Hemphill to P.S. du Pont, September 19, 1934, *LMSS*, Box 1294, Folder: American Liberty League 1934.

League should take care, in its public pronouncements, to emphasize areas where it supported policies of the Roosevelt administration.⁶

Darlington also stressed the importance of refining the message put out by the Liberty League. He warned that the vague pronouncements issued to date indicated a concern with property rights. Much of the public, he opined, could rightly be expected to interpret such rhetoric as the “squawk of owners of large property.” He advocated a strategy aimed at demonstrating to the “little fellow” that virtually all citizens were property owners in some respect. The Liberty League, he argued, should focus attention on the exorbitant taxes levied upon cigarettes, gasoline, clothing and other items popularly consumed. In this manner, Darlington hoped to convince working class and middle class voters that, in registering their opposition to excessive taxation, they were not merely “stringing along with the Tories and the special interests.”⁷

Darlington complained of a dearth of direction within the Delaware organization. Captain Stayton had been the driving force behind the initial organizational efforts in Delaware, but as he became increasingly embroiled in the planning efforts underway at the national headquarters, the Delaware group languished without leadership. Stayton had directed Darlington to withhold any publicity campaign until after the November election, hoping to fill the promotional void by scheduling dinners in

⁶ Letter, Brooks Darlington to P.S. Dupont, October 2, 1934, *LMSS*, Box 1294, Folder: American Liberty League 1934; Letter, Brooks Darlington to P.S. Dupont, October 21, 1934, *LMSS*, Box 1294, Folder: American Liberty League 1934.

⁷ Letter, Brooks Darlington to P.S. Dupont, October 21, 1934, *LMSS*, Box 1294, Folder: American Liberty League 1934.

large towns throughout the state at which he would personally address leading citizens to promote the Liberty League and cultivate local leadership networks. His efforts with the national organization, Darlington complained, prevented Stayton from keeping these speaking engagements. The League's prolonged inactivity following an initial flurry of publicity left its target audience puzzled and, more importantly, susceptible to the continuing stream of criticism directed at it from detractors both within and outside of the Roosevelt administration.⁸

The fledgling Liberty League of Delaware remained adrift for a few months more until, on February 26, 1935, the organization's executive committee convened its first meeting at the office of Irénée du Pont. The attendees included Irénée and Pierre du Pont, John Garrigues, Henry Davis, Ernest May and Captain Stayton. An agenda submitted to the committee members in advance indicated that the parent organization was at last ready to move forward and hoped to use the already established Delaware branch as a sort of "laboratory" apparatus to test out strategies for organizing in the rest of the states.⁹

Among the topics for discussion was the progress made to date. By this time, the ALLDE had only 700 members, but it was nevertheless in a "comfortable financial position." Stayton lamented the almost complete concentration of membership

⁸ Letter, Brooks Darlington to P.S. Dupont, October 2, 1934, *LMSS*, Box 1294, Folder: American Liberty League 1934.

⁹ "Memorandum Concerning Meeting of the Executive Committee, American Liberty League of Delaware, Inc.," February 21, 1935, *LMSS*, Box 1294, Folder: American Liberty League 1935.

in the Wilmington area. He cited the need for a special approach to securing membership in the downstate counties, owing to the “eccentricities” he perceived in their residents. His efforts in these counties had proven so far unsuccessful. Jasper Crane, for example, provided him a list of twenty prominent citizens in the lower counties that Crane deemed good prospects. Having already written three letters to each of the contacts inviting them to join, Stayton was still without a single reply. To remedy this situation, Stayton revived his earlier plan of scheduling informational dinners for approximately one hundred key contacts in the towns of Dover, Middletown and Georgetown. He suggested that the Liberty League cover the costs of the dinners, which he estimated at around one dollar a head. Stayton stressed the importance of inviting a diverse crowd in terms of political and religious affiliation. His goal in sponsoring these dinners, of course, was the establishment of local leadership committees primarily to assist in membership recruitment.¹⁰

Stayton expressed some concern that it would be difficult to maintain interest and enthusiasm at the local level if these leadership committees were confined to the “mere drudgery” of recruiting additional members. As potential remedies, he proposed the dissemination, at least monthly, of an informational newsletter from the ALLDE headquarters, along with the assignment of additional activities to the local committees. The newsletter, he envisioned, would contain information on the activities

¹⁰ “Memorandum Concerning Meeting of the Executive Committee, American Liberty League of Delaware, Inc.,” February 21, 1935, *LMSS*, Box 1294, Folder: American Liberty League 1935.

of the Liberty League at the national and state levels and include as well some efforts to stimulate competition in terms of membership recruitment between counties or various state branches. Foremost among the additional work Stayton hoped the local leadership would undertake was to actively promote study of the principles of the U.S. and Delaware state Constitutions in the local schools. Local leaders, Stayton proposed, should also contribute to the work of the Liberty League by remaining vigilant against potential transgressions against liberty and constitutional principle by state government, since the focus of the national organization remained heavily on the federal government.¹¹

When the meeting convened, the participants discussed Stayton's plan for sponsoring dinners in lower Delaware at length, deciding to defer them indefinitely. An executive committee was also established, consisting of all present, plus Jasper Crane and Louis Drexler, who were not in attendance. The committee then appointed Mildred Efferson as secretary for the branch and established a sub-committee consisting of May, Garrigues and Stayton to conduct a search for a full time manager for the Liberty League of Delaware. Stayton, acting on the recommendation of Pauline Sabin, motioned that the secretary extend an invitation to Charlotte Mahaffy, a veteran of the WONPR to join the Delaware organization as its Vice-Chairperson. Finally, the participants decided that all

¹¹ "Memorandum Concerning Meeting of the Executive Committee, American Liberty League of Delaware, Inc.," February 21, 1935, *LMSS*, Box 1294, Folder: American Liberty League 1935.

new members would be acknowledged by sending them a button along with additional membership blanks and a request to recruit new members.¹²

By the time of the next meeting in March, the search committee had completed its work, naming Louis A. Drexler as Executive Director of the Liberty League of Delaware. A long time veteran of Delaware politics, Drexler had served in the state's General Assembly as both a Representative and a Senator on the Republican side. In 1912, he played a key role in the convention of the Delaware Progressive Party and staged an unsuccessful run for Congress on the Bull Moose ticket. Drexler brought an extensive network of political connections and an abundant supply of energy to the position, imparting a sense of drive and purpose to the organization that had at times been lacking under Stayton's distracted leadership.¹³

Drexler seized the initiative immediately, announcing to the executive committee that he had arranged for former state senator George McIntire to address the membership of several New Castle county organizations including the Monarch Club, Rotary Club, Masonic Club and the Exchange Club to promote the Liberty League. Discussions were underway with the Kiwanis as well and Drexler had initiated contacts in Lewes, Dover and Georgetown in preparation for similar efforts in those down-state communities. Drexler's efforts in this regard plainly demonstrated the improved

¹² "Minutes of Meeting of the Executive Committee of the American Liberty League of Delaware" February 26, 1935, *Papers of Irénée du Pont*, Box 262; Letter, Pauline Sabin to William Stayton, December 12, 1934, *IDP*, Box 267.

¹³ "Minutes of Meeting of the Executive Committee of the American Liberty League of Delaware" March 25, 1935, *IDP*, Box 262; *New York Times*, September 12, 1912.

efficiency that this change in leadership provided for the Liberty League of Delaware. He essentially adopted a simplified and considerably less expensive version of Stayton's long envisioned series of promotional dinners and implemented it within days of taking the helm.¹⁴

Drexler brought a few more ideas to the table at his first meeting as executive director of the ALLDE. He read, for example, to the Executive Committee excerpts from "In Defense of the Constitution," a pamphlet by Rita Collyer. The publication, consisting of selections from the writings and speeches of the presidents on the Constitution, had been distributed in the past by the office of John Townsend, then a U.S. Senator from Delaware. The committee agreed to solicit quotations for a mass printing of the pamphlet to be distributed among the ALLDE's membership. Drexler also advocated the purchase of copies of the Constitution and Declaration of Independence for the Liberty League to distribute to all of Delaware's graduating high school seniors. Ernest May, meanwhile, reported that he had been in contact with noted historians James Truslow Adams and Charles A. Beard, as well as columnist Frank Kent regarding the possibility that one or more of them might be willing to assist the Liberty League with editing the publications put out by the national headquarters.¹⁵

¹⁴ "Minutes of Meeting of the Executive Committee of the American Liberty League of Delaware" March 25, 1935, *IDP*, Box 262.

¹⁵ "Minutes of Meeting of the Executive Committee of the American Liberty League of Delaware" March 25, 1935, *IDP*, Box 262. There is no evidence to suggest that anything came of these negotiations with Adams, Beard or Kent.

Over the next few weeks, Drexler expressed considerable satisfaction with the speaking engagements undertaken by Senator McIntire and signaled his intention to schedule additional addresses to various clubs around the state. The ALLDE ordered three hundred bound copies of Collyer's pamphlet for the organization's contributing membership and made plans to purchase a less expensive pamphlet version for general distribution. The committee considered a quotation for a three-month advertising program with the firm of Baton, Bartan, Burston & Osborne at the exorbitant cost of \$15,000.00. Ernest May dismissed this proposal as far too ambitious in scale, suggesting instead that the executive committee try to persuade some of the presumably like-minded advertising firm's staff to work on a less extensive ad program during their spare time. Drexler and Jasper Crane investigated the possibility of getting the Wilmington *Star* and other papers across the state to publish informational articles profiling the Liberty League.¹⁶

At an April meeting of the executive committee, Stayton tendered his resignation as president of the ALLDE and the executive committee named Drexler his successor. Drexler announced that he had accepted invitations from three Delaware women's organizations to speak on the Liberty League. Discussion quickly moved to the idea of sponsoring an essay competition for Delaware high school students. Citing a trend in the Federal government toward "change or disregard of the Constitution," the leaders of the ALLDE determined that this competition would be useful in "bringing

¹⁶ "Minutes of Meeting of the Executive Committee of the American Liberty League of Delaware" April 01, 1935, *IDP*, Box 262.

about a consciousness of fundamental laws.” Having agreed on the desirability of this endeavor, the committee made arrangements with Dr. Walter Hullihen, president of the University of Delaware, to select qualified and impartial judges. The resulting initiative, scheduled for the summer of 1935, represented one of the organization’s most extensive efforts to promote awareness of the Constitution.¹⁷

The Liberty League spared no expense in preparing for the competition. An introductory pamphlet with an attached entry blank was sent to each of the 8,630 high school students in grades ten through twelve throughout the state. To ensure that no students were inadvertently denied the opportunity to participate, entry blanks and introductory letters also went out to the principals of Delaware’s forty-eight high schools, all members of the Liberty League of Delaware, the commissioners for every school district in the state, and the heads of the History and English departments at all state high schools. To further promote the essay competition, Louis Drexler personally visited each high school in Delaware, bringing with him a copy of the book *Information on the Union*, presumably for incorporation in the school library. By Liberty League estimates, these promotional efforts directly reached more than 25,000 students, parents and teachers.¹⁸

¹⁷ “Minutes of Meeting of the Executive Committee of the American Liberty League of Delaware” April 26, 1935, *IDP*, Box 262; Minutes of Meeting of the Executive Committee of the American Liberty League of Delaware” June 11, 1935, *IDP*, Box 262; “Report on Essay Competition,” undated, *IDP*, Box 270.

¹⁸ “Report for Executive Committee Meeting,” September 30, 1935, *IDP*, Box 267, Folder: Minutes, Executive Committee Meetings; “Report on Essay Competition,” undated, *IDP*, Box 270.

Participants were instructed to write the essay on “The American Constitution,” but were permitted “wide latitude.” The response to this call for essays was “instantaneous and gratifying,” with 577 students returning entry blanks. More than half of these came from New Castle county, with the down-state counties of Kent and Sussex returning 106 and 163 entries respectively. Each student signifying his or her intent to compete with an entry card received from the Liberty League a copy of Rita Collyer’s book *In Defense of the Constitution: Excerpts from the Remarks of the Presidents of the United States of America*, along with a bound copy of the Constitution of the United States. Only 225 students actually submitted essays by the prescribed deadline. A system of numbered entry cards ensured anonymity in order to provide for impartial grading.¹⁹

University of Delaware history professor Roger Tyler agreed to serve as the initial reader. He separated out the higher quality essays and forwarded them to the appointed panels of three judges in each county. In New Castle County, the judges were James Morford, Caleb Layton and Clarence Southerland. All were attorneys of considerable standing. Morford and Southerland both would later win election to the post of Attorney General for the state of Delaware, with Southerland also serving as Chief Justice of the state’s Supreme Court. Layton, the son of a former Republican Congressman of the same name, later served as a judge on the Delaware Superior Court until he was appointed by President Eisenhower as a U.S. District Court Judge in 1957.

¹⁹ “Report for Executive Committee Meeting,” September 30, 1935, *IDP*, Box 267, Folder: Minutes, Executive Committee Meetings; “Report on Essay Competition,” undated, *IDP*, Box 270.

In Kent County, the panel included Mayor John Wallace Woodford of Dover, William H. Boyce, who had served twenty four years as a justice on the Delaware Supreme Court before defeating the father of fellow contest judge Caleb Layton to win election to Congress as a Democrat in 1922, and Earl D. Willey, then a common pleas court judge for Kent County and later Delaware Secretary of State and a one-term Republican member of Congress. The judges for Sussex County were of similar stature. Robert G. Houston served as Assistant Attorney General in Delaware before defeating fellow contest judge William Boyce in 1924 for the same seat in Congress Boyce had taken from Layton's father two years earlier. Also judging for Sussex County were Frank Jones and George S. Williams, who was also later elected to the House of Representatives as a Delaware Republican.²⁰

The Wilmington school district supplied nearly half of the submissions, with the majority of these coming from Wilmington High School, Ursuline Academy and Howard High School. Ursuline was a Catholic girls' school, while Wilmington and Howard were segregated public schools catering to white and African-American students respectively. Howard High, incidentally, later figured prominently in one of the desegregation cases subsumed in *Brown v. Board of Education of Topeka, KS*. Of the more than one hundred entries, Professor Tyler designated twenty-one as finalists, and these were submitted to the judging panel. Of the essays selected as finalists, Wilmington High students penned fifteen, with only two coming from Ursuline and one

²⁰ "Report for Executive Committee Meeting," September 30, 1935, *IDP*, Box 267, Folder: Minutes, Executive Committee Meetings.

from Howard. The finalists dealt with a variety of subjects including “The Constitution and Public Welfare,” “The Constitution in Relation to Modern Needs,” “The Constitution in a Changing World,” and “The Constitution and States Rights.” The winning essay for the Wilmington district, by John Brentlinger, Jr., of Wilmington High, was “The Constitutional Guarantee of Individual Liberty.”²¹

Brentlinger was also declared the winner of the statewide competition and attended Columbia University in the fall with the aid of a \$1000.00 scholarship supplied by the Liberty League of Delaware in recognition of his victory. The ALLDE secured time for Brentlinger to read his essay over a state-wide radio network and arranged for it to be printed in full in the *Morning News*, *Sunday Star* and *Wilmington Journal*.

Elizabeth Lee Murray of Selbyville won the competition in Sussex County and Reid Stearns was the winner for New Castle County. The League arranged for Murray’s essay to be printed in *The Sussex Countian*, while Stearns’ appeared in the *Newark Star*. In addition, Murray and Stearns each received \$250.00 in scholarship money.²²

The essay competition was the most substantial endeavor undertaken by the ALLDE in 1935 at a cost of several thousand dollars, but Drexler and the executive committee continued their efforts to increase membership and promote awareness of the Constitution. Irénée du Pont suggested that the group petition the governor of Delaware regarding the constitutionality of the recent \$4.88 billion relief appropriation secured by

²¹ “List of Entries for Essay Competition: Wilmington District,” undated, *IDP*, Box 268; “Essay Competition Finalists: Wilmington,” undated, *IDP*, Box 268

²² “Report for Executive Committee Meeting,” September 30, 1935, *IDP*, Box 267, Folder: Minutes, Executive Committee Meetings.

Roosevelt from Congress, arguing that the relief spending in Delaware would be far less than proportional to the state's share of the federal tax burden. The committee unanimously accepted the proposal, but it amounted to nothing more than a symbolic gesture.²³

On the recruiting front, the ALLDE compiled an extensive mailing list drawing on the membership lists of associations of merchants, industrialists, farmers, women's organizations and various clubs and fraternal societies. During August and September, they reported sending out more than ten thousand pieces of literature, most of which consisted of pamphlets they received in bulk from the national headquarters. They also found that personal solicitation was the most effected method of bringing in new members, with the executive committee lauding the efforts of an unnamed member in lower Delaware for sending in entry blanks for 140 recruits. Irénée du Pont suggested that Drexler contact David Snellenburg to solicit ideas on how to increase the Liberty League's appeal with "the Jewish element" in Wilmington. Snellenburg managed the downtown Wilmington branch of his family's Philadelphia based N. Snellenburg and Company department store chain. There is no evidence to suggest that these efforts to reach out to Wilmington's Jewish committee met with any success.²⁴

²³ "Meeting Minutes of the Executive Committee of the American Liberty League of Delaware," June 11, 1935, *IDP*, Box 262.

²⁴ "Meeting Minutes of the Executive Committee of the American Liberty League of Delaware," June 11, 1935, *IDP*, Box 262; "Report for Executive Committee Meeting," September 30, 1935, *IDP*, Box 267, Folder: Minutes, Executive Committee Meetings.

The ALLDE also continued its work with schools. Drexler contacted principals and administrators around the state encouraging them to stage educational programs on Constitution Day and Ratification Day. In advance of Ratification Day in December, the ALLDE prepared a six-page account of the Delaware state convention that was the first to register its approval of the new Constitution. This document, entitled *Launching the Ship of State*, was distributed in pamphlet form to Delaware's schools and to the Liberty League's general mailing lists. Included with the booklet was an invitation to join the Liberty League of Delaware, along with a mail-in entry blank.²⁵

1936 was an election year and the Liberty League started it off on a high note with an extravagant dinner at the Mayflower Hotel in Washington. The ALLDE sent a substantial contingent to the dinner, including most of the executive committee, several members of the Du Pont family, and various other notables including Delaware Secretary of State Walter Dent Smith and Dr. G. Layton Grier, the co-founder and long time president of the L.D. Caulk Company in Milford. The dinner's fiery keynote address, delivered by Al Smith, generated considerable enthusiasm among those critical of the administration, along with a strong backlash from Roosevelt supporters.²⁶

²⁵ "Launching the Ship of State: An Account of the Delaware State Convention That First Ratified the Federal Constitution, December 7, 1787," (Wilmington, DE: American Liberty League of Delaware, 1935) *IDP*, Box 268, Folder: December 7, 1935.; Letter, Louis Drexler to J.J. Hoey, August 12, 1936, *IDP*, Box 265, Folder: H.

²⁶ "Delaware Dinner List," *IDP*, Box 267; Letter: Louis Drexler to G. Layton Grier, January 20, 1936, *IDP*, Box 265, Folder: G.; Dave Kenton, *Milford* (Charleston, SC: Arcadia Publishing, 2001), 79.

Drexler worked diligently to use the energy created by Al Smith's speech to recruit new members to the Liberty League of Delaware. He cross checked the list of Delaware residents attending the dinner and sent out personal invitations to all who were not already members of the ALLDE. Smith's speech, which was broadcast live over a national radio network, precipitated an avalanche of mostly favorable correspondence to the League's national office. Everett M. Barr, for example, expressed his delight with the speech and professed a desire to "aid in this great movement....to retire this socialistic outfit in Washington." In similar fashion, C. Clifford Reese, the proprietor of a metalworking shop in Wilmington, wrote that Smith's speech "stirred something within me politically that makes me want to shout," and Edmund Lincoln, a DuPont Company economist declared it to be of "immeasurably great service to the American people." Drexler obtained from the national headquarters that portion of the Smith correspondence originating from Delaware and crafted personal responses to each of the letter writers, extending invitations to join the ALLDE and encouraging them to recruit additional members. He also perused the letters to the editor in local newspapers, sending out membership invitations to potentially sympathetic writers like Mrs. E.M. Campbell, who berated the editors of the Wilmington *Morning News* for covering the "decidedly inferior" administration response to Smith delivered by Senate majority leader Joseph Robinson, while ignoring the "eloquent and forceful" speech by Bainbridge Colby before the Woman's Patriotic Conference on National Defense on January 27 in Washington. Colby, who served as Secretary of State under Woodrow Wilson and helped found the

Progressive Party in 1912, charged administration officials with “conspiracy to nullify the Constitution” and decried the influence of communists in high governmental positions.²⁷

While the dinner provided a unique opportunity for appealing to prospective members, the ALLDE remained persistent in its search for effective methods to expand membership during the early part of 1936. They continued to send out literature from the national office to multiple distributions lists consisting of members, associations of bankers, lawyers, rural route box holders and the Delaware Grange. Drexler sought out advice from other state branches regarding the most effective methods of membership solicitation. Jouett Shouse sent clippings of a full-page advertisement placed in the *New York Times* by the New York branch to the heads of other state and local chapters, recommending this as an effective technique. The ad included a membership blank that could be cut out and mailed in. The Liberty League of Pennsylvania quickly followed suit with an advertisement in the *Philadelphia Inquirer*, but Wilbur Morse, head of the Pennsylvania organization, informed Drexler that “it did not bring the results that would warrant us in repeating it.” The Liberty League of Delaware did place cut-out advertisements in some Wilmington and down-state papers, but decided to devote a larger portion of their resources to a billboard campaign. The ALLDE contracted with Hessler Sign Company to place eighty-seven billboards in strategic, heavily traveled

²⁷ Letter: Louis Drexler to Albert S. Carter, January 29, 1936, *IDP*, Box 265, Folder: C; Letter: Louis Drexler to Frank Corsano, January 29, 1936, *IDP*, Box 265, Folder: C; Letter: C. Clifford Reese to Al Smith, January 27, 1936, *IDP*, Box 265, Folder: R; Letter: Edmund E. Lincoln to Al Smith, January 28, 1936, *IDP*, Box 265, Folder: L; Letter: Everett M. Barr to American Liberty League, February 3, 1936, *IDP*, Box 264, Folder: B; *Wilmington Morning News* January 31, 1936; *New York Times*, January 28, 1936.

locations around the state. Nine special illuminated signs would be located in Wilmington. The total monthly cost of this endeavor was \$1241.85, after a 15% discounted granted by Paul Hessler as a token of his sympathy with the principals espoused by the Liberty League. The immediate response to this campaign failed to match Drexler's expectations, but he expressed hope that exposure would rise with the increased automobile traffic later in the Spring.

Another significant 1936 initiative for the Liberty League of Delaware was its get out the vote campaign. In this instance, the impetus came directly from the National headquarters. At a May 14 meeting of the national executive committee, the members decided to go ahead with an aggressive national campaign intended to increase voter turnout in the 1936 election. A four-page bulletin detailing the get out the vote campaign went out to all members in May. On June 1, Carey Jarman from the national office sent forms to the various state branches and instructed Drexler and other local leaders to begin distribution immediately. In July, Jarman supplied the state branches with additional information detailing national efforts to coordinate the get out the vote movement with other organizations, including Kiwanis Clubs, Rotary Clubs, Lions Clubs and Womens' groups.²⁸

The national executive committee apparently assumed that the substantial latent electorate, were it moved to vote, could be relied upon as a sort of silent majority that would turn the New Dealers out of office. In August, they instructed the state branches to

²⁸ Letter: Carey Jarman to Louis Drexler, June 1, 1936, *IDP*, Box 264, Folder: Carey Jarman; Letter: Carey Jarman to Louis Drexler, July 23, 1936, *IDP*, Box 264, Folder: Carey Jarman.

include get out the vote slips with all outgoing correspondence, regardless of subject. The slips informed recipients that only 53% of the voting age population participated in the last four presidential elections and requested that they secure pledges to vote from as many fellow citizens as possible. The form made clear that the pledge was only to participate in the election and not to support or oppose any candidate. Of course, members were instructed to record the name and address of any pledges they secured and it is likely that all were added to the mailing list of the Liberty League.²⁹

Drexler dutifully went along with the national organization's plans, devoting the bulk of the Delaware branch's resources to the get out the vote program in the months before the election. Privately, however, he found the plan to be ill conceived. He questioned whether the latent electorate was "sufficiently informed to...act with good judgment." His reservations proved to be well founded, as voter turnout increased significantly, but it worked in Roosevelt's favor, winning him the election in an historic landslide. In a letter to headquarters, Drexler ruefully noted that even in Delaware, the increased turnout worked in favor of the President's party. Republican gubernatorial candidate Harry Cannon, for example, garnered more votes than had outgoing governor

²⁹ Memorandum: Ewing Laporte to ALL State Divisions/ Local Chapters, August, 12 1936, *IDP*,

C. Douglass Buck in winning election four years earlier, but still lost by a substantial margin to the Democratic candidate, Richard McMullen.³⁰

The resounding victory of the New Deal forces in the 1936 election delivered a stunning blow to the Liberty League. The national organization suspended all public activities as its leadership deliberated over the most desirable path forward. Fund raising ceased and the bulk of the staff at the national headquarters was liquidated. A small research staff subsidized almost exclusively by Pierre and Irénée du Pont would remain, but the organization stayed out of the public eye. In the face of these decisions, most of the state and local branches folded up operations as well, but Drexler was reluctant to do so without first consulting his membership.

In a form letter mailed to the entire membership of the ALLDE in January 1937, Drexler defended the conduct of the organization as wholly in accord with the principles enunciated at its founding and asked recipients to submit their opinion on the subject of whether the Delaware branch should continue operation. According to Drexler, not a single letter came in advocating discontinuation of the ALLDE's activities. Several respondents pledged continued financial support, including Paul Hessler, Alfred Warner and DuPont Company C.E.O., Lamont du Pont, who declared himself "entirely satisfied" with the work of the League and advised that it should continue. J. Allen Johnson, a Middletown dentist, suggested that Roosevelt's recent shift to a "more conservative approach toward industry, was "without a doubt" partly due to the work of

³⁰ Memorandum: Ewing Laporte to ALL State Divisions/ Local Chapters, August, 12 1936, *IDP*, Box 264, Folder: 1936; Letter: Louis Drexler to Carey Jarman, December, 2 1936, *IDP*, Box 264, Folder: Carey Jarman.

the Liberty League. Other respondents, while stopping short of advocating cessation of operations, conveyed varying levels of disillusion. Mary Wilson Thompson of Greenville, previously a leader in the fight against women's suffrage, suggested that the organization stick together, but remain out of the public eye to the extent possible. She pointed out a growing belief that the League, on account of its unpopularity, might have done more harm than good. She also found the pamphlets distributed by the ALLDE to be a waste of money since "very few read them." John K. Jenny of Wilmington echoed these sentiments, declaring that, while the League's principles were solid, propaganda emanating from the Roosevelt administration had already "completely destroyed the usefulness" of the organization. On the whole, the response to Drexler's inquiry provided a vote of confidence that, along with the assurance of continued financial support from the du Ponts and others, convinced him to carry on with the work of the ALLDE.³¹

In December 1936, the ALLDE expanded upon its effort from a year earlier to promote the celebration of Ratification Day in Delaware's schools. Drexler sent out form letters with copies of the ALLDE document "Launching the Ship of State" to all school districts in the state. The letter encouraged schools to use the document to further student awareness of Delaware's role in ratifying the federal Constitution. Drexler also requested

³¹ Letter: Paul C. Hessler to Louis Drexler, January 18, 1937, *IDP*, Box 269; Letter: Mary Wilson Thompson to Louis Drexler, January 15, 1937, *IDP*, Box 269; Letter: Lamont du Pont to Louis Drexler, January 15, 1937, *IDP*, Box 269; Letter: Alfred D. Warner, Jr. to Louis Drexler, January 13, 1937, *IDP*, Box 269; Letter: J. Allen Johnson to Louis Drexler, January 13, 1937, *IDP*, Box 269; Letter: John K. Jenny to Louis Drexler, January 15, 1937, *IDP*, Box 269.

that each school send him a copy of any program staged in honor of Ratification Day. Dozens of schools and school districts responded. Some merely set aside time for discussion in homeroom or history classes or provided for a short historical presentation over the public address system, while others brought in speakers and staged large general assemblies with flag salutes, songs, historical, patriotic and biblical readings and student plays. E. Paul Burkholder, the Delaware state legislator who originated the 1933 petition that garnered thousands of signatures and resulted in the proclamation of December 7 as Delaware Day was the featured speaker in at least three of the school programs. Several reported making use of “Launching the Ship of State” in their programs, including the Claymont and Middletown school districts. H.E. Stahl, Superintendent of the Claymont Special School District responded enthusiastically, while also inquiring if Drexler knew of any “patriotic organization” that could donate a large state flag for display at the high school. Drexler immediately contacted a supplier in Philadelphia to get pricing for the requested flag. Samuel Burr, Superintendent of the New Castle School District, requested a meeting with Drexler to discuss his idea for a potential Liberty League pamphlet focusing on an unidentified topic peculiar to Delaware.³²

³² Letter: Louis Drexler to H.E. Stahl, December 14, 1936, *IDP*, Box 267, Folder: Ratification Day-December 7; Letter: H.E. Stahl to Louis Drexler, November 30, 1936, Box 267, Folder: Ratification Day-December 7; Letter: Samuel Engle Burr to Louis Drexler, December 3, 1936, Box 267, Folder: Ratification Day-December 7; Letter: Gilbert Nickel to Louis Drexler, December 23, 1936, Box 267, Folder: Ratification Day-December 7; Letter A.M. Easterbrook to Louis Drexler, December 16, 1936, Box 267, Folder: Ratification Day-December 7; Letter: Robert E. Shilling to Louis Drexler, December 10, 1936, Box 267, Folder: Ratification Day-December 7.

In January of 1937, Henry Snavely contacted Drexler with regard to a manuscript he had prepared and hoped to publish consisting of “Study Guides and Comprehensive Tests on the Constitution of the United States.” Snavely declared his method of minute analysis of each of the document’s provisions to be the most effective tool available for students to systematically study “what the Constitution actually says.” Snavely had submitted the manuscript to numerous publishers and claimed that most found it to be of considerable value, quoting the president of one publishing house as declaring that it should be utilized “in every senior and junior high school in the country.” Still, none were willing to publish it because of concerns that it could not be sold profitably through normal commercial channels. Stressing the non-partisan character of the manuscript, Snavely suggested that an organization “interested in wider familiarity with what the Constitution is, says, and contains” could use it effectively and he offered it to the Liberty League for a sum of six thousand dollars.³³

After several months of correspondence, Snavely apparently won Drexler over to the idea of having the ALLDE purchase his manuscript and distribute it at no cost to schools. With both the national office and the Delaware branch having dramatically scaled back activities in the wake of the 1936 election, however, funds for the book were not available. Snavely, whose background included two decades as a history teacher and school administrator, forwarded a copy to Irénée du Pont. Irénée found the book to be of

³³ Letter: Henry Snavely to Louis Drexler, January 28, 1937, *IDP*, Box 270; Letter: Henry Snavely to Louis Drexler, June 28, 1937, *IDP*, Box 270; “Memorandum on “Study Guides and Comprehensive Tests on the Constitution of the United States,” undated, *IDP*, Box 270.

considerable value and sent copies to high-ranking officials in Delaware's public schools and to the noted philanthropist and former DuPont chemist and executive, H. Fletcher Brown, reporting enthusiastic responses from all of them.³⁴

Drexler arranged for an initial printing run, with the cost of the manuscript, writing and editorial services and publishing amounting to \$8555.28. Irénée du Pont contributed a total of \$3,000.00 and secured most of the rest of the funding through personal appeals to a small group. His brothers Pierre and Lamot, for example, donated \$1,000.00 and \$2,000.00 respectively. H. Fletcher Brown supplied an additional \$2,000.00 and Henry Belin du Pont contributed \$250.00. These five individuals, covering essentially the entire cost of publication, enabled Drexler to distribute the book broadly to students, educators, clubs and professional organizations throughout the state. The national Liberty League, confined to behind the scenes research and advocacy, provided no assistance, but Drexler made considerable efforts to dispense the book outside of Delaware, forwarding copies to organizations including the Grange, the General Federation of Women's Clubs and the American Legion. Interest in Snavely's book was sufficient to warrant a second printing of 5000 copies in August 1938.³⁵

³⁴ Letter: Irénée du Pont to Louis Drexler, October 5, 1937, *IDP*, Box 270; "Memorandum on "Study Guides and Comprehensive Tests on the Constitution of the United States," undated, *IDP*, Box 270.

³⁵ Letter: Irénée du Pont to Louis Drexler, October 5, 1937, *IDP*, Box 270; "Statement of Costs Associated with the Publication of Snavely's Book," undated, *IDP*, Box 270; Purchase Order: American Liberty League of Delaware to Star Publishing Company, August 27, 1938, *IDP*, Box 270.

The response from recipients of the book was strongly positive. Drexler retained dozens of letters expressing gratitude and requesting additional copies. Dr. H.V. Holloway, the Superintendent of Public Instruction for the State of Delaware, requested copies for the graduating seniors of every public high school in Delaware, along with another 1075 copies for teachers. Drexler promptly complied, indicating his expectation that the books would be used to promote a “thorough knowledge of the Constitution.” Representatives from numerous rotary clubs received copies and related their intentions to utilize the book in their meetings and study programs. Harry Colglazier, of the Kansas Grange asked for and obtained copies for his Grange lecturers, local schools and libraries and the local American Legion Post. Additional notes of gratitude came from Grange organizations in Ohio, Connecticut and Delaware, school districts in Pennsylvania, New Jersey and Kansas. Drexler’s wife was involved with the General Federation of Women’s Clubs and he drew upon her connections, disseminating copies to branches of that organization in Georgia, Maryland and New Hampshire. Her connections proved even more valuable in Delaware as numerous responses came from women’s clubs across the state. Some of the responses indicated plans to organize programs and lectures based on the book, while the Blue Rock Community Club in Gordon Heights utilized the book as the basis for monthly quizzes on the Constitution. Howard Lobdell Smith, an official with the Boy Scouts of America, received 160 copies for use by Scout Masters in the organization’s Americanization Program. While he expressed gratitude for the “exceedingly generous” gift, Smith requested that the identity of the donor remain a secret to avoid “even the suspicion of partisanship.” Drexler continued distribution of

Snively's book through at least the first half of 1939, but after this there is no evidence of further activity by the ALLDE.³⁶

For the most part, the Liberty League adhered to a decentralized organizational model. The national headquarters devoted the bulk of its resources to research, publication and dissemination of pamphlets and the fundraising required to support these activities. State and local branches typically set their own priorities and secured independent sources of financial support. Still, the national office made significant efforts to coordinate activity among the local branches and, at times, acted more imperiously in imposing its will. This was the case with the get out the vote campaign in 1936. The national office pushed this initiative aggressively and Drexler, though unconvinced of the wisdom of this approach, complied by prioritizing this effort in Delaware. In other cases, the national Executive Committee acted to restrain the state branches from activities deemed incompatible with the overall purpose of the organization. A flyer prepared by the Liberty League of Pennsylvania discussing how to

³⁶ Letter: H.V. Holloway to Louis Drexler, October 7, 1938, *IDP*, Box 270; Letter: Louis Drexler to H.V. Holloway, October 11, 1938, *IDP*, Box 270; Letter: Louis Drexler to Harry Colglazier, January 12, 1939, *IDP*, Box 270; Letter: Edith M. Lane to Louis Drexler, November 17, 1938, *IDP*, Box 270; Letter: Lucy Dickinson to Louis Drexler, November 21, 1938, *IDP*, Box 270; Letter: Abe W. Fox to Louis Drexler, November 26, 1938, *IDP*, Box 270; Letter: Halliday R. Jackson to Louis Drexler, May 16, 1939, *IDP*, Box 268; Letter: Harry C. Moyer to Louis Drexler, April 26, 1939, *IDP*, Box 268; Letter: Sarah B. Wright to Louis Drexler, December 7, 1938, *IDP*, Box 270; Letter: Howard Lobdell Seaman to Louis Drexler, February 7, 1939, *IDP*, Box 268.

defeat Roosevelt in 1936, for example, was nixed by the headquarters on the grounds that it violated the organization's non-partisan character.³⁷

Most interaction between the Delaware branch and the national office involved mundane requests for additional copies of Liberty League publications or referrals of candidates for membership residing in states other than Delaware. The national office occasionally distributed additional materials through the states, including copies of Raoul Desvernine's book, *Democratic Despotism*, promotional Liberty League calendars and automobile license plate frames reading "uphold the constitution."³⁸

In a few instances, Drexler contacted Shouse and Stayton with suggestions for the National Office. When, in 1936, acting Postmaster General William Howes told the assembled crowd at the National Association of Postmasters convention in Cleveland that if they remained uninterested in politics, "some Republican will have your job," Drexler sent Shouse a copy of a newspaper clipping reporting on the incident in the hope that the national office would craft a response. Shouse demurred on the grounds that the incident was "purely political" in character. Similarly, when a leaflet prepared by the national organization catalogued presumably wasteful spending of federal relief dollars, Drexler wrote Stayton with the concern that the document lumped study of the Hebrew bible with

³⁷ Memorandum: Ewing Laporte to All State Divisions/Local Chapters, August 12, 1936, *IDP*, Box 264, Folder: National 1936; Letter: Louis Drexler to Carey Jarman, December 2, 1936, *IDP*, Box 264, Folder: Carey Jarman.

³⁸ Letter: Mildred H. Efferson to R.J. Dillon, December 30, 1935, *IDP*, Box 264, Folder: National 1936; Letter: J. Randolph Hendrick to Louis Drexler, March 3, 1936, *IDP*, Box 264, Folder: National 1936; Letter: Louis Drexler to Carey Jarman, July 14, 1935, *IDP*, Box 264, Folder: Carey Jarman; Letter: Carey Jarman to Mildred Efferson, October 23, 1936, *IDP*, Box 264, Folder: Carey Jarman.

the study of eurythmic dancing and ancient safety pins. Drexler worried that “those among our citizenry who are Hebrews” might take this classification as an attempt to belittle their religious literature.³⁹

The ALLDE was not the only, nor even the largest, state organization affiliated with the Liberty League. Local enthusiasts established a total of seventeen chapters in sixteen states. The Illinois state organization, with a membership of 16,165, was by far the largest of the state branches. Pennsylvania (6,292), Massachusetts (5,221), California (4,146), and Delaware (2,650) also claimed substantial membership totals. Most of the remaining chapters had between one and two thousand members. In terms of contributing members, the Liberty League of Pennsylvania outpaced all other branches with 2,053 contributors. This figure represented approximately one third of the total contributions received from the state organizations and was nearly double the total achieved by New Jersey, the branch with the next highest total. Not surprisingly, Pennsylvania also led the way in contribution dollars, with \$41,757.02. More than 65% of this total came from individuals donating less than \$100.00. Delaware and New Jersey were the only other state organizations to collect contributions in excess of ten thousand dollars. In total, the state organizations affiliated with the national Liberty League

³⁹ *Miami Daily News*, September 19, 1936; Letter: Louis Drexler to Jouett Shouse, September 25, 1936, *IDP*, Box 264, Folder: National 1936; Letter Jouett Shouse to Louis Drexler, September 28, 1936, *IDP*, Box 264, Folder: National 1936; Letter: Louis Drexler to William Stayton, May 29, 1936, *IDP*, Box 264, Folder: Captain Stayton.

enrolled 43,715 members, with 6,437 of these contributing a total of \$116,746.49 to the cause.⁴⁰

In addition to the state and local branches, the Liberty League made a significant effort to organize college students. Captain Stayton reported a spontaneous surge of inquiries from a number of college campuses in the weeks after the birth of the American Liberty League. The student response was voluminous enough to warrant a “thorough survey” of student opinion by Shouse. After his probe uncovered “substantial sympathetic sentiment” in the undergraduate ranks, Shouse decided to establish a college division to assist in the creation of college chapters and to facilitate cooperation both between chapters and with the national headquarters. To spearhead this initiative, Shouse appointed A.P. Fenderson.⁴¹

One of the first schools targeted by Fenderson was the University of Delaware. In January, Captain Stayton forwarded Fenderson a copy of a term paper entitled “The American Liberty League and Present Economic Conditions.” The essay, prepared by Delaware student Thomas Hanaway, impressed Fenderson, who wrote to Hanaway to gauge his interest in directing the organization of “an especially powerful unit” of the Liberty League at the university. Hanaway was receptive to the idea,

⁴⁰ American Liberty League Membership Report, December 1936, *LMSS*, Box 1294, Folder: American Liberty League, 1938; Report: “American Liberty League: Contributions Received by State Organizations: September 1, 1934-November 30,” 1936, *IDP*, Box 113, Folder: Sep.-Dec., 1936.

⁴¹ William Stayton, “Memorandum Concerning the Activities of the American Liberty League from its Origination (August, 1934) to June, 1938,” undated, *LMSS*, Box 1294.

although he cautioned that most of his fellow students were not “broad-minded” and that the project might provoke the opposition of Dr. Joseph Gould, head of Delaware’s Economics Department. Gould had served on an NRA Codes Board and was, according to Hanaway, “more or less prejudiced against the Liberty League.” Fenderson instructed Hanaway to begin the process of identifying and recruiting students who might have an interest. He also forwarded Hanaway’s essay and contact information to William R. Smith, who briefly had assumed responsibility for the day to day operations of the American Liberty League of Delaware before Louis Drexler took over. Smith and Stayton had already been in contact with Delaware students John Monroe and James Nichols about scheduling a debate on the Liberty League or a related topic. Nichols, the captain of the university’s debate team, apparently had a challenge from the women’s team and Stayton committed \$25.00 from the ALLDE as a prize for the winning team.⁴²

This initial effort to organize a chapter at the University of Delaware proved unsuccessful. After sustained interaction with Thomas Hanaway, Smith determined that he was “insufficient for the task” of providing leadership for a Delaware chapter. Efforts at other schools proved more productive, however. On February 27, 1935, the Liberty League extended formal recognition to its first official college chapters

⁴² Letter: A.P. Fenderson to Thomas E. Hanaway, January 29, 1935, *IDP*, Box 267, Folder: Captain Stayton; Letter: Thomas E. Hanaway to A.P. Fenderson, January 31, 1935, *IDP*, Box 267, Folder: Captain Stayton; Letter: A.P. Fenderson to Thomas E. Hanaway, February 1, 1935, *IDP*, Box 267, Folder: Captain Stayton; Letter: A.P. Fenderson to William R. Smith, February 1, 1935, *IDP*, Box 267, Folder: Captain Stayton; Letter: William R. Smith to James Nichols, February 2, 1935, *IDP*, Box 267, Folder: Captain Stayton; Letter: William R. Smith to Thomas Hanaway, February 2, 1935, *IDP*, Box 267, Folder: Captain Stayton; Letter: William Stayton to A.P. Fenderson, February 18, 1935, *IDP*, Box 267, Folder: Captain Stayton

at Yale, Northwestern, Nebraska and the University of Wisconsin. At the time, they had requests for recognition for branches at fourteen additional schools. By the end of the 1934-35 school year, the Liberty League's college division provided assistance in the organizational efforts at forty-two schools.⁴³

In some instances, university faculty and administrators facilitated the organizational efforts. At the University of Pittsburgh, for example, physics professor Henry C. Pavian took an active interest in the Liberty League. In correspondence with Irénée du Pont, H.B. Rust and A.P. Fenderson, Pavian volunteered his cooperation with the newly established student chapter at the University. The Liberty League of Pennsylvania sent him a complete set of ALL publications to assist in his efforts. When the Liberty League renewed its efforts to establish a chapter at the University of Delaware in the fall of 1935, Drexler consulted the school president, Walter Hullihen, in advance. While Hullihen voiced no objection to the establishment of a student chapter, he emphasized that there should not be any faculty involvement, given the University's policy that faculty and administrators should avoid groups of a "partisan or political nature..." While the enthusiasm of faculty and administrators for the proposed student

⁴³ : A.P. Fenderson to William R. Smith, February 1, 1935, *IDP*, Box 267, Folder: Captain Stayton; William Stayton, "Memorandum Concerning the Activities of the American Liberty League from its Origination (August, 1934) to June, 1938," undated, *LMSS*, Box 1294.

organizations varied at different universities, there is little evidence of any sustained efforts to block the Liberty League from any college campuses.⁴⁴

These sustained recruiting efforts during the 1934-35 school year achieved only modest results. By June 1935, a mere five schools chapters claimed membership in excess of fifty students. The University of Wisconsin boasted the largest chapter with 143 members, while the overall student enrollment in the Liberty League stood at only 768. Determined to improve upon these numbers, the league's college division maintained contact with student leaders over the summer in preparation for a renewed push during the following school year. The League organized intercollegiate committees designed to foster cooperation between student chapters and aid in the recruitment efforts. These recruiting efforts received support at both the national and state level. W.H. Cunningham of the Illinois branch, for example, sent out an appeal to all members requesting their help in spreading information about the Liberty League to college age family members and acquaintances. Louis Drexler, meanwhile, actively supported efforts to organize a chapter at the University of Delaware and offered assistance and encouragement to Paul Hessler, an ALLDE member and Dartmouth student, in his drive to establish a Dartmouth Chapter. In all, the recruiting drive proved remarkably

⁴⁴ Letter: Wilbur Morse to Irénée du Pont, May 11, 1935, *IDP*, Box 111; Letter: Walter Hullihen to Louis Drexler, September 28, 1935, *IDP*, Box 267

successful. By the end of the 1935-6 school year, more than ten thousand students had enrolled in over three hundred chapters with representation in all forty-eight states.⁴⁵

The evidence pertaining to the activities of these college chapters is lacking, but a general picture can be constructed from the fragmentary data. At Barnard College, the Liberty League affiliate sponsored symposia on political and social trends. At Northwestern, the program included a monthly lecture series, followed by open forum discussions. At Princeton University, the Liberty League scheduled a series of dinners. The chapter at the University of Virginia provided speaking forums for like-minded students to declaim radicalism, both at the University and in the broader society. Meanwhile, at the University of Pennsylvania, first year law student Saylor McGhee, already a veteran leader of a successful campaign to organize a Liberty League chapter as an undergraduate at Bethany College, established a branch at Penn. He even secured office space for the group and articulated a plan to bring in prominent speakers. In a press release issued by the college chapter, he claimed to have speaking commitments from Governor Ely of Massachusetts, Governor Ritchie of Maryland and former Congressmen David Reed and James Beck. This was not the only chapter to attract speakers of considerable stature. Former Governor S.R. McKelvie addressed the Liberty

⁴⁵ William Stayton, "Memorandum Concerning the Activities of the American Liberty League from its Origination (August, 1934) to June, 1938," undated, *LMSS*, Box 1294; Letter: Louis Drexler to A.P. Fenderson, April 3, 1936, *IDP*, Box 267; Letter: W.H. Cunningham to Members, American Liberty League of Illinois, September 24, 1935, *IDP*, Box 268, Letter: A.P. Fenderson to Paul C. Hessler, Jr., April 4, 1936, *IDP*, Box 267; Memorandum: Jouett Shouse to Undergraduate Membership of American Liberty League, October, 1935, *IDP*, Box 268; *Wilmington Morning News Journal*, April 22, 1936.

League group at the University of Nebraska, while Major John Griffith, president of the NCAA and commissioner of the Big Ten Conference, spoke to the organization at Northwestern.⁴⁶

At the University of North Carolina, a speaking invitation to David Clark, a highly influential figure in the textile industry and editor of the *Southern Textile Bulletin*, helped embroil the group in a vociferous and quite public dispute between Clark, a self-appointed spokesman for the textile industry and those among the schools faculty and administration, including University President Frank Graham, he deemed purveyors of “radical classroom propaganda.” Apparently, Clark had a problem with the Institute for Research in Social Science founded at the University by Howard Odum in 1925. Odum, and other researchers affiliated with the Institute reported on the living and working conditions of African Americans, tenant farmers and textile mill workers. Clark particularly resented the efforts of Harriet Herring to document conditions in the mills. Through his bulletin, he urged mill owners to stonewall Herring in order to inhibit her investigation. Clark’s address, given under the auspices of the Liberty League, generated considerable excitement on campus. The college chapter supported him without qualification, pledging itself to the task of exposing radical classroom propaganda.⁴⁷

⁴⁶ William Stayton, “Memorandum Concerning the Activities of the American Liberty League from its Origination (August, 1934) to June, 1938,” undated, *LMSS*, Box 1294; Press Release: American Liberty League of the University of Pennsylvania, February 24, 1936, *IDP*, Box 112, Folder: February 1936;

⁴⁷ Frank Graham, appointed in 1949 as a U.S. Senator was investigated by the HUAC at one point for alleged ties to a Communist group. William Stayton, “Memorandum Concerning the Activities of the American Liberty League from its

A consideration of the activities undertaken by state organizations like the ALLDE, provides a different perspective of the Liberty League than has been presented elsewhere. An unwavering focus on the wealthy industrialists and disgruntled politicians who filled the rosters of the executive and advisory committees of the Liberty League has, to some extent, obscured the judgment of scholarly observers. Certainly, the du Ponts, Raskob, Al Smith and John Davis and other such figures were easily fashioned into a lightning rod for supporters of the New Deal. They invited dismissal as bitter, out of touch, deluded and hypocritical. To a considerable extent, historians have adopted the reductionist view of the Liberty League employed by its contemporary critics, a view that effectively characterized the group as a small collection of millionaires out to smear President Roosevelt. Sheldon Richman, for example, writes the Liberty League off as “little more than a clique” of wealthy elites, while Albert Fried describes them variously as “Bourbons,” “ungrateful rich,” and an “assemblage of millionaires.”⁴⁸

Without question, a large percentage of the funding for the Liberty League came from individuals of considerable wealth. It is a mistake, however to reduce the membership of the Liberty League to this small group of large donors. With a few exceptions, most notably Irénée du Pont and John Raskob, these contributors had very

Origination (August, 1934) to June, 1938,” undated, *LMSS*, Box 1294; Oral History Interview with Harriet Herring, February 5, 1976. Interview G-0027. Southern Oral History Program Collection (#4007) in the Southern Oral History Program Collection, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

⁴⁸ Albert Fried, *FDR and His Enemies*, (New York: St. Martin’s Press, 1999), 122; Sheldon Richman, “A Matter of Degree, Not Principle: The Founding of the American Liberty League.” *The Journal of Libertarian Studies* VI (Spring 1982): 145-167.

little to do with the day to day operations of the organization. Many of the same individuals, in fact, contributed heavily to the Presidential campaign of Franklin Roosevelt in 1932. Democratic strategist Charles Michelson, for example, in crediting John Raskob as “the man most responsible for the strength and vitality of the Democratic party,” asserted that without his effort in “shouldering the burden of keeping alive the organization-he came across with about \$30,000 a month even during the stock market crash when he was reputed to be losing millions a day- it is more than doubtful if 1932 would have started Democracy’s long series of victories.” This sentiment is notable for the fact that it came from Michelson, the publicity director of the Democratic Party and, perhaps, the man most responsible for advancing the negative perception of the Liberty League described above.⁴⁹

The activities undertaken by the Liberty League of Delaware are difficult to reconcile with the popular conception of the group as a collection of wealthy ingrates intent on smearing President Roosevelt. Certainly, the organization had its share of wealthy contributors. Out of a total contributing membership of 255, twenty individuals gave more than \$100.00. Included among these were several members of the du Pont family, future DuPont president Crawford H. Greenewalt and executives of the Laird & Company Distillery. In practice, however, the Liberty League of Delaware, devoted the vast majority of its resources to promoting awareness of the Constitution. It’s major initiatives included sponsoring essay contests on the Constitution, promoting the

⁴⁹ Charles Michelson, *The Ghost Talks*, (New York: G. P. Putnam’s Sons, 1944), 141.

celebration of Ratification and Constitution Days in schools across the state, distributing copies of the Constitution and related educational materials, including books by Henry Snavelly and Rita Collyer, to schools, clubs, fraternal organizations, women's groups and other organizations like the Boy Scouts and the Grange, and encouraging Delawareans to vote in the 1936 election. In pursuit of these initiatives, the ALLDE apparently strived to maintain a non-partisan stance.⁵⁰

⁵⁰ List of Persons Contributing \$100.00 and Over to Delaware, undated, *IDP*, Box 267, Folder: Financing.

CHAPTER 5

BUILDING A NETWORK IN SUPPORT OF THE CONSTITUTION

Historians of the post-war conservative political movement have often noted the interplay of disparate ideological strands. Libertarians, anti-Communists, defense hawks, fiscal conservatives and those concerned with preserving traditional social values have often failed to agree on candidates and policy prescriptions, inhibiting the coalescence of a unified movement. The American Liberty League, in contrast, seized upon the idea of preserving the constitution as the organizing principle for the movement it hoped to build. Its leaders persistently employed a strategy of reaching out to any other organizations that professed a willingness to work toward similar goals in an effort to establish a network of like-minded groups. These endeavors, while ultimately not successful in creating a functioning coalition that could challenge the ascent of New Deal liberalism, established connections that would prove useful when the conservative movement began to gather steam in the post-war period.¹

From the earliest stages of planning, the leadership of the ALL recognized the importance of networking with others groups advocating similar principles. They envisioned the League as an umbrella organization that could provide a focal point for the various factions then emerging to voice discontent with the direction taken by the Roosevelt administration. At times, this strategy led to controversial associations that

¹ George H. Nash, *The Conservative Intellectual Movement in America*, (Wilmington, DE: ISI Books, 1998); Alfred S. Regnery, "The Pillars of Modern American Conservatism," *The Intercollegiate Review*, Spring 2012 (3-12).

opened the Liberty League to criticism both from contemporary opponents and from historians. This chapter will analyze the Liberty League's efforts to provide support and encouragement to other individuals or groups that they saw as advocating the maintenance of a traditional interpretation of the constitution.

The best place to begin this discussion is with an organization that should be considered a forerunner to the Liberty League in terms of philosophy, leadership and, to a significant extent, membership. In November of 1918, Captain William Stayton, a lawyer and retired Naval officer, spearheaded the formation of the Association Against the Prohibition Amendment (AAPA). Stayton, a strident advocate for preservation of state and local control in government, viewed the Prohibition Amendment as the most ominous marker yet in a growing trend toward centralization of power in Washington. With the ratification of the Eighteenth Amendment, Stayton and his associates re-dedicated themselves to the effort of repeal. In December 1920, they filed papers of incorporation in Washington announcing that their central objective would be to educate the public "as to fundamental provisions, objects, and purposes of the Constitution of the United States..." For Stayton, this fight was not about the merits of Prohibition, but about the separation of powers prescribed in the Constitution and the continuing trend, inspired by the Progressive movement, toward a more activist and powerful federal government.²

² *New York Times*, May 21, 1921; David E. Kyvig, *Repealing National Prohibition*, 2nd ed., (Kent, OH: KSU Press, 2000), 39-44.

For several years, Stayton applied himself tirelessly in an apparently Quixotic cause. Perhaps because the organization initially declined donations from liquor and beer industry interests, fundraising proved difficult. Stayton drew upon his personal finances to fund a significant portion of the organization's expenditure in the early years. As membership increased, the AAPA set up state and local chapters. In some cases this was accomplished through the absorption of existing organization, as when the Constitutional Liberty League of Massachusetts became a state branch of the AAPA. By 1926, Stayton claimed a membership of approximately 750,000. Despite the fairly impressive membership totals, the AAPA had yet to make significant progress toward overturning the Eighteenth Amendment. Eventually, Stayton recognized the need for affiliation with high profile supporters to help influence public opinion. In this regard, he achieved some success, attracting prominent business leaders like John Raskob and Irénée and Pierre du Pont. Still, even many sympathetic observers viewed repeal as an unrealistic goal due to the difficulty inherent in amending the Constitution.³

Stayton's new strategy started to pay off in 1928 as his high profile supporters took a more significant financial interest in the AAPA. The du Pont brothers alone contributed close to \$400,000 to the organization between 1928 and 1932. Perhaps more importantly, when AAPA supporter Al Smith captured the nomination of the Democrat Party for president in 1928, his choice for chair of the Democratic National Committee was John Raskob. Raskob and his associate, Jouett Shouse, worked to

³ David E. Kyvig, *Repealing National Prohibition*, 2nd ed., (Kent, OH: KSU Press, 2000), 84-90.

broaden support for repeal within the Democrat Party over the next four years. By the end of Raskob's tenure in 1932, repeal of the Eighteenth Amendment no longer seemed to be out of reach. Shouse left his role at the DNC and assumed the presidency of the AAPA in the summer of 1932. As head of the AAPA, he worked in concert with a variety of other groups like the Crusaders, the Women's Organization for National Prohibition Reform and the Voluntary Committee of Lawyers through a newly formed umbrella organization known as the United Repeal Council. With the new commitment to concerted action and Raskob's successful effort to persuade the Democratic Party to insert a plank favorable to repeal in the party's 1932 Platform, victory was at hand.⁴

With its central goal achieved, the AAPA, like most of the anti-prohibition organizations, decided to cease operations. Only Captain Stayton and a few staffers would maintain a presence in Washington under the auspices of a renamed organization, Repeal Associates. Stayton, who continued to receive financial support from Pierre du Pont and other leaders of the AAPA, set out to educate state governments on the transition from federal back to local control of liquor regulation. At the same time, Stayton remained troubled by the expansion of federal power which, despite the repeal of the Eighteenth Amendment, only accelerated during the early months of the Roosevelt

⁴ David E. Kyvig, *Repealing National Prohibition*, 2nd ed., (Kent, OH: KSU Press, 2000), 91-153.

administration. He retained the vast mailing lists and contacts established by the AAPA in the event that he should need them again.⁵

John Raskob, having been forced out as chair of the DNC when Roosevelt secured the nomination over his preferred candidate, Al Smith, similarly remained vigilant. He was embroiled in discussions in May of 1932 with congressional leaders Pat Harrison and Speaker of the House John Nance Garner regarding the possibility of establishing a bi-partisan economic board for dealing with the Depression in the event that conditions continued to deteriorate. The envisioned board, to be chaired by President Herbert Hoover, would consist of five Democrats and five Republicans. In addition to Garner and Harrison, Democrats targeted for the board included Al Smith, Owen Young of General Electric and the soon-to-be Senate Majority Leader Joseph Robinson. Aside from Hoover, the Republicans mentioned for the commission included Calvin Coolidge and his vice-president, Charles Dawes. Raskob's plan for this commission, which he hoped would restore confidence in American institutions, never came to fruition, but he and others involved with the AAPA continued such efforts seeming to grasp for a new coalition to meet the changing political realities.⁶

Samuel Harden Church, another veteran of the AAPA and head of the Carnegie Institute in Pittsburgh periodically sought to interest Raskob, the du Ponts and other associates from the AAPA in a third party movement. As early as 1930, Church

⁵ David E. Kyvig, *Repealing National Prohibition*, 2nd ed., (Kent, OH: KSU Press, 2000), 191.

⁶ John Raskob to Joe T. Robinson, May 27, 1932, *Raskob Papers*, Files 1972-1996; W.J.H. Lloyd to Irénée du Pont, September 10, 1934, *IDP*, Box 109

solicited the support of Pierre du Pont for his envisioned Liberal Party. While the correspondence suggests that du Pont's initial response was favorable, by December of 1930 he advised patience, suggesting that if Raskob's ongoing efforts to re-shape the Democratic Party from the top down were successful, "there would be no need of a Liberal Party." Still, du Pont and Raskob agreed to meet with Church to discuss his Liberal Party platform in January 1931. The document railed against the "strangling grip" exercised over the federal government by "powerful and influential groups...narrow and fanatical of mind...guided by a fatuous intention of making the people of this country virtuous... by legislative enactments." Church's platform promised to "redeem the nation from this blight" by acting against the progressive impulse in both parties.⁷

In making the case for his proposed party, Church pointed out political realities that would make it difficult for liberals, here Church sought to cling to the label of classical Liberalism, to establish control of either of the major parties. Perhaps presaging the "southern strategy" of later decades, he pointed out that the Solid South could not be expected to vote Republican on account of still lingering resentment from the Civil War. At the same time, the South exercised a declining influence in the Democratic Party. Church hoped that his proposed Liberal Party could unite constitutional conservatives from the North and South under a single banner. It should

⁷ Pierre du Pont to John Raskob, December 29, 1930, *Raskob Papers*, Files 336-358; Pierre du Pont to Samuel Harden Church, December 29, 1930, *Raskob Papers*, Files 336-358; Samuel Harden Church to John Raskob, January 15, 1931, *Raskob Papers*, Files 336-358.

also be stressed that his proposed “southern strategy” was not rooted in racial animosity. The Liberal Party platform explicitly aimed for the dissolution of the Ku Klux Klan, calling the organization “a foul vulture that is eating the heart out of the body politic” for its attempts to suppress the rights of Catholics, Jews and African-Americans. The document also condemned Henry Ford for the encouragement he provided the Klan with his anti-Semitic activities.⁸

Church continued his advocacy for a new Liberal Party through 1931. As the election year dawned, Raskob, still the head of the DNC, seemed to be more favorably disposed to the idea. Late in 1931, he distributed copies of the Liberal Party Platform prepared by Church to all members of the DNC. Both Raskob and Newton D. Baker offered encouragement and expressed the hope that they could help to re-make the Democrat Party into a facsimile of what Church hoped to establish. Church asked Raskob to arrange for him to speak at the Democratic National Convention in 1932, even going so far as to supply portions of the address he planned to deliver. The speech, including planned applause points, offered Democrats the support of the Liberal Party provided that they would nominate a suitable candidate, preferably Al Smith. Raskob, of course, also hoped to see Smith re-nominated and he responded that it would be “very important and most desirable” for Church to address the Democratic convention.⁹

⁸ Samuel Harden Church to John Raskob, January 15, 1931, *Raskob Papers*, Files 336-358.

⁹ Samuel Harden Church to John Raskob, December 4, 1931, *Raskob Papers*, Files 336-358; Newton D. Baker to Samuel Harden Church, November 15, 1931, *Raskob Papers*, Files 336-358; Samuel Harden Church to John Raskob, June 3, 1932, *Raskob*

In June of 1932, Church attended the Republican National Convention hoping to gain an audience for his views. He came away disappointed, complaining to Raskob that he could find no encouragement among the Republicans. Church was particularly irritated by an “utterly stupid” speech given by Senator Lester Dickinson of Iowa in which the Senator made the case that the recently passed Smoot-Hawley tariff had actually saved jobs in the United States. Church and Raskob encountered further disappointment at the Democratic National Convention when Roosevelt claimed the party’s nomination over Smith. Still, Raskob and his supporters were able to win approval for a more strongly worded commitment to the repeal of Prohibition in the party platform than Roosevelt would have preferred.¹⁰

Clearly, Roosevelt was not the ideal candidate in the eyes of Raskob, Church and their allies. The fairly strong commitment to repeal of Prohibition in the party platform, however, seemed to placate them to some extent. Discussion of the need for a Liberal party receded into the background for a period of several months as they basked in the glow of their long sought achievement of repeal. By the summer of 1934, frustration with the Roosevelt administration was running high and these veterans of the AAPA were again at work trying to establish a focal point of opposition to what they saw

Papers, Files 336-358; John Raskob to Samuel Harden Church, June 10, 1932, *Raskob Papers*, Files 336-358.

¹⁰ Samuel Harden Church to John Raskob, June 18, 1932, *Raskob Papers*, Files 336-358, Robert F. Burk, *The Corporate State and the Broker State: The du Ponts and American National Politics, 1925-1940*, (Cambridge, MA: Harvard University Press, 1990), 98-102.

as out of control growth in the power of the federal government. Of course, these renewed efforts resulted in the formation of the American Liberty League.

From the earliest stages of the discussions that led to the establishment of the Liberty League, the planners displayed a consistent philosophy that stressed the importance of cooperation with like-minded organizations. They envisioned the Liberty League as an umbrella organization. This can be seen in Irénée du Pont's account of a planning session held over lunch with Raskob, Alfred Sloan, Donaldson Brown of GM and several other executives from the auto industry. Reporting on the meeting to his brother, Pierre, Irénée stressed the importance of using "all other associations who would clearly come out for a return to the Constitution." Among the groups he had in mind were the Crusaders, the American Legion, the Grange and possibly even the American Federation of Labor and the Ku Klux Klan. Donaldson Brown expressed similar sentiments to Raskob a few weeks later in discussing the possibility of working with the Crusaders. While Brown thought it ill-advised for the Liberty League to simply absorb groups like the Crusaders, he made it clear that the ALL should try to establish itself as a "parent organization" that could facilitate some level of coordination between a variety of disparate groups.¹¹

The Crusaders was an anti-prohibition organization established by Cleveland businessman Fred Clark in 1929. Clark's group targeted a younger demographic than the AAPA and it has been noted that the sons of several prominent

¹¹ Letter, Irénée du Pont to P.S. du Pont, July 10, 1934, *LMSS*, Box 1294, Folder: American Liberty League 1934

members of the AAPA participated in the Crusaders. The two organizations cooperated to a limited extent in the fight against Prohibition. The Crusaders, claiming a membership of 1.5 million during the Prohibition fight, greatly scaled back their activities after repeal of the Eighteenth Amendment. Fred Clark continued to make periodic public statements warning against the danger of inflation, but for the most part the organization was dormant.¹²

In the Spring of 1934, however, the Crusaders re-emerged with an amended charter and a new stated purpose of militant opposition to “the forces which are destroying the liberty and individual freedom guaranteed by the Constitution...” Clark also pledged his rejuvenated organization to work in favor of sound money, sound national credit, a balanced budget and firm opposition to the efforts of “radical minorities” to enforce their views on the majority of Americans. The Crusaders soon launched a new membership drive and announced the formation of a bi-partisan advisory council, consisting of forty business and political leaders that would offer guidance to the organization. This council included several individuals who would a few months later lend their support to the fledgling Liberty League including Sewell Avery of Montgomery Ward, General Motors president Alfred Sloan, Princeton University Professor Edwin Kemmerer and former Democratic presidential candidate John Davis.¹³

¹² David E. Kyvig, *Repealing National Prohibition*, 2nd ed., (Kent, OH: KSU Press, 2000), 129-130.

¹³ *New York Times*, April 12, 1934; *New York Times*, May 19, 1934; *New York Times*, May 21, 1934; *New York Times*, June 24, 1934

After the establishment of the Liberty League several months later, leaders from the two organizations engaged in discussions of cooperation and even a possible merger. Raskob emerged from an August 1934 meeting with Shouse, Lamot du Pont and some of the Crusader's leading contributors, including E.F. Hutton, Walter Chrysler, Thomas Chadbourne and George Moffett, believing that he had arranged a successful merger. According to the plans established at the meeting, Hutton, Chrysler, Moffett and Chadbourne would recommend to the Crusaders that they join the Liberty League as a self-contained unit. It was also proposed that Fred Clark would become a member of the League's executive committee and that the ALL's operating budget would include an appropriation specifically earmarked for the Crusaders. The proposed union was never consummated, but the Liberty League and the Crusaders sought to coordinate their efforts from time to time.¹⁴

The Liberty League maintained a similar relationship with another group that had involved itself in the fight against Prohibition. In August of 1922, Louis A. Coolidge, a former aide to Senator Henry Cabot Lodge, established the Sentinels of the Republic in Massachusetts. The organization's stated aims included defending the constitution, preserving rights of the states against encroachment by the federal government, resisting the spread of socialism and preventing the concentration of power in the hands of a growing Washington bureaucracy. Early supporters included Columbia University president Nicholas Murray Butler and future Liberty Leaguers like Solicitor

¹⁴ John Raskob to John W. Davis, August 3, 1934, *Raskob Papers*, File 61, Box 1, Folder 61C

General James Beck, New York Senator James Wadsworth and New York Governor Nathan Miller. The Sentinels actively opposed federal child labor legislation, prohibition, uniform national standards for marriage and divorce and other proposed federal legislation that they deemed intrusive on the sovereignty of the states under the constitution.¹⁵

Shortly after the establishment of the Liberty League, attorney Ira Jewell Williams contacted both Shouse and Irénée du Pont to express his interest. Williams, of Philadelphia, noted that he had, since February, been working to “check the further loss of liberty and security” by making speeches on behalf of the Sentinels. He relayed his plans to represent the Sentinels at the upcoming Constitution Day festivities in Philadelphia, where he was to distribute five-thousand copies of the constitution. He advised the League that it could be more effective by producing separate pamphlets targeted at different groups of voters, such as workers, farmers and small investors.¹⁶

Captain Stayton, as well, knew Sentinels’ president Alexander Lincoln from his days as head of the AAPA. Stayton continued his correspondence with Lincoln after the repeal of the prohibition amendment. The pair apparently discussed the possibilities of merging the Sentinels with the Liberty League, but, as was the case with the Crusaders, these plans never came to fruition. The channels of communication

¹⁵ *New York Times*, August 20, 1922; *New York Times*, October 1, 1922; *New York Times*, January 17, 1931.

¹⁶ I.J. Williams to Irénée du Pont, September 4, 1934, *IDP*, Box 109; Irénée du Pont to I.J. Williams, August September 6, 1934, *IDP*, Box 109; I.J. Williams to Jouett Shouse, September 14, 1934.

between these organizations remained open, however, and a few members of the Liberty League made significant financial contributions to the Sentinels. Alfred Sloan, for example, contributed one thousand dollars, while J. Howard Pew gave six-thousand and Irénée du Pont made a relatively small contribution of one hundred dollars.¹⁷

These contributions were apparently intended to help defray the cost of an animated movie prepared by the Sentinels. The film, entitled “The Amateur Fire Brigade: A Parable of the New Deal” caricatured the Roosevelt administration as an inept fire brigade trying to put out a fire in the home of Uncle Sam and Ma Liberty. For the film’s debut, the Sentinels put on a week-long “Safeguard the Constitution exhibition at the Garrick Theater in Philadelphia. The event was free of charge and open to the public. The film ran continuously and each night prominent speakers were arranged to deliver addresses on the Constitution. These included Roosevelt’s former budget director Lewis Douglas, former Republican Senator and discoverer of the Incan ruins at Machu Picchu Hiram Bingham III, Colonel Henry Breckenridge, Colonel McCormick of the *Chicago Tribune* and Congressman James Wadsworth of New York, a Liberty League member who delivered the exhibition’s closing address.¹⁸

Wadsworth decried the recently passed Potato Control Act as yet another harbinger of a “planned economy” envisioned by the planners and theorists in the Roosevelt administration. He likened the agricultural legislation advocated by the administration to a “Federal club” held over the head of every farmer. He accused the so-

¹⁷ *New York Times*, August 18, 1936.

¹⁸ *New York Times*, October 14, 1935

called planners in the administration of trying to circumvent the constitution and establish firm roots for what the public had accepted as emergency measures. Their intent, according to Wadsworth, was to foster dependence on the federal government among a large segment of the population. He warned that a decision faced the American people on whether to continue to follow the path set by the administration, thus joining “the procession which is marching through Europe under the banner of despotism.”¹⁹

The Liberty League’s involvement with the Sentinels resulted in an unseemly black eye for the organization when, through the efforts of a Senate investigative committee on lobbying chaired by Hugo Black of Alabama, the Sentinels were tainted with accusations of anti-Semitism. In response to an inflammatory letter from a member of his organization, Sentinel’s president Alexander Lincoln acknowledged that he perceived of a real “Jewish threat” in the United States. Lincoln later insisted that his comment was in reference to a perceived threat posed by Jewish communists and a subsequent investigation conducted by the Jewish War Veterans concluded that there was not a real basis for charges of anti-Semitism, but the damage was already done. Alfred Sloan quickly distanced himself from the Sentinels, noting that he gave to the organization because he thought it was promoting a better understanding of the economic issues facing the nation and that he had no desire for involvement in “religious or political controversy.” The Democratic National Committee pounced, describing the Sentinels as “one of the interlocking branches of the Liberty League whose members subscribed lavishly to the Sentinels.” Shouse was quick to protest this

¹⁹ *New York Times*, October 20, 1935.

inaccurate characterization, but the net result was a significant public relations fiasco for the Liberty League.²⁰

In October 1934, another questionable association blossomed as Irénée du Pont received a mysterious letter from Philadelphia art dealer J.G. Thomas, who claimed to represent an organization with “several million militant members.” This group, he continued, was sufficiently strong in the South and Midwest as to hold “the balance of power.” The organization in question was the Ku Klux Klan and when Thomas proposed a meeting to discuss potential collaboration between the Klan and the Liberty League, du Pont showed little hesitation. His prompt response warned that “if we cannot band a large number of people together to work for the common objective, the days of the Republic are numbered, and not a very large number at that.” To further the discussion, he extended an invitation for Thomas to travel to Wilmington and meet face to face.²¹

Thomas met with Irénée du Pont and promised to return on October 26 with Dr. Hiram W. Evans, Imperial Wizard and head of the national Klan organization. When the appointed time arrived, Thomas showed up alone and, claiming to represent Evans and the KKK, asked for the Liberty League to pay his expenses to arrange for cooperation between the organizations. This behavior raised some suspicions, prompting du Pont to write directly to Hiram Evans questioning Thomas’s credentials. Evans responded flatly that J.G. Thomas did not have authority to negotiate on his behalf, but he

²⁰ *New York Times*, April 18, 1936; *New York Times*, April 24, 1936; *New York Times*, April 26, 1936; *New York Times*, July 16, 1936; *New York Times*, July 18, 1936.

²¹ Letter: J.G. Thomas to Irénée du Pont, October 8, 1934, *IDP*, Box 110; Letter: Irénée du Pont to J.G. Thomas, October 8, 1934, *IDP*, Box 110.

did pronounce “thorough sympathy” with the stated aims of the Liberty League and stressed his willingness to participate in a “confidential interview” with the leadership of the Liberty League to discuss potential avenues for collaboration.²²

Far from ruling out such a possibility, du Pont instead commissioned some of his associates to carry out a sort of background check on Evans and his organization. I.J. Osbun, of the DuPont Finishes Division in Georgia, reported the Klan had indeed been very strong politically in Georgia during the 1920s, but that its influence had waned considerably. Osbun portrayed the Klan’s creed as “Americanism against Communism” and noted that it was against some of the principles of the New Deal. The report further suggested that Evans was possibly making some headway in rejuvenating the Klan. Evans’ personal finances were described in some detail and it was suggested that he was able to accumulate a considerable sum of money in relation to his leadership position in the Klan, especially during its heyday in the 1920’s. On a more general level, Osbun described the head of the Klan as “personally honest and sincere in his beliefs” and an individual with good credit who could be expected to pay his obligations on time.²³

Armed with this intelligence, Irénée du Pont forwarded Evans’ memo to Jouett Shouse, who recommended meeting with Evans to “see what he has to offer,” but cautioned that the Klan was well past its prime and probably would not be of much use. Scheduling conflicts prevented any immediate meeting, but du Pont kept the lines of

²² Letter: Irénée du Pont to Hiram W. Evans, October 26, 1934, *IDP*, Box 110; Letter: Hiram W. Evans to Irénée du Pont, November 1, 1934, *IDP*, Box 110.

²³ I.J. Osbun to Irénée du Pont, October 23, 1934, *IDP*, Box 110; Unsigned Memorandum Re: Hiram Evans, Grand Kleagle, Ku Klux Klan, *IDP*, Box 110.

communication open. After returning from a trip to promote the Liberty League in California, he wrote to Evans to warn that the “Red Menace” was sufficiently strong out West to prompt citizens to form “secret vigilante committees for the preservation of their homes and persons.” He likened the situation in California to the era of the “carpetbaggers” in the South following the Civil War when “patriotic citizens had to organize secretly” for their protection. Noting that the Klan was an outgrowth of these secret societies, du Pont suggested that it might be time to revive it in service of a worthy cause, namely preservation of the Constitution. The only caveat in this fairly direct appeal for support from the Klan was du Pont’s insistence that the Liberty League’s cause require fighting “entirely in the open.”²⁴

Eventually, a meeting was arranged at the offices of P.S. du Pont in the Empire State Building. Irénée du Pont was unable to attend due to another commitment, but he seemed to be favorably disposed toward cooperation with the Klan in his communication with Shouse leading up to the meeting. He suggested that Evans was hoping to improve the reputation of the Klan by adopting a more popular objective. While no records were preserved from the December 1934 meeting, subsequent communications suggest that Shouse might have downplayed the idea of active cooperation between the organizations. Afterwards, Evans wrote to Irénée du Pont requesting a meeting “regardless of whether or not an active cooperation can be arranged.” Irénée politely rebuffed the request and encouraged Evans and the Klan to

²⁴ Jouett Shouse to Irénée du Pont, November 10, 1934, *IDP*, Box 110; Irénée du Pont to Hiram Evans, November 20, 1934, *IDP*, Box 110

find a way to work for the preservation of the Constitution. A handful of subsequent overtures from Evans over the next few years met with similar responses and no active cooperation was arranged.²⁵

Certainly, in this flirtation with the Klan, Irénée du Pont showed extremely poor judgement. In advocating the Klan to his associates in the Liberty League, Irénée noted that the organization had recently announced that a “return to the Constitution” was now its sole objective. While it might be true that the Klan made pronouncements of this type, Hiram Evans had in the past clearly expressed the view that the Klan viewed Roman Catholics as “actively alien, un-American and usually anti-American.” Evans had also stressed that the future of “progress and civilization depends on the continued supremacy of the white race.” There is no evidence to suggest that Irénée du Pont or other leaders of the organization shared these views. Several leaders of the Liberty League, in fact, were very active in the Catholic church, including John Raskob, Al Smith and Raoul Desvernine. Still, by considering the Klan as a potential ally, du Pont further undermined the credibility of the League. Of course, it should also be noted that Senator Black, chair of the investigating committee that leaked details of

²⁵ Irénée du Pont to Jouett Shouse, December 1, 1934, *IDP*, Box 110; Irénée du Pont to H.C. Spratt, Imperial Kligrapp of the KKK, December 1, 1934, *IDP*, Box 110; Irénée du Pont to William Stayton, December 15, 1934, *IDP*, Box 110; Hiram W. Evans to Irénée du Pont, December 24, 1934, *IDP*, Box 110; Irénée du Pont to Hiram Evans, December 28, 1934, *IDP*, Box 110; Irénée du Pont to Hiram Evans, April 8, 1936, *IDP*, Box 110.

the Liberty League's associations was himself a former member of the Klan in Alabama and relied on the organization's support to win election to the Senate.²⁶

In a similar case, Irénée and Lammot du Pont received, during the Summer of 1935, solicitations for financial support from a recently established organization known as the Southern Committee to Uphold the Constitution (SCUC). These inquiries came from John Kirby, a Texas businessman prominent in the state's lumber and oil industries who had helped to found the organization in July. Kirby described the SCUC as a "militant movement...launched from within the Democratic Party." The organization's platform, as he described it, was similar to that of the Liberty League.²⁷

Irénée du Pont forwarded the inquiry to Captain Stayton, looking for advice on whether he should offer financial support. Stayton pointed out that Kirby had been a leading member of the Association Against the Prohibition Movement in Texas and that he had remained in touch since repeal. Kirby was also formerly a president of the National Association of Manufacturers. Stayton vouched for Kirby, describing him

²⁶ Letter, Irénée du Pont to P.S. du Pont, July 10, 1934, *LMSS*, Box 1294, Folder: American Liberty League 1934; Hiram Evans, "The Klan's Fight for Americanism," *North American Review* 123 (March-May, 1926), 3-63; Virginia Van Der Veer, "Hugo Black and the K.K.K." *American Heritage*, v.19 #3 (April 1968)

²⁷ John Kirby to Lammot du Pont, August 17, 1935, *IDP*, Box 112; Irénée du Pont to William Stayton, August 20, 1935, *IDP*, Box 112.

as an “altogether upright, honorable man.” Based on Stayton’s recommendation, Irénée decided to donate fifty dollars to the SCUC.²⁸

This decision would come back to haunt the Liberty League in 1936 as revelations emerged , again from the investigation of the Senate’s Special Committee to Investigate Lobbying, chaired by Hugo Black. In January, 1936, the SCUC had sponsored a “grass roots” convention at Macon, Georgia in the hopes of launching a movement to capture the Democratic presidential nomination for Georgia governor Eugene Talmadge. At the convention, some in the SCUC resorted to openly racist appeals, circulating a picture of Eleanor Roosevelt being escorted by black Howard University R.O.T.C. cadets at a Washington function. The convention also was marred by the participation of Rev. Gerald L.K. Smith, the self-proclaimed successor to the leadership of Huey Long’s “Share our Wealth” movement. The Black Committee’s revelations that prominent Liberty Leaguers made significant financial contributions for the Macon convention badly tarnished the League’s reputation. John Raskob and Pierre du Pont, for example, gave five thousand dollars each, while Alfred Sloan contributed another thousand. These revelations did irreparable harm to the image of the League and the implicated leaders. Where the black press had previously lauded P.S. du Pont for his

²⁸ William Stayton to Irénée du Pont, August 23, 1935, *IDP*, Box 112; William Stayton to Irénée du Pont, September 25, 1935, *IDP*, Box 112.

philanthropic work, a black paper in Pennsylvania now characterized him as a “supposed friend of the Negro.”²⁹

There is no evidence to suggest that Raskob and the du Ponts condoned the racist attitudes that were in evidence at the “grass roots” convention sponsored by the SCUC. Certainly, they were gullible in this instance. Hoping to deny Roosevelt the nomination of his party in 1936, they seized upon this unrealistic opportunity. The principles espoused by the SCUC were, in fact, well aligned with those of the Liberty League. When Governor Talmadge announced his plans for the convention, he made no reference to race, but instead accused the President of failing to adhere to the 1932 party platform and called for an end to the Federal income tax. After the revelations about the Macon convention, both Pierre and Irénée du Pont emphatically refused subsequent requests for contributions from John Kirby.³⁰

Another group that reached out to the Liberty League in hopes of establishing some type of collaboration was the American Legion, perhaps the most prominent organization of American military veterans. Amos Fries, a retired army general who had served as the head of the Army’s Chemical Warfare Service, contacted Irénée du Pont in September 1934. Fries, then Chairman of the American Legion, lamented the pervasive spread of communism, pacifism and internationalism, all “one and the same thing” as he saw them. He forwarded several pieces of Legion literature

²⁹ *The New York Times*, December 7, 1935; *The New York Times*, April 16, 1936; *The Pittsburgh Courier*, May 2, 1936.

³⁰ *The New York Times*, December 7, 1935

including a “Report on the Friends of the Soviet Union,” which characterized that organization as and “out and out Communist Party...sworn to destroy the Government.” Fries also enclosed copies of speeches he had personally drafted for delivery to audiences of high school students on topics such as Americanism and the U.S. Constitution. He was a fervent anti-communist, who had already published two books on the dangers of Communism and he stressed the need for “every patriotic organization” to join forces to combat the spread of Communism in the United States. Du Pont responded with some encouragement and affirmation while suggesting that Amos Fries should look into starting a local branch of the Liberty League in the Washington D.C. area and encourage members of the American Legion to join.³¹

Fries was not the only Legionnaire seeking an alliance with the Liberty League. A few months after his inquiries, Robert Jackson, a Legion member and insurance executive wrote to Irénée du Pont about the affinities between the American Legion and the Liberty League. Jackson proposed a symbiotic relationship rooted in the organizations’ shared interest in defending the Constitution. In his view, the Legion with its membership of more than one million veterans, could provide the broad base needed to help move public opinion, while the Liberty League would lend the respectability earned by its well established leaders. The “respectability” referenced by Jackson was likely, at least in part, a euphemism for the financial resources commanded by the du Ponts and other prominent business leaders. In any event, Jackson suggested that the

³¹ Amos Fries to Irénée du Pont, September 18, 1934, *IDP*, Box 110; Irénée du Pont to Amos Fries, September 24, 1934, *IDP*, Box 110.

Liberty League should carry on a “campaign of Legion education and membership infiltration.” He expressed hope that Irénée would consider delivering a lecture on the “peacetime duty of the American veteran.” Jackson characterized the proposed union of the two organizations as an “All American-team” and suggested that the “master hand that...coordinates two such potent influences for the national good will be the creditor of posterity.”³²

As was the case with the Sentinels and the Crusaders, Liberty League’s limited involvement with the American Legion would result in a significant setback in public relations. In November of 1934, the *Philadelphia Record* broke the bizarre story of an alleged plot to install retired Marine General Smedley Darlington Butler at the head of a fascist army of unemployed veterans and Legionnaires that would enact a coup against President Roosevelt. Butler, a two time recipient of the congressional Medal of Honor and former safety director for the city of Philadelphia, relayed the tale of how Gerald MacGuire, a New York bond trader in the employ of Grayson M.P. Murphy, approached him with a request that he deliver an anti-inflationary speech at an upcoming American Legion convention in Chicago.³³

In subsequent meetings, Butler claimed, MacGuire and Robert Clark, a multi-millionaire who had served with Butler in China during the Boxer Rebellion, fleshed out plans for an “army” of veterans modeled on the French *Croix de Feu*, an

³² Robert Jackson to Irénée du Pont, November 22, 1934, *IDP*, Box 110

³³ *New York Times*, November 21, 1934; Jules Archer, *The Plot to Seize the White House*, (New York: Skyhorse Publishing, 1973).

ultra-nationalistic organization of world war veterans. This force, with Butler at its head, could presumably march on Washington and force the President to “go along” as had the king of Italy with Mussolini. Butler testified to the details of the alleged plot before the McCormack-Dickstein House Committee on Un-American Activities. In doing so, he implicated numerous financial, political and military leaders including Thomas Lamont of J.P. Morgan & Company, John Davis, Al Smith, Hugh Johnson and Douglas MacArthur. Of course, Grayson M.P. Murphy, whose firm employed MacGuire, was later named treasurer of the Liberty League.³⁴

Butler’s testimony provoked a wave of angry and incredulous denials from the individuals mentioned and what might be characterized as bemused indifference in the press accounts. *Time* characterized the alleged coup as a “plot without plotters,” while many newspaper accounts conveyed their editorial skepticism by placing the word “plot” in quotation marks in their headlines. To the *Baltimore Sun*, the affair seemed “silly beyond words” and was to be received in a mood of “innocent merriment.” Thomas Lamont characterized the allegations as “too unutterably ridiculous to comment upon.”³⁵

There is little reason to doubt that Butler believed in the existence of such a plot and conveyed, to the best of his recollection, an accurate account of his interactions with Clark and MacGuire. General Butler, however, had also drifted considerably to the

³⁴ *New York Times*, November 21, 1934

³⁵ *New York Times*, November 21, 1934; *Time*, December 3, 1934; *Baltimore Sun*, November 22, 1934; *Chicago Tribune*, November 21, 1934.

political left in recent years. Angered over the perception that many of his military adventures in the early part of the Twentieth Century had been primarily in the service of the interests of large corporations, Butler served as a speaker for the American League Against War and Fascism, a pacifist organization established with the backing of the Communist Party. He blamed military industrialists, such as the du Ponts whose business started with the manufacturer of gunpowder before diversifying into chemicals, rather than politicians for the prevalence of war. It is not unreasonable to expect that he would seek to portray these despised industrialists in the worst light possible.³⁶

The extent to which the alleged plot went beyond these conversations between Butler and Gerald MacGuire is unknown. Certainly, there was no army of 500,000 veterans waiting in the wings. The McCormack-Dickstein committee never called anyone remotely connected to the Liberty League to testify on the grounds that it lacked any evidence that would “in the slightest degree warrant calling before it such men” as Butler mentioned in his testimony. It is difficult to imagine that the Roosevelt administration or the Congress would have hesitated to act on credible evidence of the treasonous conduct alleged.³⁷

Leaders of the Liberty League fielded inquiries from host of smaller groups, often providing them with encouragement and suggesting that they consider establishing local chapters of the League. In the fall of 1934, as Raskob prepared for his

³⁶ Smedley Darlington Butler, *War is a Racket*, (New York: Round Table Books, 1935); *Daily Worker*, “Manifesto and Program of the American League Against War and Fascism,” June 30, 1934.

³⁷ *New York Times*, November 26, 1934.

promotional trip to California with E.F. Hutton and Irénée du Pont, he corresponded with Harry Haskell of Wilmington. Haskell was associated with the Society of Colonial Wars, an organization consisting of American citizens who traced their ancestry back to individuals who had participated in prominent roles in the establishment of the American colonies. Haskell pointed out that, in addition to its primary purpose of promoting the study and preservation of American Colonial history, the Society was also devoted to the cause of upholding the constitution. Haskell facilitated the introduction of Raskob and his colleagues to key contacts in the California Society of Colonial Wars, including Lansing Sayre and Henry MacKay. MacKay, at the time, was heavily involved in the effort to defeat Upton Sinclair's End Poverty in California (EPIC) movement with the goal of assuring outsiders that California was not an "asylum for lunatics." MacKay helped to organize a dinner in honor of Raskob, du Pont and Hutton at the California Club in Los Angeles at which they would have the opportunity to appeal to prominent Californians on behalf of the Liberty League.³⁸

The National Economy League (NEL) was another sympathetic organization that sought to coordinate its efforts with the Liberty League. Established in 1932, the NEL included such notables as Calvin Coolidge, Al Smith, the famed polar explorer Admiral Richard Byrd, General John Pershing, Al Smith, Elihu Root and Newton Baker. The organization's primary purpose was to promote economy in

³⁸ Henry MacKay to Harry Haskell, October 30, 1934, *Raskob Papers*, File 61, Box 1; Harry Haskell to Henry MacKay, November 6, 1934, *Raskob Papers*, File 61, Box 1; Harry Haskell to John Raskob, November 7, 1934, *Raskob Papers*, File 61, Box 1; Printed Invitation to Dinner at the California Club, *Raskob Papers*, File 61, Box 1.

government. They advocated significant reduction in government spending and maintenance of a balanced budget. Carl Dennett, of the NEL's Massachusetts chapter, contacted the Liberty League's Henry Rust to make the case for a joint effort between these and other organizations. While expressing his sympathy for the League's emphasis on upholding the Constitution, Dennett contended that such arguments would never be able to generate mass appeal.³⁹

From Dennett's perspective, the public's reverence for the Constitution had been diminished through the fights over Prohibition and its subsequent repeal. He argued that the "rank and file of the people today are for the New Deal" because of the perception that they are getting something for nothing. Dennett believed that, rather than focusing on abstract Constitutional principles, opponents of the New Deal needed to explain to people the effects of federal taxation and deficit spending on the cost of consumer goods like gasoline and cigarettes. The NEL believed that winning majority support for a balanced budget would, in itself, neuter the more dangerous tendencies in the New Deal. Dennett invited the Liberty League to join with the NEL and other organizations like the Crusaders and the National Taxpayer's League in a united demand for a balanced federal budget.⁴⁰

In September of 1934, Merwin Hart forwarded literature produced by the New York State Economic Council (NYSEC) to Irénée du Pont. Hart, a Harvard

³⁹ Carl P. Dennett to H.B. Rust, September 27, 1934, *Raskob Papers*, File 61, Box 1.

⁴⁰ Carl P. Dennett to H.B. Rust, September 27, 1934, *Raskob Papers*, File 61, Box 1.

classmate of Franklin Roosevelt's, was the president of the NYSEC, an organization devoted to the principles of lower taxes and decreased government spending. The literature warned that the advocacy of organized "minorities" like the American Federation of Labor and the "teacher's lobby" was placing the United States on the fast track toward socialism. Also included in Hart's correspondence was a copy of the NYSEC's legislative program, consisting mainly of *laissez faire* boilerplate. Du Pont, in his reply, registered his approval of the NYSEC's program, sending a check for twenty-five dollars and urging Hart to encourage his membership to join the Liberty League. Hart and his organization, later renamed the National Economic Council, remained a fixture of the conservative political movement into the 1960s.⁴¹

The Liberty League also sought to establish some level of cooperation with the major organizations representing the interests of American business. Raskob invited Henry I. Harriman, president of the U.S. Chamber of Commerce, to several of the League's early planning sessions. Harriman reported on the increasing frustration among his membership with the National Recovery Administration (NRA). Manufacturers in the Midwest, in Harriman's account, hoped for the abolition of the NRA. Harriman offered recommendations for leading businessmen to be included in the League's executive committee. At the same time, he expressed concern that the Liberty League would be easily exposed to attack as a mere "instrument of big business." Other key leaders of business associations expressing their support to Raskob and Irénée du Pont

⁴¹ Merwin K. Hart to Irénée du Pont, September 17, 1934, *IDP*, Box 110; Irénée du Pont to Merwin Hart, September 24, 1934, *IDP*, Box 110.

were Dr. Virgil Jordan of the National Industrial Conference Board and James Emery, chief counsel for the National Association of Manufacturers.⁴²

Interest seemed to be particularly strong in the Philadelphia area. Shortly following the press conference announcing the formation of the Liberty League, Irénée du Pont received a surge in correspondence from interested parties including William J.H. Lloyd, chairman of the contact committee for the Manufacturer's & Banker's Club of Philadelphia. Lloyd described his organization as a collection of "business, professional and financial men," and reported widespread approval for the announced purposes of the League across his membership. He expressed hope that Irénée du Pont might be willing to address an assembly of the MBCP to talk about the Liberty League in the near future. Du Pont quickly responded, registering his "delight" with the strong response in the Philadelphia area. He noted that it was only right that Philadelphia, as the birthplace of the Constitution should be among the first to "rise up in its defense." He advised Lloyd to help set up a local chapter of the Liberty League in Philadelphia and, with some reluctance on the grounds that he was not an ideal public speaker, agreed to address the organization if they could not arrange a better speaker.⁴³

Given Irénée du Pont's expressed lack of confidence in his speaking abilities, Lloyd sought to bring in Al Smith as a substitute. Smith, as a general rule,

⁴² Henry Harriman to John Raskob, August 16, 1934, *Raskob Papers*, File 61, Box 1; John Raskob to Virgil Jordan, August 22, 1934, *Raskob Papers*, File 61, Box 1; Henry Harriman to John Raskob, August 31, 1934, *Raskob Papers*, File 61, Box 1; Irénée du Pont to Jouett Shouse, May 27, 1935, *IDP*, Box 111.

⁴³ W.J.H. Lloyd to Irénée du Pont, August 29, 1934, *IDP*, Box 109; Irénée du Pont to W.J.H. Lloyd, August 30, 1934, *IDP*, Box 109.

refused speaking engagements outside of his home state of New York, so William Stayton was offered in his place. Captain Stayton travelled to Philadelphia to meet with Lloyd and William Folwell, the president of the MBCP. After Stayton's presentation on the purposes of the Liberty League, the leaders of the MBCP expressed their anxiousness to "do something to aid in this movement." Lloyd wrote again to Irénée du Pont stressing that the organization would prefer him over Stayton as the featured speaker because of his ability to "command respect throughout the business world." Du Pont relented and agreed to address a luncheon of the MBCP on October 4, 1934.⁴⁴

Not surprisingly given the audience, du Pont's address was well received. He warned the assembled bankers and industrialists that the liberty and opportunity afforded them by the Constitution were under grave threat due to the rise of "monstrous bureaucracies." The NRA, he noted, gave the president dictatorial powers over industry. He minimized the concerns of organized labor by likening the material living conditions then available to a "common laborer" to those enjoyed by "a crowned head of 140 years ago." He repeatedly stressed the Liberty League's aspiration toward non-partisanship, arguing that the organization's main goal was to teach those previously apathetic segments of the American electorate the importance of the Constitution and its preservation. The next issue of *The Manufacturer and Banker*, a newsletter circulated by

⁴⁴ W.J.H. Lloyd to Jouett Shouse, September 9, 1934, *IDP*, Box 109; W.J.H. Lloyd to Irénée du Pont, September 10, 1934, *IDP*, Box 109; W.J.H. Lloyd to Irénée du Pont, September 22, 1934, *IDP*, Box 110.

the MBCP, contained a full reprint of Irénée du Pont's speech, along with an extensive write up on the American Liberty League of Pennsylvania.⁴⁵

Here was a classic case of Irénée du Pont preaching to the choir. Certainly, the message he delivered resonated strongly with the assembled bankers and manufacturers, but they required little convincing. Numerous correspondents who had been in attendance lavished praise on du Pont for his rhetoric. Stanley Reimann, Director of the Research Institute at Lankenau Hospital and William Gest, Chairman of the Board of Fidelity-Philadelphia Trust Company, both congratulated du Pont on his restraint and expressed their desire to help with the Liberty League. For each of these wealthy converts, however, there were dozens of unemployed individuals and workers that would only be alienated by Irénée du Pont's opinions regarding the level of "comfort and security" they enjoyed. While this address to the MBCP helped to garner a handful of significant financial contributions for the fledgling organization, it is difficult to imagine it inspiring any positive reaction among the broader segments of the American population to which the League hoped to appeal.⁴⁶

In addition to targeting like minded organizations for cooperation, the Liberty League sought, and occasionally found allies in the news media. A sort of informal alliance, for example developed between the Liberty League and the Hearst

⁴⁵ Untitled Speech for Delivery to the Manufacturer's & Banker's Club of Philadelphia by Irénée du Pont, October 1934, *IDP*, Box 110; Undated, *The Manufacturer & Banker*, *IDP*, Box 110.

⁴⁶ Stanley P. Reimann to Irénée du Pont, October 4, 1934, *IDP*, Box 110; William P. Gest to Irénée du Pont, October 4, 1934, *IDP*, Box 110

newspaper chain. William Randolph Hearst, like many critics of the New Deal, had enthusiastically supported Franklin Roosevelt in the 1932 election. By the summer of 1934, the newspaper magnate had begun to turn against the president, as evidenced by a July 1934 editorial entitled “American Business Can Restore Prosperity.” Hearst decried the various failed “remedies” applied by the federal government and suggested that certain figures in the administration sought to make American business a scapegoat for their own failings. He refrained from criticizing the president, directing his ire instead at the “politicians, the professors, the failures, the cranks, the visionary theorists, the impractical experimentalists” that were, in his view, leading Roosevelt astray. Even before the Liberty League emerged, Hearst was making the case that only private business could restore prosperity to the nation.⁴⁷

Not long after the Liberty League burst on the scene, Earl Reeves, a writer affiliated with the Hearst organization contacted Irénée du Pont requesting an interview to discuss the League’s objectives. Du Pont agreed, on the provision that the article should not be a hit piece on the Liberty League. He stressed again that the League was not formed to oppose President Roosevelt, insisting that he had voted for the President and “acclaimed most heartily his attitude in the beer message; in the closing of the banks and his most astounding success in eliminating the Eighteenth Amendment from the Constitution by constitutional methods.” These conditions proved acceptable to Reeves, who proposed running the article next to a feature celebrating Constitution Day on September 17 and even forwarded an advance copy to Irénée du Pont inviting editorial

⁴⁷ *New York American*, July 1, 1934.

suggestions. Certainly, in this instance, the Hearst papers afforded the Liberty League an opportunity to get their message across with minimal filtration.⁴⁸

Reeves, apparently pleased with the results of this initial collaboration, quickly invited Irénée du Pont to pen a series of articles expanding upon the views of the Liberty League regarding the danger to the Constitution. Du Pont initially tried to deflect these requests, suggesting that other principles of the League might be better suited for the task. Reeves persisted on the grounds that his editorial manager felt that John Davis was associated with the J.P. Morgan financial group and others like Al Smith and Jouett Shouse had too many “political associations.” Irénée du Pont, on the other hand was “independent and non-political,” making him the best choice as a non-partisan spokesman for the League. Du Pont relented, collaborating with Reeves on at least one additional article in which he warned that the Constitution was being “overridden by federal power” and that bureaucrats in Washington were in the process of “seizing power” never delegated to them by the people.”⁴⁹

There was also some correspondence between the Liberty League and John Francis Neylan, who served as the chief legal counsel for Hearst’s newspaper empire. Neylan, who had previously played an instrumental role in bringing the California state budget back into balance in his capacity as head of the State Control

⁴⁸ Irénée du Pont to Earl Reeves, September 1, 1934, *IDP*, Box 109; Earl Reeves to Irénée du Pont, September 5, 1934, *IDP*, Box 109; Irénée du Pont to Earl Reeves, September 7, 1934, *IDP*, Box 109.

⁴⁹ Earl Reeves to Irénée du Pont, September 17, 1934, *IDP*, Box 110; Undated Draft Article by Irénée du Pont “as told to Earl Reeves” *IDP*, Box 110.

Board during the administration of Governor Hiram Johnson, expressed interest in joining the Liberty League. The ALL headquarters seemed hesitant to invite Neylan to join the advisory council presumably on the basis that his inclusion might detract from the League's non-partisan stance.⁵⁰

While there was not extensive cooperation between the Liberty League and the Hearst newspapers, Irénée du Pont continued a friendly correspondence with Reeves. Also, when du Pont traveled out to California with John Raskob and E.F. Hutton on a mission to drum up support for the Liberty League, they visited *La Cuesta Encantada*, the seaside estate of William Randolph Hearst. To follow up on this meeting, du Pont sent Hearst a note thanking him for his ongoing efforts to preserve the Constitution. Enclosed was information on the plans for the Liberty League and a request that Hearst should become a primary financial contributor. While making clear his "heartly support" for the objectives advanced by the Liberty League, Hearst declined to join, citing a personal rule against joining any organizations.⁵¹

David Lawrence, an influential journalist and publisher who, in 1933, established *United States News* and later merged it with another of his publications to create *US News & World Report*, also lent his sympathetic pen to the efforts of the Liberty League. In September of 1934, Lawrence corresponded with E.F. Hutton and John Raskob about an editorial that he was working on. Lawrence's intention was to

⁵⁰ A.P. Haake to Irénée du Pont, December 11, 1934, *IDP*, Box 110.

⁵¹ Irénée du Pont to William Randolph Hearst, November 20, 1934, *IDP*, Box 110; William Randolph Hearst to Irénée du Pont, November 28, 1934, *IDP*, Box 110

clearly convey the objectives of the Liberty League to his readers. In a letter to Raskob, Lawrence described his major points of emphasis. He intended to show that the League was not a political movement in opposition to either political party or to the President personally and that it would not be involved in the upcoming mid-term elections. He stressed the fact that the Liberty League's program was rooted in Constitutional principles, rather than politics. The article was favorably received by the leadership of the Liberty League and Raskob passed along the group's congratulations on this "splendid article."⁵²

Despite his initial skepticism, the Liberty League eventually won the enthusiastic support of another prominent publisher, Robert McCormick of Chicago. McCormick, a prominent critic of the New Deal who later used his *Chicago Tribune* to offer vocal support for the non-interventionist America First movement, reported in October of 1935 that he was initially wary of the Liberty League. He had subsequently come to the realization that "none of the data put out by the League is ever the subject of successful attack." On a visit to New York, McCormick informed Al Smith that his paper, along with others in the West, utilized Liberty League publications in formulating their lead editorials. A few months later, when Raskob mailed out tens of thousands of copies of a letter he wrote relaying his biography and seeking support for the Liberty

⁵² E.F. Hutton to John Raskob, August 30, 1934, *Raskob Papers*, Box 61, Folder ALL: August 1934; David Lawrence to John Raskob, September 3, 1934, *Raskob Papers*, Box 61, Folder ALL: September 1934; John Raskob to David Lawrence, September 5, 1934, *Raskob Papers*, Box 61, Folder ALL: September 1934.

League, McCormick sent a response encouraging Raskob to continue “plodding along...in our effort to prevent the impending catastrophe.”⁵³

William Mapel, editor of the *Wilmington Journal* reached a conclusion similar to McCormick’s in March of 1935. In an editorial, Mapel reported having studied the Liberty League since its inception several months earlier. He found that the League’s publications dealt with the issues in a reasonable and factual manner without appeals to emotion or prejudice. In his opinion, the League offered a useful counterbalance to an experimenting president, a “wild-haired Congress” and “more insidious forces” like the movements inspired by Father Coughlin, Huey Long and Dr. Townsend. Mapel also reported using the Liberty League’s recent publication on pending legislation to impose a 30 hour work week on industry as the basis for his paper’s editorial stand against the bill. He characterized the Liberty League’s arguments against the constitutionality of the 30 hour week proposal as “unanswerable.” In addition to using the Liberty League’s publications to support his editorials, Mapel on multiple occasions reported his suspicions that the U.S. Postal service, then under the leadership of Roosevelt’s campaign manager James Farley, might be delaying or otherwise tampering with the delivery of ALL publications to the offices of the *Journal*.⁵⁴

⁵³ John Raskob to Walter Chrysler, October 25, 1935, *Raskob Papers*, File 61, Box 2, Folder: July-December 1935; Robert McCormick to John Raskob, February 3, 1936, *Raskob Papers*, File 61, Box 2, Folder: February 1936.

⁵⁴ Clipping, *Wilmington Morning Journal*, March 6, 1935 *IDP*, Box 111; Irénée du Pont to Jouett Shouse, March 4, 1935, *IDP*, Box 111; William Mapel to Jouett Shouse, March 15, 1935, *IDP*, Box 111.

Mapel was not the only editor in Wilmington to vocalize his support for the principles advanced by the Liberty League and the newspaper industry was not the only form of media the League hoped to exploit. Joseph Martin, editor of the Wilmington *Sunday Star* contacted Irénée du Pont in May of 1935 in response to a recent radio talk about the Liberty League delivered by du Pont. Martin affirmed his support for the League and offered himself as a potentially effective radio speaker on behalf of its principles. In a similar vein, Catherine Curtis, host of a radio program entitled “Women and Money” contacted the Liberty League in September 1934 to discuss her potential on-air support. Curtis, who would later become prominently involved in the anti-interventionist Mother’s Movement, saw her program cancelled in 1935 after she became more vocal in her opposition to the New Deal.⁵⁵

In October of 1935, the Crusaders developed a plan for a weekly radio show designed to promote awareness of the Constitution among the public. The leaders of the Crusaders appealed to the Liberty League for help in funding this new endeavor. Raskob, E.F. Hutton and Irénée du Pont met with Fred Clark, Douglas Stewart and James Bell of the Crusaders to discuss plans for their envisioned *Voice on the Air* radio program. The Liberty League agreed to provision five thousand dollars for the project. Irénée du Pont personally donated another five thousand dollars after discussing the idea with his friend, the ketchup magnate Howard Heinz. DuPont made it a point to stress,

⁵⁵ Joseph Martin to Irénée du Pont, May 4, 1935, *IDP*, Box 111; Catherine Curtis to John Raskob, September 28, 1934, *Raskob Papers*, File 61, Box 1.

however, that his donation was to be earmarked for the radio program and not for the Crusaders' general budget.⁵⁶

During the summer of 1936, Shouse was working on another proposal for a radio program to promote the principles advocated by the Liberty League. Taking inspiration from the popular "Seth Parker" radio program that had run on the NBC network during the early 1930's, Shouse envisioned a series of 15 minute segments that would be run twice a week in the two months remaining before the 1936 election. Shouse hoped to create a "character of homely wisdom" who would opine on current events to a crowd of locals gathered around a country store or schoolhouse somewhere "out in the Midwest." The discourse, naturally designed to cast the New Deal in an unfavorable light, would be interspersed with jokes and songs. The concept envisioned is prescient of the 1957 film, *A Face in the Crowd*, which helped launch the acting careers of Andy Griffith, Walter Matthau and Lee Remick. Shouse went so far as to have scripts prepared based on a character named Goodwin "Good" Hollister. Shouse appealed to Raskob for funding, noting that the money would need to be raised independently of the Liberty League. Raskob found the idea interesting, but declined to contribute.⁵⁷

⁵⁶ Howard Heinz to Irénée du Pont, October 15, 1934, *IDP*, Box 110; Irénée du Pont to James Bell, October 16, 1934, *IDP*, Box 110; James Bell to Irénée du Pont, October 23, 1934, *IDP*, Box 110; John Raskob to Jouett Shouse, October 18, 1934, *Raskob Papers*, File 61, Box 1.

⁵⁷ Jouett Shouse to John Raskob, June 26, 1936, *Raskob Papers*, File 61, Box 2; John Raskob to Jouett Shouse, July 1, 1936, *Raskob Papers*, File 61, Box 2; Undated Sample Script by Burke Boyce, *Raskob Papers*, File 61, Box 2.

In several instances, sympathetic authors and publishers contacted the Liberty League offering their services or looking for help in promoting books. One such author was Wirt W. Young of Maryland, who had been writing for “pulp” magazines like *Argosy* and *Detective Fiction* under the pen name of W. Wirt contacted Irénée du Pont in October of 1934. He noted that the so called “pulp” magazines reached broad segments of the working class and he volunteered to use his writing to “help educate our people” on the principles advanced by the Liberty League. Du Pont thanked him for the offer and, returning to the theme of education, lamented the performance of college professors who “with all their opportunity to study, have been so remiss and are unable to see what we on the street find self-evident.”⁵⁸

Amory Hare Hutchinson, a poet and writer of short stories from Philadelphia contacted Irénée du Pont in 1935 to offer her help with the Liberty League. Mrs. Hutchinson was active in many Women’s organizations as well as with the American National Theatre and Academy. She indicated her strong feelings of support for the League and hoped to use her influence to help expand membership. The organization’s leadership found some of her ideas to be impractical. When she proposed coordinating an ALL event involving the Philadelphia Orchestra, for example, du Pont dismissed the idea on the grounds that it would prove too expensive and would only reach those elements of the population who had “already lined up against radicalism.”

⁵⁸ Wirt W. Young to Irénée du Pont, October 10, 1934, *IDP*, Box 110; Irénée du Pont to Wirt Young, October 12, 1934, *IDP*, Box 110.

He stressed the importance of trying to spread the message of the Liberty League to farmers and factory workers instead.⁵⁹

In 1935, the Liberty League decided to promote a new book by Lewis Douglas, a former Congressman from Arizona who had served as the first budget director in the Roosevelt administration. Douglas, who accepted the post only after receiving assurance from the President that he remained committed to operating with a balanced budget, resigned in August 1934 over policy disagreements related to continued deficit spending and what he viewed as unwarranted expansions of the power of the federal government. In the book, consisting of a series of lectures delivered at Harvard University, Douglas advanced the argument that the policies of the Roosevelt administration had placed the United States on the path of progressive advancement toward a state-controlled collectivist system. Shouse argued that the Liberty League should do “whatever is possible to encourage wide sale and circulation” of *The Liberal Tradition*. He sent copies to all members of the League’s Executive Committee and Advisory Council and encouraged them to purchase additional copies to distribute on their own. Raskob made similar efforts to promote an anti-New Deal booklet by John C. Bell. Bell, who would later serve as both Governor of Pennsylvania and Chief Justice of the Pennsylvania Supreme Court, published a pamphlet entitled *What Do You Know*

⁵⁹ Irénée du Pont to American Liberty League of Pennsylvania, July 3, 1935, *IDP*, Box 111; Irénée du Pont to Mrs. J.P. Hutchinson, July 3, 1935, *IDP*, Box 111; Amory Hare Hutchinson to Irénée du Pont, July 4, 1935, *IDP*, Box 111; Irénée du Pont to Amory Hare Hutchinson, April 21, 1936, *IDP*, Box 112.

About the New Deal in 1934. Pauline Sabin sent a copy to Raskob, who, upon reading it, contacted Bell to obtain a supply for distribution.⁶⁰

Judging from their private correspondence, it seems clear that the leaders of the American Liberty League believed in their stated cause. They perceived a growing trend toward concentration of power in the federal government and its executive branch. This trend, in their view, originated in the Progressive era and had greatly accelerated with the coming of the New Deal. The leaders of the Liberty League had previously pointed to Prohibition as a manifestation of this trend and most were heavily involved in the AAPA campaign to overturn it. The AAPA had been particularly successful in establishing a united front by reaching out and facilitating cooperation with other organizations like the Women's Organization for National Prohibition Reform and the Crusaders. The Liberty League sought to replicate this success by reaching out, in the words of Irénée du Pont, to "all other associations who would clearly come out for a return to the Constitution."⁶¹

⁶⁰ Jouett Shouse to John Raskob, July 12, 1935, *Raskob Papers*, File 61, Box 2; John Raskob to Pauline Sabin, October 25, 1934, *Raskob Papers*, File 61, Box 1.

⁶¹ Letter, Irénée du Pont to P.S. du Pont, July 10, 1934, *LMSS*, Box 1294, Folder: American Liberty League 1934.

CHAPTER 6

THE PUBLIC DEBATE BETWEEN THE LIBERTY LEAGUE AND THE NEW DEAL

While the preceding discussions of the activities of the ALL's national and local chapters and its efforts to reach out to sympathetic organizations provide valuable insights into the structure and intent of the organization, the vast majority of the considerable resources collected and dispensed by the ALL were funneled into the production and distribution of a series of pamphlets. The League's stated intent in producing these documents was education of the public on the U.S. Constitution and what its leaders perceived as a dangerous trend toward concentration of power in the federal government and the executive branch that, in their view, was moving the country away from Constitutional principles. Between August 1934 and September 1936, the research staff of the Liberty League produced a total of one hundred and thirty-five pamphlets. A third of these were detailed analyses of specific New Deal measures, while most of the rest consisted of reprints of speeches by Liberty League officials, sympathetic economists, judges and members of Congress expounding on the themes examined in the pamphlets. The organization also published a series of less formal bulletins and newsletters along with a handful of more exhaustive legal briefs prepared by the National Lawyer's Committee that are considered in a separate chapter.¹

¹ William Stayton to P.S. du Pont, "Memorandum Concerning the Activities of the American Liberty League From its Origination," July 13, 1938, *LMSS*, Box 1293,

The Liberty League utilized a steady stream of funding from the du Ponts, John Raskob, J. Howard Pew and others to ensure the broadest possible distribution for this body of literature, which historian George Wolfskill described as the most “thorough summary of conservative political thought written in the United States since the *Federalist Papers*.” More than five million pieces of literature made their way from the League’s offices to not only its membership but to exhaustive lists of public and college libraries, newspaper editorial boards and government leaders around the country, including all members of Congress. League president Jouett Shouse reported “constantly receiving calls” from Senators and Representatives of both parties requesting additional copies of the organization’s studies, which they reportedly found to be “invaluable.”²

This chapter will examine the public discourse between the American Liberty League and the Roosevelt administration during the period between the formation of the League in August of 1934 and the presidential election of 1936. The Republican party stood at a point of historic weakness, controlling less than a quarter of the seats in each house of Congress. The Republican contingent would shrink further in 1936 and several members of the party’s Progressive wing heartily endorsed much of the New Deal. In this moment of extreme weakness for the opposition to the New Deal, the Liberty League

Folder: American Liberty League 1938; Exhibit XXVII “Documents Published by the American Liberty League, June 1938, *LMSS*, Box 1293, Folder: American Liberty League 1938.

² George Wolfskill. *The Revolt of the Conservatives: A History of the American Liberty League, 1934-1940* (Boston: Houghton Mifflin Company, 1962), 65; Exhibit XXVII “Documents Published by the American Liberty League, June 1938, *LMSS*, Box 1293, Folder: American Liberty League 1938; Jouett Shouse to Irénée du Pont, March 5, 1935, *IDP*, Box 111.

presented the most coherent and forceful arguments against the efforts of the Roosevelt administration to enhance the power and reach of the Federal government and the executive branch.

To a large majority of the American electorate, however, the Liberty League appeared to be little more than a cabal of greedy industrialists determined to bring down a president who threatened their positions of privilege by any means necessary. As historian George Wolfskill put it, Americans viewed the League as “an instrument of uncomplicated selfishness, or of suicidal stupidity, or both.” Wolfskill and other scholars who have written about the League seem, to some extent, to share in this perception. Frederick Rudolph juxtaposed the “benevolence and humanitarianism” demonstrated by the Roosevelt administration against the “absence of any concern” with the economic dislocations caused by the Depression he attributed to the Liberty League. Michael Hiltzik dismissed the League’s critique of the New Deal as a “repetitious litany of big business’s grievances....delivered by self-important capitalists draped in luxury.” Arthur Schlesinger characterized the arguments presented by the organization as a “tedious exposure of the meagerness of conservative philosophy,” while Richard Hofstadter lamented the “archaic, impractical and flighty minds” that made it possible.³

³ Frederick Rudolph, “The American Liberty League, 1934-1940,” *The American Historical Review* 56 (Oct., 1950): 23-24; George Wolfskill, *Revolt of the Conservatives: A History of the American Liberty League, 1934-1940* (Boston: Houghton Mifflin Company, 1962), 261; Michael Hiltzik, *The New Deal: A Modern History* (New York: Free Press, 2011), 344; Arthur Schlesinger, Jr., *The Coming of the New Deal*, vol. 2 of *The Age of Roosevelt* (Boston: Houghton Mifflin Company, 1958), 487; Richard Hofstadter, *The American Political Tradition and the Men Who Made It* (New York: Vintage Books, 1989), 388.

An analysis of the public debate between the Liberty League does not fully support the rather harsh judgment rendered by historians. The pamphlets prepared by the League's research department were widely considered to be of high quality by outside observers. They laid out well reasoned and well supported arguments in favor of their positions. In the admittedly rare instances where they found points of agreement, the League's research staff made a point of commending the Roosevelt administration for its positions.

The Roosevelt administration and its supporters were by no means compelled to respond to the arguments presented by the Liberty League, but they chose emphatically to do so. Roosevelt and his team instantly recognized the political vulnerability of the Liberty League and its wealthy backers and determined to exploit it. The president's campaign manager Jim Farley recalled that the DNC's "first 'battle-order'" in the 1936 campaign was to "ignore the Republican Party and to concentrate fire on the Liberty League." Edward Roddan, an assistant publicity director for the Democrat party expounded on this strategy, suggesting that it would be sufficient to "parade their directorate before the people" at every opportunity and "blame them for everything." As historian George Wolfskill noted with apparent approval, the New Dealers "did not have to refute the views of the League, they only had to call the roll." This was the case in practice as the administration's response to critiques from the Liberty League consisted almost exclusively of *ad hominem* attacks focusing on the wealth of key contributors.

This strategy without question proved to be enormously successful in the political realm, but it gave no answer to the arguments presented by the Liberty League.⁴

An appropriate starting point for this analysis of the interplay between the Liberty League and its opponents is the leak that revealed the fledgling organization's existence to Elliot Thurston of the *New York World*. This leak placed the League immediately on defense in an emerging message war. While no definitive evidence exists as to the source, several indicators point to Charles Michelson, then the publicity director for the Democratic Party. Michelson preceded Thurston as head of the Washington bureau at the *New York World*. He was also friendly with Raskob and Shouse, having worked for them in the Democratic National Committee. It is likely that Michelson was briefed on the meeting between Shouse and President Roosevelt and if not, he was certainly aware of plans for the organization. He had, in fact, declined a lucrative offer from Shouse to serve as the League's director of publicity, later noting that, despite the lure of personal financial benefit, "the idea of campaigning against the man whose election I had worked for with all my enthusiasm...made no appeal." Regardless of whether Michelson was the source, the leak left the Liberty League ill

⁴ George Wolfskill and John Hudson, *All But the People: Franklin Roosevelt and His Critics, 1933-39* (London: The Macmillan Company, 1969), 305; George Wolfskill, *The Revolt of the Conservatives: A History of the American Liberty League, 1934-1940* (Boston: Houghton Mifflin Company, 1962), ix, 213.

prepared and exposed to a barrage of seemingly coordinated attacks from the Roosevelt administration and its allies.⁵

President Roosevelt, after assuring Shouse in a face to face meeting that he agreed with the announced objectives of the Liberty League, discussed the organization with reporters in an August 24th press conference. He told the assembled press that, while he did not have a problem with the League, he thought that it placed too much emphasis on property and not enough on the needs of the average citizen. Roosevelt likened it to an organization formed to uphold two of the Ten Commandments, while ignoring the rest. In harsher language, but still in a jovial manner, he expressed concern that the central commandment governing the conduct of the league would be “love thy God, but forget thy neighbor.” The God in this formulation, Roosevelt opined, seemed to be property. The president recognized almost instantly the political benefits he could achieve by contrasting himself with the Liberty League. He told reporters how, while reading the paper in bed that morning, he had been compelled to laugh out loud for ten minutes at a *New York Times* headline suggesting that Wall Street viewed the Liberty League as an answer to a prayer. While the League concerned itself with property rights, Roosevelt concluded, the president would deal with more pressing matters like alleviating unemployment, creating work, keeping people in their homes and protecting them from elements seeking to “enrich themselves at the expense of other men.”⁶

⁵ Charles Michelson, *The Ghost Talks*, New York: G.P. Putnam’s Sons, 1944, 141-2.

⁶ *New York Times*, August 25, 1934.

A number of leading Democrats followed the president's lead in attacking or belittling the emergent Liberty League. After initial newspaper results suggested that conservative democratic senators including Carter Glass, Gore, Josiah Bailey, Millard Tydings and Harry Byrd might consider joining the League, all immediately disavowed any such intention in a statement released by the DNC. Byrd dismissed the ALL as an "anti-administration cabal" intending to obstruct the president in his effort to ameliorate the deplorable economic conditions resulting from twelve years of "Republican misrule." Democratic Senator Elmer Thomas of Oklahoma denounced the founders of the ALL as "gold dollar men" and "stand-patters and die-hards," who had always been opposed to the New Deal. Roosevelt campaign manager Jim Farley merely smiled and declined comment when asked about the League on August 24, but a few days later, addressing a crowd estimated at 100,000 at the Governor's Day celebration in Sea Girt, NJ, he declared that Roosevelt was engaged in a struggle with "the selfish forces of money, power and greed to pass the benefits of freedom around to a wider circle of people." Farley asked the crowd to help provide larger majorities for the president in Congress in order to protect them from the "blind reactionaries" that had brought the country "to its knees...in the gaudy and reckless Hoover period." The news accounts of Farley's speech suggested that many in the audience took his mention of "selfish men...now talking about freedom" as a direct reference to the Liberty League.⁷

⁷ *New York Times*, August 24, 1934, "Five Senators Cool Toward Liberty League."; *New York Times*, August 25, 1934, "Farley Bids Nation Support President for War on Greed."

Similar attacks followed from other New Deal supporters in Congress, giving the impression that a coordinated effort to publicly define the Liberty League was underway. Senator James Couzens of Michigan characterized the League's claims of non-partisanship as "humorous," noting that while it included prominent members from both parties, "there is little or no difference in their political philosophies." Somewhat prematurely, since the ALL had yet to insert itself into the public discourse, Couzens denounced its members for their efforts to "criticize and condemn everything...without offering a substitute." He charged the Liberty Leaguers with living in the past, pointing out that changing economic circumstances meant it was no longer possible to operate under the "*laissez faire* or rugged individualism theory of government." Representative Clifton Woodrum of Virginia was particularly critical of former Democratic presidential candidates Al Smith and John Davis. Along with Republican Congressman and 1936 presidential hopeful James Wadsworth of New York, he dismissed them as "two has beens and a would be." Smith, Woodrum continued, merely sought to amuse himself by "throwing monkey wrenches at the recovery bandwagon" as it passed him by. Davis, on the other hand, was simply unable to understand "the liberal forces that are at work in rejuvenating America."⁸

Many in the press joined in the initial assault on the Liberty League. Henry Goddard Leach, editor of *The Forum* decried the League's "pretense about defending the Constitution" as "nonsense," arguing that their real concern was with

⁸ *New York Times*, August 24, 1934, "Couzens Rebukes New Deal Critics."; *New York Times*, August 28, 1934, "Woodrum Attacks Liberty League."

property rights and that they should be open about it. In Leach's view, the Constitution, along with the Declaration of Independence, had been "locked away" by the "selfish interests" represented by the Liberty League until Franklin Roosevelt rescued them in 1932. Raymond Gram Swing, writing in *The Nation*, declared that the Liberty League was primarily interested in ensuring that reactionaries maintained control of the Republican party until the 1936 presidential election. Swing argued that the very existence of the League was "making votes for the New Deal," and that Al Smith, by allowing himself to be associated with the group, had become "nearly as archaic, politically, as Hoover." In a similar vein, an article in *The New Republic* ridiculed the conception of liberty advanced by the League. When the founders of this organization spoke of liberty, the author asserted, they really sought to protect their large fortunes. What many Americans fail to understand, the author continued is that "there is a necessary conflict between these liberties and other liberties that are more essential for society at large..." These included the liberty to "govern economic processes for the good of all" and to "plan for abundance and security."⁹

The black press, for the most part, greeted the Liberty League with scorn. Newspaper accounts described Shouse, Smith, Davis and other leaders of the organization as "Tories...wedded to the interest of Wall Street," and warned that their aim was to sabotage the efforts of the Roosevelt administration to deal with the economic

⁹ *New York Times*, August 28, 1934, "Woodrum Attacks Liberty League."; Raymond Gram Swing, "The Rout of Republicanism," *The Nation*, September 26, 1934; "Liberty For Millionaires," *The New Republic*, September 5, 1934.

crisis. The *Pittsburgh Courier* stressed that these “malefactors of great wealth” had demonstrated no interest in the liberties of working people to organize or to receive old age pensions or unemployment insurance. Their sole focus, the paper continued, was to secure the liberties of “latter day robber barons to continue bleeding the working people and the small business man...”¹⁰

Walter White, then Secretary of the NAACP, perhaps helped to stoke this widespread skepticism. In early September of 1934, he sent a public telegram to the headquarters of the Liberty League. In it, he challenged the newly formed organization to live up to its stated purpose by upholding the Constitution as it applied to the nation’s black population. He cited the occurrence of more than 3,600 lynchings of African American citizens since 1882, rampant voting restrictions that persisted throughout the South and “gross discrimination” against black children in the expenditure of federal funding for education. White bluntly questioned whether the Liberty League would devote its considerable resources toward the redress of such violations of the document they had pledged to uphold. This unanswered challenge to the League received coverage in several black newspapers and probably contributed to hardening the unsympathetic perceptions that many of these papers would maintain toward the Liberty League throughout its public life.¹¹

Some prominent religious leaders publicly thrashed the nascent organization before it was in a position to mount any defense. The “Radio Priest” Father Charles

¹⁰ *Pittsburgh Courier*, September 15, 1934.

¹¹ *Atlanta Daily World*, September 5, 1934.

Coughlin, for example, took to the air with a vehement denunciation of the Liberty League in December of 1934. Coughlin, perhaps the most influential radio commentator of this era, with a weekly audience estimated as high as 40 million, echoed Roosevelt's comments, charging the League with disseminating a "bundle of propaganda" and forgetting every provision of the Constitution excepting those dealing with property rights. Coughlin, like Roosevelt, dismissed the League's claim that property rights were indistinguishable from human rights. Singling out prominent co-religionists Al Smith and John Raskob, along with "any other Catholics who care to join," Coughlin quoted from Pope Pius XI's Encyclical *Quadragesimo Anno* the view "when the civil authority adjusts ownership to meet the needs of the public good it acts not as the enemy, but as a friend of private owners..." protecting them from the "just wrath" of the exploited masses. He derided the du Ponts for the profits they derived from their interest in General Motors and declared the Liberty League to be a symbol of "those who wish to preserve want in the midst of plenty."¹²

Father Ignatius Cox, a Jesuit Professor of Ethics at Fordham University voiced similar sentiments in a radio address. Cox argued that "no Catholic who knows Catholic

¹² Charles E. Coughlin, *A Series of Lectures on Social Justice: As Broadcast by Rev. Charles E. Coughlin over a National Network*, Royal Oak, MI: The Radio League of the Little Flower, 1935, 56-60.; The most relevant sources on Father Coughlin and his followers include Alan Brinkley, *Voices of Protest: Huey Long, Father Coughlin and the Great Depression*, New York: Alfred A. Knopf, 1982; David H. Bennett, *Demagogues in the Depression: American Radicals and the Union Party 1932-1936*, New Brunswick, NJ: Rutgers University Press, 1969; Donald Warren, *Radio Priest: Charles Coughlin the Father of Hate Radio*, New York: The Free Press, 1996; Sheldon Marcus, *Father Coughlin: The Tumultuous Life of the Priest of the Little Flower*, Boston: Little, Brown and Company, 1973; Charles J. Tull, *Father Coughlin and the New Deal*, Syracuse: Syracuse University Press, 1965.

social doctrine...” could approve of the League’s purported stance in favor of “*laissez-faire*, unregulated individualism.” Catholic ethics and traditions and in particular the voices of Popes Leo XIII and Pius XI, Cox asserted, were raised “trumpet-tounged in damnation of this indefensible doctrine.” The first issue of *The Presbyterian Tribune*, a national bi-weekly publication edited by Rev. Dr. Edmund B. Chaffee, although not officially sanctioned by the Presbyterian Church, included an article advising readers to shun the Liberty League.¹³

Several observers welcomed the formation of the Liberty League as the herald of a long awaited realignment of the American political system. Just a few days before the Liberty League went public, Secretary of Agriculture Henry Wallace wrote a piece in the *New York Times* stressing that a new party alignment of “conservatives versus liberals” was badly needed. Wallace, a Progressive Republican before joining the Roosevelt administration in 1933, framed the hoped for divide as between “those who yearn for a return of the dead past versus those who feel that human intelligence can lead us to a far more general abundance.” Harold Ickes, another progressive Republican turned New Dealer, expressed similar sentiments upon learning of the Liberty League. Ickes claimed that he had been “hoping ever since 1912 that we’d have political parties divided on real issues.” Like Wallace, he saw the new divide as between progressives and conservatives and thought realignment along these lines to be “the best thing that could possibly happen to the country.” Upton Sinclair, the Pulitzer Prize winning author

¹³ *New York Times*, February 8, 1936, “Liberty League Scored.”; *New York Times*, October 4, 1934, “Presbyterian Paper Issued.”

and Democratic gubernatorial candidate in California also saw the Liberty League as the usher of a political realignment, although he derided the League as “fascist” in orientation.¹⁴

In the months following its establishment, the Liberty League remained mostly silent in the face of efforts by the Roosevelt administration and its supporters to define it publicly as a partisan organization comprised of selfish millionaires who valued property rights above human rights and were determined to smear the president. While the Liberty League published a handful of pamphlets prior to the November mid-term elections, these consisted primarily of clarifications of the principles for which the organization would stand. As a result of the Liberty League’s determination to avoid the perception of partisanship by keeping out of the public eye until after the conclusion of the campaign season, its critics achieved considerable success in shaping public perceptions of the group. These perceptions would prove difficult to overcome and probably detracted considerably from the League’s creditability when it initiated a public campaign after the elections.¹⁵

In December 1934, with the Congressional elections securely in the rear view mirror, Jouett Shouse delivered an address to the Beacon Society of Boston in which he again sought to explain the purpose of the Liberty League. Shouse appealed to

¹⁴ *New York Times*, August 24, 1934, “Five Senators Cool Toward Liberty League.”; *Time*, September 3, 1934; “Sinclair Predicts Party Realignment,” *New York Times*, September 3, 1934

¹⁵ Examples include “American Liberty League: A Statement of Its Principles and Purposes” September 10, 1934; “Why? The American Liberty League.” by Jouett Shouse, November 1, 1934.

the “venerated shades” of those who participated in the Boston tea party to pass judgment upon what he described as a long-term gradual trend rooted in the Progressive Era toward the transfer of legislative authority from the Congress to the executive branch and its growing web of associated bureaucracies. In support of this argument, he cited an American Bar Association (ABA) report detailing a significant increase in the use of executive orders by the Roosevelt administration. He highlighted the fact that the National Recovery Administration (NRA) had issued approximately three thousand administrative orders, many of them legislative in character, to date. Again relying on the aforementioned ABA report, Shouse estimated the total legislative output of the NRA at more than ten thousand pages. He further pointed to the creation of bureaus like the Federal Alcohol Control Administration, the Farm Credit Administration and the National Labor Relations Board by executive order. Each of these examples, according to the Liberty League, represented unwarranted and constitutionally dubious delegations of legislative authority to the executive branch. While allowing that such efforts were often the product of “well meaning men with a worthy objective in view,” Shouse argued that circumventing constitutional restrictions, even to achieve a desirable purpose, set a dangerous precedent.¹⁶

A few weeks later, the Liberty League published the first of many detailed analyses of specific pieces of New Deal legislation. The measure under consideration in this case was the National Industrial Recovery Act (NIRA), a product of the legislative

¹⁶ American Liberty League Pamphlet, “Recovery, Relief and the Constitution: Speech of Jouett Shouse, President ALL Before the Beacon Society, Boston, December 8, 1934”

outburst that took place during the first hundred days of the Roosevelt administration. Originally conceived of as a temporary measure required to address the economic emergency, the NIRA was set to expire in June of 1935. The Liberty League, acting on the expectation that the administration would call upon Congress to extend the NIRA, prepared suggestions for consideration by Congress before settling on any such extension.¹⁷

The resulting document recognized the persistence of an unfavorable economic climate and conceded that complete abolition of all provisions of the NIRA might produce “dire consequences.” Still, the Liberty League argued, the legislation in its current form was unworkable because of serious constitutional concerns. Most importantly, the NIRA granted broad discretionary powers to the president, which he used to create the National Recovery Administration (NRA). This new bureaucracy, the Liberty League argued, promulgated thousands of pages of code carrying the force of law. The League saw this as a direct violation of Article 1, Section 1 of the federal Constitution, which vests legislative authority in the Congress, rather than in a bureaucracy accountable only to the executive branch and not to the people. Moreover, many of the codes established by the NRA applied to industries not engaged in interstate

¹⁷ American Liberty League, Document No. 11, “The National Recovery Administration: A Review of its Past and Recommendations for its Future.”

commerce and thus, in the ALL's view, not subject to regulation by the federal government.¹⁸

On a more practical level, the League questioned the effectiveness of the NRA in its intended purpose of facilitating recovery. The pamphlet argued that the NRA was based on a the flawed theory that increased wage rates would boost mass purchasing power, while a shorter work week would help fuel demand for industrial goods. In practice, the League argued, costs increased more quickly than demand, resulting in curtailed, rather than increased production. The League also claimed that the wage, price and production controls included in most industry codes restricted access to the markets, provided a competitive advantage to large enterprise over smaller competitors, and hampered initiative. Another source of concern was a perceived tendency to apply excessive punishments for violations of the industry codes. Examples of cases the ALL found to be particularly objectionable were included. The case of Fred Perkins, a battery manufacturer from York, PA, is illustrative. Perkins was jailed for eighteen days when he couldn't pay the \$5000.00 fine levied on him for negotiating with his employees to pay wage rates lower than the minimum established in his industry code.¹⁹

Soon the Liberty League identified a more immediate point of contention with the Roosevelt administration. On January 4, 1935, the president delivered his annual message to Congress. In it, he insisted that the Federal Government "must and

¹⁸ American Liberty League, Document No. 11, "The National Recovery Administration: A Review of its Past and Recommendations for its Future."

¹⁹ American Liberty League, Document No. 11, "The National Recovery Administration: A Review of its Past and Recommendations for its Future."

shall quit this business of relief.” In its stead, he proposed a government program to put approximately 3,500,000 of the “employables” currently drawing relief to work, while allowing the responsibility for care of another 1,500,000 “unemployables” to revert to the states and to local governments. He estimated that this program of public works, slum clearance, reforestation, rural housing, reclamation, road improvement and various other endeavors would result in expenditures sufficient to generate another 3,500,000 jobs in the private sector.²⁰

The relief proposal seemed designed to alleviate the concerns of conservatives, and to an extent, it succeeded. Many Republicans and conservative Democrats applauded heartily when the president declared the need to remove the federal government from the relief business. Prominent newspapers across the country almost universally interpreted the relief message as indicative of a move to the political right and a “welcome denial of radicalism.” C.L. Bardo, president of the National Association of Manufacturer’s declared that, on the principles outlined by Roosevelt for relief, namely that projects should be useful, relief should be returned to the states and wage rates should be low to avoid competition with private business, “industry and the President are in accord.” The plan even drew fire from the dean of American Socialists, Norman

²⁰ “Roosevelt to Make Jobs for 3,500,000 Now on Relief,” *New York Times*, January 5, 1935.

Thomas, on the grounds that it would reduce wage scales and amounted to “bucking the unions.”²¹

Jouett Shouse also provided an immediate public statement on the proposal, suggesting that it might prove successful if it remained within prescribed boundaries. Of primary concern to Shouse was the failure of the President to give any indication of the size of the monetary outlay that would be requested to finance this program beyond the vague assurance that it would be “within the sound credit of the government.” Shouse reminded the president of his announced estimate that the national debt would reach a high point of \$31.8 billion by the end of the fiscal year on June 30, 1935 and that the debt would increase no further as the budget would be brought into balance during the following fiscal year. He urged that any relief measures undertaken should not interfere with the president’s stated plan to stop expanding the national debt.²²

The bill that Roosevelt’s messengers submitted to Congress a few days later requested an appropriation for relief of \$4,880,000,000, a sum larger than the entire annual cost of government in 1929. It further stipulated that the fund should be allocated for expenditure almost entirely at the President’s discretion. There were initial stirrings of a revolt in Congress over the size of the appropriation and, more intensely, over the unprecedented grant of discretionary authority to the executive branch. Roosevelt moved

²¹ “Roosevelt to Make Jobs for 3,500,000 Now on Relief,” *New York Times*, January 5, 1935; “Views of Press on President’s Message,” *New York Times*, January 5, 1935; “Bardo Hails Relief Stand,” *New York Times*, January 5, 1935; “Work Plan Irks Thomas,” *New York Times*, January 5, 1935

²² “Shouse Asks Debt Check,” *New York Times*, January 5, 1935

quickly to stamp out such opposition, summoning his congressional leadership team to the White House and instructing them to pass the bill swiftly and without any changes or attempts to allocate funds. After leaving the meeting, Congressman Buchanan, chairman of the House Appropriations Committee told the press that the money would be appropriated with “no strings attached.”²³

Republicans failed utterly to mount an effective opposition. Although a few, including Hamilton Fish of New York, attacked the proposal in harsh terms, Senate minority leader Charles McNary merely expressed “regret” that the President could not adequately provide for relief within the context of a balanced budget. Several of the members of the party’s progressive wing, including Bronson Cutting, William Borah and James Couzens, argued that the appropriation was not large enough. After House Democrats implemented a partial gag rule to limit amendments, the proposal passed the House on January 24 by an overwhelming majority of 329 to 78, with twenty-seven Republicans voting in favor.²⁴

Absent an effective opposition in Congress, the Liberty League immediately inserted itself into the void. In a pamphlet released a few days after the vote, the League declared the measure a “new extreme in broad grants of power to the executive.” The document accused Congress of abdicating its legislative duties by granting such an enormous sum and providing almost no guidance in determining

²³ “Work Relief Plan Criticized by Some,” *New York Times*, January 8, 1935; “Roosevelt Blocks the Pork Barrel in Big Jobs Fund,” *New York Times*, January 8, 1935.

²⁴ “Work Relief Plan Criticized by Some,” *New York Times*, January 8, 1935

policies “which ordinarily engage the close attention of a half dozen or more standing committees in each branch of the Congress.” Also of concern was the bill’s provision for the creation of a sizable new bureaucracy that would not be subject to the existing civil service laws. The document further warned that this measure represented a step in the direction of European style dictatorship, in which the parliament “becomes a non-entity.”²⁵

In analyzing the relief legislation as it stood, the Liberty League recognized the government’s obligation to provide relief for those in distress “because of unemployment” or those “suffering from affliction over which they could have no control.” Provision for the necessary relief, they argued, could be accomplished without the perceived violations of constitutionally mandated separation of powers detailed in the pamphlet. The League called on the Senate to amend the proposal to provide even minimal ground rules governing the use of the appropriated funds. The pamphlet noted that the legislation contained no trace even of the principles stipulated by Roosevelt in his budget message requesting the appropriation. The president had called for relief projects that would be useful, self-liquidating, employ a large percentage of direct labor, and would not compete unnecessarily with private enterprise. These principles were favorably received among the press and the political opposition and the League argued

²⁵ American Liberty League Document 12, *\$4,880,000,000: An Analysis of the Emergency Relief Appropriation Act of 1935 as Approved by the House*, January 28, 1935.

that Congress should, at a minimum, attach similar provisions for use of the appropriation to the proposed legislation.²⁶

The president's proposed Economic Security legislation, a cornerstone of the second New Deal, also drew objections from the Liberty League. The president harbored ambitions for a system of national unemployment insurance even before his first inauguration in 1933. Shortly after taking office, he directed Senator Robert Wagner of New York and Representative David J. Lewis of Maryland to draft legislation addressing this problem. More than a year later, in June of 1934, the bill remained stalled in committee. Roosevelt decided to start over and make the legislation a top priority in the next session of Congress.²⁷

As the Wagner-Lewis bill languished in Committee, impractical schemes promising generous pensions like the Townsend Old Age Revolving Pension Plan and Huey Long's Share our Wealth Society continued to gather support, even among some members of Congress. Roosevelt recognized the need to defuse the sentiment behind these programs by promoting an alternative plan. Envisioning a social security system that would provide a safety net for all Americans "from the cradle to the grave," he established a cabinet Committee on Economic Security. The president directed the

²⁶ American Liberty League Document 12, *\$4,880,000,000: An Analysis of the Emergency Relief Appropriation Act of 1935 as Approved by the House*, January 28, 1935.

²⁷ Frances Perkins, *The Roosevelt I Knew*, New York: The Viking Press, 1946, 278-279.

committee to undertake a study of potential legislative avenues to address unemployment insurance, old age pensions, and even a system of national health insurance.²⁸

The Committee on Economic Security, chaired by Secretary of Labor Frances Perkins, set about crafting a workable system of social insurance. According to Perkins, the most difficult questions to resolve involved the constitutionality of such a system and devising a method to finance the plan. “The problems of Constitutional Law,” in particular, seemed “almost insuperable” to Perkins. During a chance encounter with Supreme Court Justice Harlan Fiske Stone at a Washington party Perkins relayed her concerns and received surprising encouragement. Stone leaned in and whispered his assurance that “the taxing power of the Federal Government, my dear...is sufficient for everything that you want and need.” Despite this unusual vote of confidence from a sitting justice, the committee remained in doubt as to whether the taxing power really justified the distribution of federal revenues “on a basis of a social benefit.” The office of Attorney General Homer Cummings, who also served on the committee, repeatedly advised the members that this was a “doubtful constitutional principle.”²⁹

The problem of financing similarly defied resolution, especially given Roosevelt’s insistence that any plan of social insurance must be self-sustaining. Harry Hopkins argued forcefully for the principle that funding for the plan should come out of the general revenues and be treated as a matter of right rather than insurance. Roosevelt, displaying more conservative instincts, dismissed this idea as simply another version of

²⁸ Perkins, *The Roosevelt I Knew*, 278-279.

²⁹ Perkins, *The Roosevelt I Knew*, 286-291.

the “dole” to which he remained resolutely opposed. The President seemingly failed to understand that a self-sustaining system providing benefits to individuals then approaching retirement, who had never made any contributions, would require either very high rates of taxation or modest benefit payments at the outset of the program. Perkins and the committee agonized over this problem, before concluding “by any actuarial estimate, there would be, in the end, an accumulated deficit. The reserves would not suffice to pay benefits when those now twenty retired.”³⁰

Unable to escape this reality, the committee recommended a system that would be self-sustaining until approximately 1980, when, according to their estimates, Congress would need to appropriate funds from the general revenues to make up the deficit. Roosevelt again flatly rejected this plan as “the same old dole.” He declared it “almost dishonest” to create a deficit for Congress to meet some five decades down the road. Still, he expected the committee to present a politically palatable solution. An exasperated Perkins characterized Roosevelt’s intransigence as “one of the minor conflicts of logic and feeling which so often beset him.” Perkins credited Arthur Altmeyer, later the first Commissioner of the Social Security Administration, with devising an “ingenious” plan for circumventing the president’s objections. Under Altmeyer’s plan, individual contributions would start at a low level in the first year of the program, but would be increased more rapidly than previously planned in subsequent years. Altmeyer predicted correctly that Congress could be trusted “never to require enormous payments as contributions.” By pretending to provide adequate funding in this

³⁰ Perkins, *The Roosevelt I Knew*, 292-293.

manner, the committee overcame Roosevelt's objections and the bill passed easily with bipartisan support.³¹

The Liberty League prepared an analysis of the proposed legislation in early February 1935. The resulting document acknowledged that prevailing economic conditions warranted "a most sympathetic attitude" toward both unemployment insurance and old age pensions. It went on to commend the administration for resolutely opposing "fantastic schemes." The League went so far as to declare the proposed pension legislation "altogether conservative" in comparison to the Townsend plan. The document expressed qualified approval of the system of unemployment insurance provisioned in the legislation, noting that industrial leaders accepted their responsibility in regularizing employment and that the proposed plan did not place an excessive burden on employers, while properly leaving much of the administration to the states.³²

Despite the qualified support for some provisions of the bill, the league set forth numerous criticisms as well. A primary concern was the broad scope of the legislation. With "eight titles and 65 printed pages," the bill tried to accomplish too much in the view expressed by the Liberty League. The legislation under consideration was not of an emergency character and there was no justification for rushing it through

³¹ Perkins, *The Roosevelt I Knew*, 293-4; David Kennedy, *Freedom From Fear: The American People in Depression and War 1929-1945*, New York: Oxford University Press, 1999, 263-273; Edward D. Berkowitz, *America's Welfare State: From Roosevelt to Reagan*, Baltimore, MD: The Johns Hopkins University Press, 1991, 13-39.

³² American Liberty League Document 13, *Economic Security: A Study of Proposed Legislation-It's Advantages, Disadvantages, Its Dangers and Its Background*, February 4, 1935.

Congress with limited debate. The League advocated breaking the bill up and legislating its components, including old age insurance, unemployment insurance and welfare, separately. Considering the proposals discretely, the document continued, would allow for more thorough analysis and help to ensure that the programs did not place an excessive burden on the federal government and private employers.³³

The League's most serious reservations revolved around the proposal for old age pensions, the plan that would become the Social Security system. In the president's message to Congress transmitting his recommendations for a pension plan, he advocated a system that would be self-sustaining. The bill as introduced, the Liberty League flatly asserted, "does not achieve this" because workers entering the system prior to 1957 "will receive annuities larger than justified by the reserves accumulated on their behalf." Referencing the report of the Committee for Economic Security, the pamphlet noted that the sponsors of this proposal frankly admitted its failure to meet the president's goal of long term sustainability. While the plan didn't place an excessive burden on the federal government in its first few years, the League's analysis suggested "it will be impossible to avoid very large increases in later years." The document discussed pension plans enacted on the state level and in foreign countries, pointing to large overruns of projected costs in the German and British plans. In light of these concerns with long-

³³ American Liberty League Document 13, *Economic Security: A Study of Proposed Legislation-It's Advantages, Disadvantages, Its Dangers and Its Background*, February 4, 1935.

term sustainability and the fact that the legislation was not of an emergency character, the League argued that “no action should be taken without an exhaustive study.”³⁴

It is difficult to characterize the positions advanced by the Liberty League regarding the Economic Security Act as extreme. Certainly, they did not adhere to a rigid ideology of *laissez-faire* individualism, as critics have claimed. These measures instituted permanent structural reforms that were not intended to deal with the immediate economic crisis. There was little reason, apart from the insistence of the President, to rush them through Congress with limited debate. The suggestion that considering each of the programs individually might have produced more polished legislation is also reasonable. As for the League’s substantive objections to the Social Security program on the basis of its long term stability, they were quite similar to those voiced by the President in his discussions with Perkins and others. Roosevelt was fairly resolute in his insistence on a self sustaining pension plan, but he apparently had little interest in the details. When his delegates proved unable to make the numbers add up, Roosevelt eased up on his objections and consented to a system that would inevitably result in large future deficits, as both his commission and the Liberty League predicted.

Still, these arguments failed to generate significant popular support. Even many Republicans proved resistant to the rhetoric of the Liberty League. Patrick Hurley, for example, who had served as Secretary of War under Herbert Hoover, warned his fellow Republicans against attempts to assimilate the “extremes” of the Democratic party. He

³⁴ American Liberty League Document 13, *Economic Security: A Study of Proposed Legislation-It’s Advantages, Disadvantages, Its Dangers and Its Background*, February 4, 1935.

advised Michigan Republicans to adopt a “constructive” centrist position that would include qualified support of New Deal measures. He charged Shouse and Raskob, through the campaign tactics they employed against Hoover, with creating a “Frankenstein” of public discontent that ultimately forced Roosevelt to repudiate numerous elements of the platform he pledged to support. Hurley characterized the Liberty League as a “rich man’s club” carved from the “right wing of the right wing of the Democratic Party.” Their sole purpose, he claimed, was the destruction of the Roosevelt administration and he warned that, if they failed in this quest, they would seek to influence the selection of the Republican nominee in 1936, destroying the party’s chances for success.³⁵

In March of 1935, the League fired new salvos against the proposed 30 hour work week legislation sponsored by Hugo Black of Alabama as well as the pending Omnibus banking bill. A previous incarnation of Black’s thirty hour bill, envisioned by supporters as a remedy for mass unemployment, actually passed the Senate in 1933 before it bogged down in the House without strong support from the President. The Liberty League pamphlet commended the administration on its position and expressed hope that it remained unchanged. The League objected to the bill as an “unwarranted attempt to control production in violation of constitutional principles.” On a more practical level, the argument continued, the bill would not have the intended effect, but would instead lead inevitably to increased prices which would discourage consumption and retard recovery. The pamphlet contended that similar restrictions on hours in the textile

³⁵ *New York Times*, March 1, 1935, “Hurley Asks Party to Avoid Extremes.”

industry resulted in significant drops in consumption and exports in 1934 and warned that an enormous bureaucracy would be required to enforce the bill's provisions. Despite the enthusiastic backing of Senator Huey Long, the Black bill once again failed to muster enough votes to pass.³⁶

A similar attitude was evident in the League's reaction toward the administration's 1935 Banking Bill. The legislation, drafted by alleged Soviet agent and assistant Treasury secretary Laughlin Currie, was dismissed as a covert effort to "subject the nation's monetary and banking structure to the exigencies of politics." The Liberty League perceived in the legislation's changes to the Federal Reserve system an abdication of Congress's responsibility to regulate the value of money. The League argued that Title II of the proposed legislation, which was intended to increase the President's control over the Federal Reserve Board and, by extension, over the nation's banking system, should be separated from the other unobjectionable provisions until it could be debated further. The pamphlet critiquing this measure pointed out that previous monetary legislation enacted during the New Deal era, including the Emergency Banking Act of 1933, the resolution abrogating the gold clause and the Gold Reserve Act, passed at the insistence of the president with little to no consideration by Congress. It called for the creation of a monetary commission to review the options. Democratic Senator Carter Glass of Virginia, sponsor of the original Federal Reserve Act, echoed the

³⁶ American Liberty League Document 18, *The Thirty-Hour Week: Dangers Inherent in Proposed Legislation*, March, 1935; *New York Times*, March 4, 1935, "30 Hour Week Fought by Liberty League."; *Chicago Daily Tribune*, August 13, 1935, "Black 30 Hour Week Bill Loses in Senate Vote."

Liberty League's calls for delay of Title II, but the bill ultimately passed with administration support.³⁷

The Liberty League's researchers continued their onslaught in April of 1935, publishing a pamphlet arguing against the use of price fixing in the NRA codes. The document contended that price fixing, whether imposed by government or by monopolies, inevitably led to inflation. It cited historical examples of failed attempts at price controls dating back to ancient China through the more recent efforts by the NRA to spread employment in the coal and cotton textile industry. According to the Liberty League, the numerous industrial codes restraining production and enforcing minimum price provisions contributed to inflation, which tended to offset wage gains.³⁸

While these pamphlets failed to rally any semblance of mass support behind the organization, there were signs of a more subtle influence by the Spring of 1935. Shouse, for example reported "constantly receiving calls" from Congressman and Senators of both parties requesting ALL pamphlets. A prominent member of Congress described the literature put out by the Liberty League as "almost invaluable." Around the same time, William Mapel, editor of the *Wilmington Journal*, wrote that his staff had found the recent pamphlet dealing with the constitutionality of the pending thirty hour week bill to

³⁷ American Liberty League Document 19, *The Pending Banking Bill: An Analysis of a Proposal to Subject the Nation's Monetary and Banking Structure to the Exegicis of Politics*, March, 1935; *New York Times*, April 14, 1935, "Major Battle Due Over Banking Bill."; *New York Times*, June 24, 1935, "FDIC Denies End of Banking Insurance."

³⁸ American Liberty League Document 18, *Price Control: An Analysis of Experimentation Under the NRA, and Recommendations for Future Legislation*, April, 1935

be of considerable value. The *Journal*, he acknowledged, had drawn heavily on this pamphlet in crafting its editorial position against the bill.³⁹

In April of 1935, the ALL published in pamphlet form a number of speeches by economists questioning the soundness of the New Deal economic policy. Speakers included Ray Bert Westerfield, a professor of Political Economy at Yale University, Walter Spahr of NYU and Neil Carothers of Lehigh University. Carothers, head of the College of Business Administration at Lehigh, recalled that he had initially declined an invitation to join the Liberty League out of concern that it would be little more than a mouthpiece for the reactionary rich. After reviewing the publications produced by the League, Carothers reconsidered and agreed to serve on the Administrative Committee of the ALL. He now saw the League as “serving a patriotic purpose” and “more than any other organization” standing for “sanity and cool judgment in a time of popular confusion and muddled government policy.” He criticized New Deal economic policies as a “bewildering series of temporary, unsystematic, self-contradictory and experimental measures” that had not surprisingly failed to produce the presumably intended result of sustained economic recovery. Carothers advocated abandoning the NRA and the AAA

³⁹ Letter, Jouett Shouse to Irénée du Pont, March 5, 1935, *Irénée du Pont Papers*, Series J, Box 111, Folder: American Liberty League- March 1-15, 1935; *Wilmington Journal* March 6, 1935, clipping in *Irénée du Pont Papers*, Series J, Box 111, Folder: American Liberty League- March 1-15, 1935.

and suggested that future measures should be rooted in sound economic theory rather than “guess work...concocted overnight by economic planners.”⁴⁰

Through the remainder of 1935, the Liberty League’s publications continued to hammer away at New Deal legislation. One pamphlet described the Potato Control Act, later declared unconstitutional by the Supreme Court, as a “ridiculous law, demanded by large potato growers whose markets had been demoralized by excessive production on land diverted from other uses by AAA regulations.” The law demonstrated, according to the ALL, how the AAA’s unconstitutional restrictions on acreage devoted to cotton and tobacco diverted production to peanuts and potatoes, leading again to overproduction and a drop in price levels, which resulted calls for additional government regulation “of doubtful constitutionality.” The League warned that similar attempts to skirt the Constitution’s commerce clause through a punitive employment of the taxing power had already been declared unconstitutional in the cases of the second Child Labor Act and the Tobacco Control Act.⁴¹

⁴⁰ American Liberty League Document 28, *Government by Experiment*, Speech by Dr. Neil Carothers, April 17, 1935; American Liberty League Document 29, *How Inflation Affects the Average Family*, Speech by Dr. Ray Bert Westerfield, April 18, 1935; American Liberty League Document 31, *Political Banking*, Speech by Dr. Walter E. Spahr, April 18, 1935; Neil Carothers to Jouett Shouse, December 9, 1935, *IDP*, Box 112, Folder: November-December 1935.

⁴¹ American Liberty League Document 64, *Potato Control: An Analysis of a Ridiculous Law Making a Travesty of Constitutional Liberties and Proposing to Inflict Upon the American People a Bureaucratic Despotism, Including a New Army of Federal Snoopers to be Paid for Through Increased Living Costs for the Entire Population*, September, 1935.

The response from the Roosevelt administration to the critiques of the Liberty League was somewhat muted during this time period, but as the 1936 campaign approached, attacks on the Liberty League increased. In October of 1935, the ALL published a pamphlet citing examples from “thousands of commendatory letters” received by Democratic Senator Millard Tydings of Maryland following a speech he delivered on the senate floor calling for a return to fiscal responsibility. It was dangerous for the Democratic party, Tydings warned to continue “running the government on hot air, on money pulled down from the heavens which taxpayers will have to pay back.” The League, of course, could not have published these excerpts without the cooperation of Tydings, who presumably furnished them with copies. This evidence of Liberty League influence within the Democratic caucus perhaps provoked alarm among administration supporters leading to an increase in attacks on the League in order to discourage other conservative leaning Democrats from associating themselves with the ALL.⁴²

When the National Lawyer’s Committee of the Liberty League released its report questioning the constitutionality of the Wagner Labor Relations bill, Secretary of the Interior Harold Ickes denounced “chief justice Shouse” and his “57 varieties of associate justices.” The reference to 57 varieties was presumably a swipe at ketchup magnate H.J. Heinz of Pittsburgh who, while not active in the League and not associated with the

⁴² American Liberty League Document 68, *Straws Which Tell: Excerpts From Letters Received by Senator Millard E. Tydings (Democrat) of Maryland Following His Speech in the Senate on “Recovery for the United States”*, October 14, 1935; *Chicago Daily Tribune*, October 14, 1935, “Thousands Laud Tydings’ Stand Versus New Deal.”

National Lawyer's Committee in any way, had previously donated to the Liberty League. Jouett Shouse was quick to respond, calling Ickes a "persistent denouncer" and a "federal administrator of free speech." Shouse asserted that the ALL had the same right as President Roosevelt to make public its opinion regarding the constitutionality of a specific piece of legislation.⁴³

Charles Michelson echoed these attacks on the League's committee of lawyers. He contacted the *New York Times* claiming to have completed a review of the records of the participating lawyers and found that only about a dozen of the fifty eight members had actual experience arguing before the Supreme Court. Michelson stressed the fact that John W. Davis had come out on the losing end in arguments before the nation's highest court fifteen times. Michelson also recounted the records of other league lawyers including former Solicitor General James Beck, former Attorney General George Wickersham, Frederick Coudert, Hal Smith and Frank Hogan, noting that most of them had lost more cases than they had won before the Supreme Court. By drawing attention to the "losing records" of some of the members of the ALL's lawyers committee in the *Times*, Michelson was able to effectively undercut the credibility of the lawyers in the public eye without responding to the substance of their arguments.⁴⁴

In November of 1935, Roosevelt campaign manager and Postmaster General Jim Farley took aim at the Liberty League as well. Speaking to a party rally in Colorado, he

⁴³ *Chicago Daily Tribune*, October 23, 1935, "Call Ickes Speech Czar"; *Baltimore Sun*, September 21, 1935, "Shouse Retorts to Ickes Attack".

⁴⁴ *New York Times*, October 20, 1935, "Hits at Lawyers of Liberty League".

dismissed talk that the President was slipping politically and predicted a sweeping victory in the upcoming election. He attributed false perceptions about Roosevelt's vulnerability to Republican propaganda, the biggest source of which was "that Multimillionaire's Club misnamed the Liberty League." This was part of Farley's effective campaign strategy to link the unpopular ALL and its "hypocritical claims of non-partisanship" to the Republican Party.⁴⁵

In December, the ALL lawyers committee came under attack again, this time from the Roosevelt appointed Bituminous Coal Commission. The commission condemned the lawyers committee for the opinion it had published question the constitutionality of the Guffey Coal Conservation Act. The statement by the coal commission accused the Liberty League of seeking to usurp the function of the courts and warned that any unofficial opinions, such as that offered by the lawyer's committee would be completely disregarded. The coal commission made no effort to address the arguments presented in the ALL publications regarding the Guffey Act, but only stressed that the constitutionality of the act was up to the Supreme Court and not the Liberty League to decide. Of course, the League's publications were presented only as opinions and carried no binding force and, in this case, the Supreme Court ultimately agreed with the Liberty League in striking down the Guffey Coal Act.⁴⁶

⁴⁵ *The Washington Post*, November 26, 1935, "Farley Scouts Talk Roosevelt is Losing Favor".

⁴⁶ *New York Times*, December 10, 1935, "Coal Board Assails Liberty League Group".

When the Liberty League issued a twelve point plan for “constitutional recovery” by which, it claimed, the legislative branch could “reassert its constitutional prerogatives,” Senator Pat Harrison of Mississippi issued an angry denunciation. Again without addressing the specifics of plan, Harrison returned to the theme that the League, which habitually told the Supreme Court how to interpret the Constitution, now presumed to usurp the duties of the Congress as well by suggesting legislation. The real program of the ALL, Senator Harrison continued, involved undoing all that the president had done for farmers, workers and homeowners, while returning control of the nation’s political and financial affairs to the “blundering and rapacious element whose avaricious appetites brought on the depression.” Harrison warned that the president’s plans would not be diverted by the “plutocratic propaganda” of an organization that should properly be named the “American Lobby League” or the “apostles of greed.” The fact that the Democratic National Committee immediately distributed copies of Harrison’s remarks suggested to observers that the administration was readying itself for a counter-attack on the Liberty League.⁴⁷

League president Jouett Shouse, in a speech before a contingent from the organization’s Maryland Chapter responded to some of these attacks. Shouse complained that those who raised voices in protest to legislative enactments or executive orders undertaken by the present administration found themselves subject to “persecution” and “venomous accusations.” He cited the President’s attack on the Supreme Court following

⁴⁷ *Daily Boston Globe*, December 27, 1935, “Liberty League Hit by Harrison.”; *New York Times*, December 29, 1935, “Quotation Marks.”

the decisions invalidating the NRA and the AAA and flatly asserted that the president intended to neutralize the court's ability to block his programs during his second term. Shouse noted that while the president had been taken aback by the backlash his attack on the court provoked, the "fell purpose" to deprive the Court of its power "by whatever means possible" still lingered in the President's mind. Shouse pointed to speeches by Interior Secretary Harold Ickes, Secretary of Agriculture Henry Wallace and "brains truster" Rexford Tugwell since May which had openly promoted the theory that the Supreme Court should not be allowed to rule on the constitutionality of laws enacted by the Congress. "If those men don't represent the Roosevelt viewpoint," Shouse continued, "then there is no Roosevelt viewpoint." Just a few weeks after Shouse's complaint about persecution of critics, Treasury Department officials, apparently acting under orders from the White House, filed a large claim against P.S. du Pont and John Raskob for some questionable stock sales they made to each other in an apparent attempt to limit their tax liabilities in the wake of the stock market crash.⁴⁸

January of 1936 witnessed the spectacle of the Liberty League's infamous dinner at the Mayflower Hotel in Washington. Al Smith's acerbic denunciation of the New Deal rang hollow in a ballroom filled with so many powerful symbols of great wealth. The optics of the ALL dinner made it very easy for administration supporters like Senator Lewis Schwellenbach of Washington to direct devastating political attacks at the organization. Schwellenbach argued that wealthy captains of industry like Raskob and

⁴⁸ "President Drafted Du Pont Tax Action," *New York Times*, January 12, 1936; "New Deal Foes Persecuted Says Shouse," *The Baltimore Sun*, December 4, 1935.

P.S. du Pont flaunted the law with “as high a degree of criminality as...the racketeers in the big cities who were put in the penitentiary. He characterized the audience listening to Smith’s address as a collection of “bloodsucking lawyers,” “leeches” and “puppets the financiers have running their corporations.”⁴⁹

In another futile attempt to validate their claim of non-partisanship, the leaders of the Liberty League decided to stay out of the public eye during the presidential campaign. The ALL’s research department put out only a handful of pamphlets after June of 1936 and by September they ceased all publications. These actions, of course, hardly prevented the League from becoming an issue in the campaign. President Roosevelt and his supporters, in accord with their campaign strategy, seized upon the Liberty League. They portrayed it as a symbol of organized plutocracy and a haven for “economic royalists.” At every opportunity, they endeavored to make the ALL synonymous with the Republican party, which, not surprisingly, wanted nothing to do with it.⁵⁰

As the election drew closer, the Liberty League became something of a punching bag for the Roosevelt campaign. Jim Farley referred to the organization as the “little cry baby brother” of the Republican party and suggested that its proper name should be the “American Cellophane League” on the grounds that “it’s a du Pont product and...you can see right through it.” Harold Ickes called the du Ponts “Landon’s angels” and dismissed

⁴⁹ “Senators Hear Schwellenbach Slam Al Smith,” *Chicago Daily Tribune*, January 24, 1936.

⁵⁰ Robert F. Burk, *The Corporate State and the Broker State: The du Ponts and American National Politics, 1925-1940* (Cambridge, MA: Harvard University Press, 1990), 237.

Al Smith as a “paid retainer” of the Wilmington oligarchy. The President himself was less inclined to mention the League directly, but his references to “entrenched greed,” the forces of selfishness and “economic royalists” were widely understood to be aimed at the Liberty League.⁵¹

The historic triumph of Franklin Roosevelt in the 1936 election made it resoundingly clear to the sponsors of the Liberty League that their efforts to awaken public opinion to the dangers they saw in the New Deal’s expansion of government power had failed utterly. Dating to the very first public pronouncements from the Liberty League during the summer of 1934, much of the American public developed a conception of the League as a millionaire’s club interested primarily in preserving their own privileged positions. This conception was undoubtedly aided by a steady stream of attacks from supporters of the Roosevelt administration that drew attention to the wealth of the Liberty League’s sponsors. While it took almost two years and quite a bit of seemingly wasted money, the realization that the Liberty League was politically toxic finally sunk in. After the election, the du Ponts would shift gears, liquidating most of the ALL staff, but funding a minimal crew featuring Shouse, Stayton and a handful of others behind the scenes working to coordinate opposition in Congress to measures such as the President’s effort to pack the Supreme Court and the Reorganization Bill. These efforts are considered in the concluding chapter.

⁵¹ George Wolfskill and John Hudson, *All But the People: Franklin Roosevelt and His Critics, 1933-39* (London: The Macmillan Company, 1969), 305; John Gabriel Hunt, ed., *The Essential Franklin Roosevelt* (Avenel, NJ: Portland House, 1996), 129; “Ickes Defends New Deal Cost, Scores Hoover,” *The Washington Post*, October 20, 1936.

CHAPTER 7

CONCLUSION

On the evening of June 27, 1936, an enthusiastic throng of more than one hundred thousand supporters crammed into Philadelphia's Franklin Field under a light drizzling rain, which dissipated just in time for President Roosevelt to deliver one of the most memorable speeches in American political history. In accepting the Democrat party's re-nomination as its candidate in the upcoming presidential election, Roosevelt famously declared that his generation faced a "rendezvous with destiny" and sought to discredit the foes of the New Deal. He castigated these nameless opponents as "economic royalists" and "privileged princes" who had "created a new despotism and wrapped it in the robes of legal sanction." The President made it clear that these economic royalists included the leaders of the Liberty League when he dismissed as "in vain" their efforts to "hide behind the flag and the Constitution." Roosevelt warned that hard won political equality had been rendered obsolete by growing economic inequality. He acknowledged the possibility that his New Deal might have made some mistakes, but defended it on the grounds that these were made "in a spirit of charity". Such errors could be forgiven, the President continued, alluding to Dante Alighieri's *Divine Comedy*, on the grounds that "divine justice weighs the sins of the cold-blooded and the sins of the warm-hearted on different scales."¹

¹ "Roosevelt's Acceptance Speech Castigates Foes," *Los Angeles Times*, June 28, 1936; "100,000 Democrats at Franklin Field Hear Roosevelt as He Accepts

Most historians, perhaps in the spirit of “divine justice”, have accepted Franklin Roosevelt’s framing of the 1936 campaign as a contest between advocates of a benevolent federal government imbued with the “spirit of charity” and the forces of entrenched greed, allowing the President his implicit claim to membership in the fellowship of the warm hearted. On balance, historians have judged Roosevelt, the subject of numerous glowing biographies, on a more forgiving scale than his presumably cold blooded critics. Less than a year after his death, his visage replaced that of winged Liberty on the obverse of the U.S. dime and he has routinely been named in surveys of historians and the general public as one of the three greatest presidents in American history in the company of Washington and Lincoln.²

The acceptance of this type of simplistic Manichean dichotomy makes it difficult to construct an accurate portrait of either the Liberty League or the Roosevelt administration. Even the designation “economic royalists,” to the extent that it bears any utility at all, could be applied with greater precision to Franklin Roosevelt than to any of the leading figures in the American Liberty League. Roosevelt lived an extravagant lifestyle off of the inherited wealth of his parents, never putting it to productive use. The

Renomination,” *Baltimore Sun*, June 28, 1936; John Gabriel Hunt, ed., *The Essential Franklin Delano Roosevelt*, (Avenel, NJ: Portland House, 1996), 113-119.

² Much of the early historical work on President Roosevelt and the New Deal can be considered almost celebratory including James MacGregor Burns, *Roosevelt: The Lion and the Fox* (New York: Harcourt, Brace & World, 1956); Frank Freidel, *Franklin D. Roosevelt: A Rendezvous with Destiny* (New York: Little, Brown & Company, 1990); William E. Leuchtenberg, *Franklin D. Roosevelt and the New Deal* (New York: Harper Torchbooks, 1963) and Arthur M. Schlesinger, Jr., *The Age of Roosevelt*, 3 vols. (New York: History Book Club, 1957). Despite challenges from the New Left, this view of the Roosevelt presidency still holds sway. Julia Edwards, “How Historians Rank the Presidents,” *National Journal*, February 19, 2011.

considerable sums he sought credit for distributing in the “spirit of charity” were confiscated from those he sought to denigrate or borrowed against the earnings of future generations. Pierre du Pont, for example, paid four and a half million dollars in federal income tax in 1929. This sum represented more than half a percent of the total income tax collected from individuals during that year. During the same year, the “cold blooded” du Pont made additional charitable donations totaling approximately one million dollars.³

Historians seem to be oblivious to the existence of a substantial and still growing literature that has been quite critical of President Roosevelt and his New Deal policies. This body of work, beginning with a number of harsh contemporary critiques penned by John Flynn and extending through more recent works by Gary Dean Best, Gene Smiley, Burton Folsom and Amity Schlaes paints a relentlessly negative portrait of the New Deal. Historian Alonzo Hamby suggested that these works form something of a mirror image to the more adulatory view that prevails in the established literature and acknowledged that they deserve far more attention than they have received from historians. In a sense, these works by more conservative scholars with their focus on the negative and tendency to undermine the subject, are akin to much of the existing literature by left-leaning historians dealing with conservative groups like the Liberty League.⁴

³ *New York Times*, January 31, 1936.

⁴ John T. Flynn, *The Roosevelt Myth* (San Francisco: Fox & Wilkes, 1948); John T. Flynn, *Country Squire in the White House* (New York: Doubleday, Doran & Company, 1940); Ralph Robey, *Roosevelt Versus Recovery* (New York: Harper Brothers, 1934); Edgar Eugene Robinson, *The Roosevelt Leadership, 1933-1940* (Philadelphia: J.P.

This study considers the ALL from a more conservative perspective. Certainly, the organization was not without many faults. It is true that the Liberty League was created by a group of wealthy industrialists. It is also clear, from the correspondence of John Raskob and others, that concern over the New Deal as a potential threat to property rights was a primary motivating factor in the minds of several leading figures in the ALL. The leadership of the Liberty League comes off, in this study, as politically inept and the strategies they devised for influencing public opinion often yielded results that could be considered counterproductive.

It is a mistake, however to dismiss the Liberty League as either a complete failure or a disingenuous front for business interests. A review of the organization's records suggests that its endeavors essentially constituted an attempt, apparently in earnest, to educate the American public about a perceived threat posed by the Roosevelt administration to the existing Constitutional order. The ALL tried repeatedly to engage the administration and the public in substantive debate but their arrows were almost effortlessly shunted aside by the shield of Roosevelt's personal popularity.

It has been a common theme in the existing literature to question the sincerity of the Liberty Leaguers' devotion to the Constitution they claimed to uphold. This skepticism on the part of historians is not unfounded. It is fair to question whether

Lippincott Company, 1955; Gary Dean Best, *Pride, Prejudice and Politics: Roosevelt Versus Recovery, 1933-1938* (New York: Praeger, 1993); Burton Folsom, Jr., *New Deal or Raw Deal: How FDR's Economic Legacy Has Damaged America* (New York: Threshold Editions, 2008); Gene Smiley, *Rethinking the Great Depression: A New View of its Causes and Consequences* (Chicago: Ivan R. Dee, 2002); Amity Schlaes, *The Forgotten Man: A New History of the Great Depression* (New York: Harper Collins, 2007); Alonzo Hamby, *For the Survival of Democracy: Franklin Roosevelt and the World Crisis of the 1930s* (New York: Free Press, 2004), 432.

many of the business leaders who contributed to the Liberty League would have objected so strenuously or at all to presumably unconstitutional expansions of government power had the perceived effect been to benefit their own business interests rather than, for example, organized labor.

The leaders of the Liberty League stated their intent to create an organization that was non-partisan in character and there is much evidence to suggest that they made a consistent effort to meet this intent. The ALL's leadership included both Democrats like Al Smith, John Davis and Jouett Shouse and Republicans like James Beck and James Wadsworth. When the League formed in the fall of 1934, the leaders decided to wait until after the mid-term Congressional campaigns to commence their public activities in order to avoid the appearance of partisanship. They adhered to this decision even after the press learned of and published their plans, making the ALL an open target for critics. The decision to remain silent in the face of an avalanche of criticism from supporters of the New Deal badly damaged the League in the public relations sphere.

Also in keeping with this effort to maintain a non-partisan character, Shouse determined, though in his legal opinion it was not obliged to do so, that the ALL would issue quarterly reports to Congress detailing sources of fundraising and expenditures in conformance with the provisions of the Federal Corrupt Practices Act. The *Washington Post* commended the ALL for the "honorable attitude" displayed in voluntarily disclosing its finances to the public, while noting that the organization's influence might have been greater if it had refrained from releasing this information.

Releasing the names of ALL donors made them subject to public ridicule and vilification at the hands of Roosevelt supporters. When they read of Jim Farley, for example, suggesting that the ALL should be referred to as the “American Cellophane League,” in reference to the funding it received from the du Ponts, sympathetic potential contributors⁵

Though it took some time, the leaders of the Liberty League eventually learned an important lesson. The public association of the Liberty League with wealthy industrialists like Raskob and the du Ponts proved to be a fatal flaw that the Roosevelt administration was able to effortlessly exploit in hammering the organization as a mouthpiece for selfish “economic royalists.” The broadly accepted public perception of the League as such practically negated all of the arguments they spent so much time and money researching, crafting into pamphlets and disseminating. With the Roosevelt landslide in 1936, the Liberty League disappeared from the public eye, but not all of its leaders had abandoned the fight. Instead, they shifted gears, moving towards a strategy of working behind the scenes.

Following the 1936 election, the Liberty League dismissed the vast majority of its staff and closed all state and local chapters, but it did not disband completely. A skeleton crew headed by Shouse and Stayton and funded by the du Pont brothers, with some assistance from other interested parties including Richard Mellon, J. Howard Pew and a somewhat reluctant William S. Knudsen of General Motors, continued to operate. They

⁵ William Stayton, Memorandum Concerning the Activities of the American Liberty League From its Origination (August, 1934) to June, 1938,” July 13, 1938, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 1929-1948; Folder: The American Liberty League, 1938; *Washington Post*, April 10, 1936.

conducted research and produce pamphlets, but these were no longer for public distribution, going instead to members of Congress and newspapermen whose votes and opinions they sought to influence. Shouse, of course, was very well connected in Washington on account of his previous service in the House of Representatives, in the Wilson administration and his four year stint as head of the executive committee of the DNC. He made use of these connections and spent his time in Washington conversing with members of Congress and the press corps. He issued reports to the du Ponts a few times per week detailing the opinions expressed by members of Congress and the Washington press corps on the prospects for legislation pending or under consideration.⁶

The issue of the President's plan to "pack" the Supreme Court not surprisingly became a focal point for the now behind the scenes operation of the ALL. The plan, when announced by the President in early February 1937, came as a complete surprise to even his closest allies in Congress, but the Liberty League had long warned that the President harbored a secret plan to undermine the ability of the Supreme Court to stand in the way of his agenda. William Stayton culled the publications and speeches of the Liberty League to compile a list of sixteen "separate and specific warnings against what Mr. Roosevelt was contemplating but...during his campaign avoided mentioning." Stayton noted that Raoul Desvernine, head of the National Lawyer's Committee of the

⁶ Memorandum, "Items for Consideration in Connection with the Future of the American Liberty League", December 30, 1936, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 1929-1948; Folder: The American Liberty League, 1936; Letter, William S. Knudsen to John Raskob, November 15, 1937, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 1929-1948; Folder: The American Liberty League, 1937;

ALL, became convinced of the President's intent before the start of the 1936 campaign and had warned against it in his book, *Democratic Despotism*, ten thousand copies of which were distributed by the ALL in 1936.⁷

In a January 28, 1937 memo, Jouett Shouse warned that he expected the President to very soon make a "more definite attack" on the Supreme Court. Shouse lamented that the President could probably get the requisite 2/3 majority support for a Constitutional amendment in both houses of Congress. A few days later, his mood improved slightly as he reported a belief that several Democratic senators, including Carter Glass, Harry Byrd, Millard Tydings, Josiah Bailey, Royal Copeland, Edward Burke, William King, Peter Gerry and Alva Adams could be relied upon to stand against any attempt to emasculate the Court. When the president delivered his message to Congress on February 7th, Shouse expressed surprise at Roosevelt's resort to the flimsy and easily discredited pretense that his plan was conceived in order to assist an over-worked judiciary, noting that howls of ridicule arose from the press corps when the President "had the temerity to make this assertion at his press conference." Shouse still thought the president had enough support to enact his proposal, particularly in the house, but he was energized over the prospect of "the most stupendous battle in the Senate" since the fight over the League of Nations and suggested that Roosevelt might have finally over-reached, costing himself

⁷ On the surprise nature of the plan, see William E. Leuchtenberg, *The Supreme Court Reborn: The Constitutional Revolution in the Age of Roosevelt* (New York: Oxford University Press, 1995), 133; William Stayton, Memorandum Concerning the Activities of the American Liberty League From its Origination (August, 1934) to June, 1938," July 13, 1938, LMSS Group 10/ Series A: The Papers of P.S. du Pont; File 771 1929-1948; Folder: The American Liberty League, 1938; Raoul E. Desvernine, *Democratic Despotism* (New York: Dodd, Mead and Company, 1936), 54-56.

the support of previously reliable papers like the *New York Times*, *Cleveland Plain Dealer*, *Richmond Times-Dispatch*, and the *Dallas News*.⁸

A few days after the President released his plan, though his contacts reported that the administration was still “absolutely confident of victory,” Shouse began to see defeat of the proposal as a real possibility, but only if partisan politics were left out of the equation. He warned that any individuals or groups that had opposed the President in 1936 needed to remain silent in the fight against the court plan. He complained that Herbert Hoover, though well intentioned, was doing “infinite harm” by repeatedly speaking out against the proposal. This would play into the President’s hands, Shouse complained, by allowing him to characterize the matter as a partisan fight. When Shouse received word that Alf Landon was preparing to attack the scheme in a planned speech, he expressed “apprehension” and reached out to the former Republican presidential candidate’s advisors to get them to persuade Landon of the need for Republicans to “stand by” and let Democrats fight the proposal. These efforts met with some success and Shouse later expressed admiration for the skill Landon displayed in handling the issue, citing the speech as an “excellent example” for Republicans.⁹

⁸ ALL Memorandum #5, January 28, 1937, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 Jan. 1, 1937-Oct. 5, 1937; Folder: 1-20 (1937); ALL Memorandum #6, February 2, 1937, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 Jan. 1, 1937-Oct. 5, 1937; Folder: 1-20 (1937); ALL Memorandum #7, February 8, 1937, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 Jan. 1, 1937-Oct. 5, 1937; Folder: 1-20 (1937)

⁹ ALL Memorandum #8, February 9, 1937, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 Jan. 1, 1937-Oct. 5, 1937; Folder: 1-20 (1937); ALL Memorandum #11, February 12, 1937, *LMSS* Group 10/ Series A: The Papers of P.S. du

The extent to which the Liberty League can claim credit for the defeat of the court packing plan, a major setback for the President at the start of his second term, is open to question. The League is not mentioned at all in connection with the court fight by historians like William Leuchtenberg and James Patterson. William Stayton, however, claimed that Democrats in Congress opposing the plan continually called on the League's research staff to furnish them with statistical data, which the ALL promptly provided. It is also clear that Shouse was in daily contact with members of Congress regarding opposition to the plan. Shouse retained a letter from Senator Josiah Bailey thanking him and commending him for the quality and factual nature of data provided by the League. Stayton also points to the repeated attacks on the Liberty League by administration supporters during the court fight as a tacit recognition of the ALL's role in coordinating opposition in Congress. In July of 1937, for example, when the administration finally acknowledged defeat, Senator Marvel Logan decried the "tumult and shouting brought about by the Liberty League," which had lost the election in November, but, Logan claimed, now seemed poised to win it in the Congress. James Farley similarly

Pont; File 771 Jan. 1, 1937-Oct. 5, 1937; Folder: 1-20 (1937); ALL Memorandum #12, February 13, 1937, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 Jan. 1, 1937-Oct. 5, 1937; Folder: 1-20 (1937); ALL Memorandum #18, February 27, 1937, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 Jan. 1, 1937-Oct. 5, 1937; Folder: 1-20 (1937); William Stayton, Memorandum Concerning the Activities of the American Liberty League From its Origination (August, 1934) to June, 1938," July 13, 1938, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 1929-1948; Folder: The American Liberty League, 1938

complained that while the ALL had abandoned its fortress, its members had scattered “like guerillas to the hills” from whence they had commenced sniping.¹⁰

Regardless of how extensive a role the ALL actually played in defeating Roosevelt’s court packing plan and for that matter the 1938 Reorganization bill, which Stayton claimed that the behind the scenes work of the League “certainly defeated,” it is clear that the decision its leaders to recede from the public view greatly enhanced the effectiveness of the organization. Essentially, by remaining silent in public, the leaders of the Liberty League deprived the Roosevelt administration of its favorite punching bag. Others conservative activists, such as Frank Gannett, the newspaperman who organized the National Committee to Uphold Constitutional Government (NCUCG) learned from the experience of the Liberty League as well. Gannett, whose organization also played a crucial role in fighting the Roosevelt court packing plan, pointedly refused large donations to avoid the association with “economic royalists” that plagued the Liberty League. When the spokesmen for the Roosevelt administration predictably tried to smear

¹⁰ William E. Leuchtenberg, *The Supreme Court Reborn: The Constitutional Revolution in the Age of Roosevelt* (New York: Oxford University Press, 1995); James Patterson, *Congressional Conservatism and the New Deal* (Lexington: University of Kentucky Press, 1967); William Stayton, Memorandum Concerning the Activities of the American Liberty League From its Origination (August, 1934) to June, 1938,” July 13, 1938, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 1929-1948; Folder: The American Liberty League, 1938; Josiah Bailey to Jouett Shouse, January 23, 1939, *LMSS* Group 10/ Series A: The Papers of P.S. du Pont; File 771 1929-1948; Folder: The American Liberty League, 1939

the NCUCG as a mouthpiece for the rich, Gannett was able to blunt such accusations by releasing figures showing that the vast majority of his funding came from small donors.¹¹

Although the Liberty League finally closed down its operations completely in 1940 due to concerns over the limits on political contributions contained in the Hatch Act, a number of key figures from the organization would continue over the ensuing decades to work in support of the same principles advocated by the ALL. This is not to imply that the League served as a model or inspiration for the various conservative thinkers and organizations that began to proliferate in the post-war period. Indeed, the Liberty League goes virtually without mention in historian George Nash's extensive chronicle of the development of a conservative intellectual movement in the United States. However, leading members of the ALL, presumably having learned from their defeat at the hands of the Roosevelt administration, lent their experience to the development of the conservative movement in the postwar period.¹²

The du Ponts and Alfred Sloan, for example provided funding for the American Enterprise Association (AEA), a think tank established in 1943 to conduct research promoting the American system of free enterprise. The AEA, later renamed the American Enterprise Institute, under the leadership of William Baroody, continually strived to be taken seriously as a research organization in order to avoid the public perception of a businessman's club that befell the Liberty League. The AEA is also

¹¹ "\$320,740.00 Donated to Gannett Group," *Daily Boston Globe*, April 20, 1938.

¹² Robert F. Burk, *The Corporate State and the Broker State: The du Ponts and American National Politics, 1925-1940* (Cambridge, MA: Harvard University Press, 1990), 276;

notable for helping to shape the ideological development of conservative stalwart Phyllis Schlafly, who joined the organization as a researcher shortly after graduating from Radcliffe in 1945.¹³

Liberty League supporter and contributor J. Howard Pew in the post war period dedicated himself to combating the infiltration of liberalism into the American Protestant churches. Pew, having learned from his time in the ALL that business leaders could not be effective spokesmen against New Deal liberalism because of their vulnerability to “character assassination.” He looked for allies among the clergy who might serve as more suitable spokesmen and found one in the Reverend James Fifiield of California. Fifiield, the head of an organization known as Spiritual Mobilization. Fifiield’s organization, with its monthly publication *Faith and Freedom* sought to promote free market ideas and resist trends toward collectivism in the government and the churches. Pew provided funding for the organization and arranged to send out copies of Hayek’s *The Road to Serfdom* to ministers around the country. A few years later, in 1955, Pew connected with a young Billy Graham, providing a substantial contribution of \$150,000 to help get his publication, *Christianity Today* up and running.¹⁴

Other ALL veterans contributing to the rise of conservatism in the post war period include Frederic Coudert, a member of the National Lawyer’s Committee of the ALL,

¹³ Kim Phillips-Fein, *Invisible Hands: The Making of the Conservative Movement from the New Deal to Reagan* (New York: W.W. Norton, 2009), 60-67; David Farber, *The Rise and Fall of Modern American Conservatism: A Short History* (Princeton, NJ: Princeton University Press, 2010), 123-4.

¹⁴ Kim Phillips-Fein, *Invisible Hands: The Making of the Conservative Movement from the New Deal to Reagan* (New York: W.W. Norton, 2009), 70-77.

went on to serve six terms in the House of Representatives as a Republican from New York City. When William F. Buckley mounted his Conservative Party campaign for mayor of New York, Coudert acted as the chairman of the Buckley for mayor committee. Jasper Crane, a du Pont executive who had once been a member of the executive committee of the American Liberty League of Delaware, worked closely with F.A. Hayek to arrange a meeting of his Mont Pelerin Society in the United States. The Mont Pelerin Society was an organization of academic economists like Milton Friedman, Henry Hazlitt, Ludwig von Mises, Leonard Read and Hayek himself devoted to facilitating an exchange of ideas regarding the future of classical liberalism. Crane personally donated five thousand dollars to finance a meeting of the Society in the United States and worked with business associates like J. Howard Pew to raise tens of thousands more. Finally, Russell Kirk, author of the extremely influential 1953 work *The Conservative Mind*, had been a member of the Liberty League in his youth.¹⁵

While the Liberty League quickly receded into obscurity after 1936, it can be seen that many of its members played important roles in helping to facilitate the emergence of a conservative political movement in the United States during the post war period. There is some evidence to suggest that the brand of constitutional conservatism advocated by the Liberty League could serve as a rallying point for the conservative movement going forward. When a group of influential conservative leaders gathered in February 2010 to

¹⁵ “Mrs. Luce Says She’ll Join Buckley for Mayor Group,” *New York Times*, September 7, 1965; Kim Phillips-Fein, *Invisible Hands: The Making of the Conservative Movement from the New Deal to Reagan* (New York: W.W. Norton, 2009), 42-52; Robert Comerford, “The American Liberty League” (Ph.D. diss., St. John’s University, 1967), 96

ponder the path forward for the movement after the meltdown during the second term of George W. Bush, they ultimately issued the Mount Vernon Statement, which points to constitutional conservatism as the organizing principle for conservatism in the Twenty-First Century. A desire for a return to constitutional principles is also evident in the rhetoric of the various Tea Party groups that sprung up during the administration of Barack Obama and in growth of support within the Republican party in recent years for candidates like Ron Paul.

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