

BATTLING THE MILITARY JIM CROW:
THURGOOD MARSHALL AND THE RACIAL POLITICS OF THE
NAACP DURING THE KOREAN WAR

By

Lu Sun

Thesis

Submitted to the Faculty of the
Graduate School of Vanderbilt University
in partial fulfillment of the requirements

for the degree of

MASTER OF ARTS

in

History

August, 2014

Nashville, Tennessee

Approved:

Professor Thomas A. Schwartz

Professor Daniel Sharfstein

TABLE OF CONTENTS

| Section | Page |
|---|------|
| I. Introduction and Literature Review: The Korean War as a Race War | 2 |
| II. Desegregation: History and Racial Politics in the 1950s | 8 |
| Race Issue in WWII and the Cold War | 8 |
| Cold War and the Korean War | 11 |
| Petitions to the NAACP | 13 |
| State Department Blustering | 16 |
| Marshall's Trip to Japan and South Korea | 18 |
| Marshall's Investigation Report | 20 |
| "Wholesale court-martial was a White Conspiracy" | 22 |
| MacArthur Assailed | 25 |
| Media Spinning on Race | 27 |
| Racial Politics in Washington and Korea in 1951-1953 | 29 |
| III. Conclusion | |

I. Introduction and Literature Review: The Korean War as a Race War

*"[What] has happened in Korea is an old, old story—as old as Jim Crow in the armed services. It is a story of the sacrifice of Negro troops upon the altar of segregation."*¹

—Thurgood Marshall

*"Justice in Korea may have been blind, but not color-blinded."*²

—Thurgood Marshall

*The bloody Korean War has done more to wipe out Jim Crow in the Army than any other campaign—civilian and military—during the past 30 years.*³

—L. Alex Wilson

Before his trip to Kenya to assisting drafting newly decolonized nation's constitution, before arguing *Brown v. Board of Education* and before becoming a Supreme Court Justice, Thurgood Marshall's fight against discrimination during the Korean War, less well-known than his other activities, was the last blow to the barrier of segregation in the military. The final push to advance integration in the U.S. armed forces made far-reaching impact both domestically and internationally.

The Korean War (1950-53) was not just a war between communism and democracy, but also a race war. There are two strains of studies on the intersection of race and Korean War. Most scholarship has been focused on the interaction between American servicemen and the Asian population, whereas the changes in domestic race relations

¹ Thurgood Marshall, "Summary Justice—The Negro GI in Korea," *The Crisis*, vol. 58 (May 1951); Mark V. Tushnet, ed. *Thurgood Marshall: His Speeches, Writings, Arguments, Opinions, and Reminiscences* (Lawrence Hill Books, 2001).

² Michael D. Davis and Hunter R. Clark, *Thurgood Marshall: Warrior at the Bar, Rebel on the Bench* (New York, N.Y.: Carol Publishing Group, 1992), 130.

³ L. Alex Wilson, "Integration is Forced to Test by War in Korea," *The Chicago Defender*, Feb 3, 1951; pg. 1.

triggered by the war had been largely overlooked.⁴ The Korean War was a turning point in the development of racial relations of the U.S. military, a milestone of change in the racial policy of the military services.⁵

Under the premise that the Cold War imperative was a critical boost for civil rights movement during the Truman administration, this paper explores how Thurgood Marshall and the National Association for the Advancement of Colored People (NAACP) maneuvered within the atmosphere of the Cold War in America to gain momentum for the civil rights moment, finally pushing for the implementation of desegregation in the armed forces during the Korean War.⁶ The project is a historical investigation of the attempts of Thurgood Marshall to take the offensive against Jim Crow in the armed forces—“a military version of white supremacy.”⁷

In 1950 the NAACP offices in New York and in many branches across the nation received dozens of letters from African American soldiers and their families. There were thirty-nine black GIs who were charged with the violation of the Seventy-fifth Article of War [misbehavior before the enemy]. The failure of General MacArthur to achieve a breakthrough against discrimination and segregation in the armed forces made this a major political issue for blacks in the first year of the Korean War. Marshall, the chief

⁴ The racial aspect of United States-East Asia during the World War II has been overly researched, while the Cold War period could be Naoko Shibusawa, *America's Geisha Ally: Reimagining the Japanese Enemy* (Boston: Harvard University Press, 2006); John W. Dower, *War Without Mercy: Race and Power in the Pacific War* (Pantheon, 1987). The racial and gender aspect of United States-East Asia relations during the Korean War have been explored by the following work: Katharine H.S. Moon, *Sex Among Allies: Military Prostitution in U.S.-Korea Relations* (New York: Columbia University Press, 1997).

⁵ Ene P. Waters, “Adventures in Race Relations,” *The Chicago Defender*, Feb. 3, 1951; pg. 7; L. Alex Wilson, “Wilson Says Mixed Army Big Gain of Korean War,” *The Chicago Defender*, Aug 8, 1953; pg. 1.

⁶ Mary L. Dudziak, “Desegregation as a Cold War Imperative,” *Stanford Law Review*, Vol. 41, No. 1 (Nov., 1988), 66.

⁷ Richard M. Dalfiume, *Desegregation of the U.S. Armed Forces: Fighting on Two Fronts, 1939-1953* (Columbia, Missouri: University of Missouri Press, 1969), 2. A classic work of Jim Crow laws, see C. Vann Woodward, *The Strange Career of Jim Crow* (New York: Oxford University Press, USA; Commemorative edition, 2001).

counsel for NAACP and “America’s outstanding civil rights lawyer,”⁸ recalled his five-week trip to Japan and Korea as the most important mission thus far of my career.”⁹ The conclusion of his investigation in Korea was that “justice in Korea may have been blind, but not color blind.”¹⁰

I trace my intellectual tradition to legal history and diplomacy history. The issue of segregation in the U.S. military attracted some attention in the previous generations of scholars.¹¹ Some of the story has been told before, most notably by Mark V. Tushnet, Mary L. Dudziak, and Thomas Borsteleemann.¹² But none of them have weaved together a well-structured narrative in a systematic way. Other scholars who are committed to rewriting America’s civil rights stories from a Cold War perspective are Penny Von Eschen, and Brenda Gayle Plummer.¹³ However, like Dudziak’s work, *Exporting American Dreams*, most publications on race and foreign policy have been focused on

⁸ “Lawyer is Praised as Civil Defender,” *New York Times*, April 6, 1951; pg. 27.

⁹ *Ibid*, 111.

¹⁰ Davis etc., *Thurgood Marshall*, 130.

¹¹ Richard M. Dalfiume, *Desegregation of the U.S. Armed Forces: Fighting on Two Fronts, 1939-1953* (Columbia: University of Missouri Press, 1969); Gerald W. Patton’s *War and Race: The Black Officer in the American Military, 1915-1941* (Westport, Connecticut: Greenwood Press, 1981); Bernard C. Nalty, *Strengthen for the Fight: A History of Black Americans in the Military* (New York: The Free Press, 1986); More recent work on race and Korean War see Michael Cullen Green’s *Black Yanks in the Pacific: Race in the Making of American Military Empire After World War II* (Ithaca: Cornell University Press, 2010); and Gerald Early, *When Worlds Collide: The Korean War and the Integration of the United States* (forthcoming).

¹² Mark V. Tushnet, *Making Civil Rights Law: Thurgood Marshall and the Supreme Court, 1936-1961* (New York: Oxford University Press, 1994); Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy* (Princeton: Princeton University Press, 2000); Howard Ball, *A Defiant life: Thurgood Marshall and the Persistence of Racism in America* (New York: Crown Publishers, Inc., 1998); Juan Williams, *Thurgood Marshall: American Revolution* (Times Books, 1998); Mark V. Tushnet, *The NAACP’s Legal Strategy against Segregated Education, 1925-1950*, and Thomas Borsteleemann, *The Cold War and the Color Line: American Race Relations in the Global Arena* (Cambridge, MA: Harvard University Press, 2001); and Charles C. Moskos, Jr., “Racial Integration in the Armed Forces,” *American Journal of Sociology* 72, no. 2 (Sept. 1966): 67-72.

¹³ Penny Von Eschen, *Race against Empire: Black Americans and Anticolonialism, 1937-1957*, Cornell University Press, 1997; Brenda Gayle Plummer, *Rising Wind: Black Americans and U.S. Foreign Affairs, 1935-1960* (Chapel Hill: University of North Carolina Press, 1996).

Africa.¹⁴ Very few have explored the connection of civil rights to East Asia in the Cold War.

Mary L. Dudziak with her three seminal studies on the case of *Brown* from a Cold War framework—three papers “Desegregation as a Cold War Imperative,” “*Brown* as a Cold War Case,” “The Limits of Good Faith: Desegregation in Topeka, Kansas, 1950-56,” and one book *The Cold War Civil Rights: Race and the Image of American Democracy*—has altered people’s views on race, the Cold War struggle and civil rights.¹⁵ The argument of her research rests on the firm belief that the verdict of abolishing the de jure “separate but equal” doctrine established in *Plessy v. Ferguson* and implementing desegregation in public education system in America was largely due to Cold War strategic calculation.¹⁶

Previous scholarship on *Brown* credited the verdict of *Brown* to the relentless struggle of civil rights lawyers. “*Brown* was a straightforward story of the triumph of a progressive Court and a progressive Constitution, after a hard-fought battle by lawyers and litigants.”¹⁷ Emphasizing the strategic considerations in Supreme Court’s decision to topple *Plessy v. Ferguson*, Dudziak is committed to a construction of a Cold War narrative of *Brown*, asserting that the global struggle of the Cold War reshaped the narrative of civil rights history. She declares: “*Brown* was the product of converging domestic and international developments, rather than an inevitable product of legal

¹⁴ Mary L. Dudziak, *Exporting American Dreams: Thurgood Marshall's African Journey* (New York: Oxford University Press, 2008),

¹⁵ Mary L. Dudziak, “Desegregation as a Cold War Imperative,” *Stanford Law Review*, Vol. 41, No. 1 (Nov., 1988), 61-120; ____, “*Brown* as a Cold War Case,” *The Journal of American History*, Vol. 91, No. 1 (Jun., 2004), 32-42; and ____, “The Limits of Good Faith: Desegregation in Topeka, Kansas, 1950-56,” *Law and History Review*, 5 (Fall 1987), 351-391; ____, *The Cold War Civil Rights: Race and the Image of American Democracy* (Princeton University Press, 2000; second edition, forthcoming in 2011).

¹⁶ *Plessy v. Ferguson*, 163 U.S. 537 (1896).

¹⁷ Dudziak, “*Brown* as a Cold War Case,” 33.

progress.”¹⁸ Her work “raised to prominence the role of foreign policy in coming to the decision in *Brown*.”¹⁹

Civil rights lawyers’ efforts to force the U.S. to confront its domestic race problems helped the progress of race relations. African Americans capitalized on the Cold War by tying their racial demands to the ideology for which the war was being fought. Civil Rights leaders exploited the contingency of the Cold War to pressure Washington to live up America’s noble democratic ideal.

Richard M. Dalfiume addresses the years between 1939 and 1953 as “the forgotten years of the Civil Rights Revolution” of American race relations.²⁰ During this neglected chapter of American racial relations, the United States armed forces “moved from a policy of restricting and segregating the Negro to one of equal opportunity and integration.”²¹ Up to 1959, Jack Greenberg wrote, “the national armed forces [we]re the most integrated major segment of American life.”²² Samuel I. Rosenman, former Supreme Court Justice, lauded Marshall for “righting the shocking wrongs directed against Negro soldiers in Japan and Korea.”²³

Despite the extensive work accomplished in the field of race and foreign policy, the whole story of Thurgood Marshall’s involvement in the Korea War cases has not yet been adequately told. This paper aims to examine the performance of Marshall and the NAACP’s strategies against racism in the U.S. army in the Far East in the 1950s, as well the significance of it in the progression of civil rights movement in American society.

¹⁸ Ibid, 40.

¹⁹ Jack Greenberg, “A Note on Sources,” in *Brown v. Board of Education: Witness to a Landmark Decision* (NY: Twelve Tables Press, 2004), 301.

²⁰ Dalfiume, *Desegregation of the U.S. Armed Force*, 1.

²¹ Ibid.

²² Jack Greenberg, *Race Relations and American Law* (New York: Columbia University Press, 1959), 355.

²³ “Unfairness Seen in Courts Martial: Special Criticism of Army’s Handling of Negroes Voiced After Survey in Korea,” *New York Times*, Mar 2, 1951; 3.

This paper employs the NAACP records, military records, oral histories, and newspapers to reconstruct the efforts of civil rights lawyer Thurgood Marshall and his NAACP colleagues to launch a full-scale investigation of Jim Crow policies in the armed forces. At heart, it's a diplomatic history paper, though one in which the legal and social history are inextricably bound. It is a story about how Thurgood Marshall and other NAACP civil rights lawyers challenged white supremacy in the U.S. Army and the State Department. Not seeking a mono-causal explanation for implementation of desegregation, this paper asserts, before *Brown*, the NAACP had already successfully utilized the Cold War rhetoric to push the color line in the U.S. military and set the stage for broader social changes in the civilian society after *Brown*.²⁴ The failure to understand previous desegregation efforts would prevent scholars to completely securitize the reasons for which *Brown* happened when it did.

Following the same line as Michael Cullen Green (author of *Black Yanks in the Pacific*), Gerald Early (author of *When Worlds Collide*), and Lee Nichols (author of *Breakthrough on the Color Front*), this paper contends that successful integration of the military in Korea encouraged the U.S. Supreme Court's 1954 school desegregation ruling, *Brown vs. Board of Education*, and helped change attitudes about race.²⁵ Thurgood Marshall and the NAACP's litigation for courts-martial cases helped intensify the strength of billows and waves of social revolution of civil rights movement in America in the 1950s.

²⁴ In arguing that NAACP's efforts to push the army and federal government to live up its Cold War rhetoric, I am not intending to devalue other social and economic factors in the decision of desegregation in the military. I am arguing that the influence of the Cold War has been relatively overlooked.

²⁵ On the another side of the debate are Kenneth Clark and Thomas Pettigrew, who maintain that the desegregation in the military impacted little on the decision of *Brown*, see Richard J. Stillman, II, *Integration of the Negro in the U.S. Armed Forces* (New York: Frederick A. Praeger Publisher, 1968), 62.

II Desegregation: History and Racial Politics in the 1950s

A historical background will help in understanding the social setting of Thurgood Marshall's Korean story, especially the painful legacies of racial discrimination during and after World War II. The Jim Crow laws, state and local laws between 1876 and 1965, mandated de jure racial segregation and imposed a "separate but equal" social status on African Americans. In 1896, the Supreme Court declared the decision in *Plessy v. Ferguson* made state-imposed racial segregation constitutional. Until 1954, the Supreme Court of the United States finally declared State-sponsored school segregation unconstitutional and the remnants of Jim Crow laws were overruled by the Civil Rights Act of 1964 and the Voting Rights Act of 1965. Thus when the Korean War broke out, the U.S. armed services was rigidly segregated. Jim Crow laws strictly regulated the social interactions between the races in the military.

Race Issue in WWII and the Cold War

During World War II, the paradox lay in America's fighting with a rigidly segregated military force for the four freedoms and against "an enemy preaching a master race ideology."²⁶ However, racism, as Richard M. Dalfiume pointed out, "was not peculiar to the military; it was only a reflection of the strong thread of racism running through the general American mind."²⁷ The racial situation in WWII caused great embarrassment to the U.S. at the same time as it created opportunities for African Americans. The chasm between American rhetoric and American practices was too obvious for African Americans to ignore and created room for civil rights activists to maneuver and fight for

²⁶ Dalfiume, *Desegregation of the U.S. Armed Forces*, 2.

²⁷ *Ibid*, 3.

racial equality.²⁸ Full of optimism, Swedish economist and sociologist Gunnar Myrdal foresaw that World War II would act as a catalyst to the progression of civil rights movement in America. He said “there is bound to be a redefinition of the Negro’s status in America as a result of this war.”²⁹

After World War II, the United States was at the apex of its international dominance. However, as *A Defiant Life* puts it, “Segregation and discrimination in the armed forces continued into the post-World War II period and remained a grievance for black Americans.”³⁰ Clashes between African American servicemen and local whites occurred across the nation, culminating in the “terrible summer of 1946.” In the 1940s, Marshall went on litigation to investigate some of these allegations of racial brutality in the South.³¹

There were widespread news stories about violent encounters between African American servicemen and local whites all over America, including brutal murder, torture and lynching of African American servicemen. Historian Thomas Borstelmann contends that “the swelling tide of racial tension and violence that rolled through the American South in 1946 and 1947 was part of a global phenomenon of race relations being configured in the aftermath of the defeat of history’s most murderous racists, the Nazis.”³² Postwar racial tension in the South and Ku Klux Klan activity contributed grist to the Communist mills of anti-Americanism. Jim Crow practices heavily concerned leaders in Washington. In 1947, Truman’s Presidential Committee on Civil rights issued

²⁸ Ibid, 2.

²⁹ Gunnar Myrdal and Sissela Bok, *An American Dilemma: the Negro Problem and Modern Democracy* (New York: Harper & Row, 1944), 997.

³⁰ Ball, *A Defiant life*, 110.

³¹ More information about postwar violence against blacks in the south, see Walter White and Andrew Young, *A Man Called White: The Autobiography of Walter White* (University of Georgia Press, 1995); and Tushnet, *Making Civil Rights Law*, 50-55.

³² Borstelmann, *The Cold War and the Color Line*, 53.

a report, *To Secure These Rights* called for an end to segregation and other limitations of opportunity and fairness imposed on black Americans. One year later, Truman ordered to eliminate all discrimination in federal employment and all segregation in the armed services. Executive Order 9981 “declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin” and that promotions would be made “solely on merit and fitness.”³³ The order issued the establishment of President’s Committee on Equality of Treatment and Opportunity to coordinate with armed forces, chaired by Charles H. Fahey, to work with the secretary of defense and the armed services’ branch secretaries on plans and procedures for integrating the armed forces.] Furthermore, the Cold War heightened the perceived significance of race. The Cold War, an all-out ideological war, made the thorny issue of segregation in the military even more complicated. During the Cold War, the perennial, threadbare American dilemma of race took on new importance because the Cold War was gradually fought on a global scale.³⁴ Thomas Borstelmann notes, “Cold War competitiveness with the Soviet Union highlighted the hypocrisy of American racism amid U.S. claims to leadership of the ‘free world.’³⁵ The Cold War struggle on a global scale generated a “General Crisis of ‘white supremacy’” as Gerald Horne convincingly contends.³⁶ Blatant manifestations of racial prejudice wounded the reputation of the U.S. in the 1950s and furnished useful propaganda benefit for the Soviet Union and Communist China. In the middle of the

³³ President’s Committee on Civil Rights, “To Secure These Rights: The Report of the President’s Committee on Civil Rights” (Washington, D.C.: U.S. Government Printing Office, 1947). Davis, etc., *Thurgood Marshall*, 123.

³⁴ Harold R. Isaacs, *Two- Thirds of the World: Problems of a New Approach to the Peoples of Asia, Africa, and Latin America* (Washington: Public Affairs Institute, 1950), 43-44.

³⁵ Borstelmann, *The Cold War and the Color Line*, 106.

³⁶ Gerald Horne, “Race from Power: U.S. Foreign Policy and the General Crisis of ‘White Supremacy’,” *Diplomatic History*, Vol.23, No.3 (Summer 1999), 437.

twentieth century, race became the ultimate opprobrium of American power, and as Langston Hughes put it “The shame of America has become a world shame.”³⁷

Cold War and the Korean War

The nature of the Cold War, especially a hot war in Asia, lengthy in duration and broader in scope, required the support the entire populace. During the first weeks of the Korean War, African American soldiers bore the brunt of the fierce attack of an aggressive and well-equipped enemy. While black GIs fought fiercely to preserve democracy, the military high command willfully maintained rigid segregation in the armed forces.

After World War II, MacArthur stationed occupation troops in Tokyo to oversee and reconstruct Japanese economy and society. When the Korean War broke out in 1950, the American servicemen were living a sedentary lifestyle in Tokyo. As second-class citizens in America, African American enlisted men enjoyed the sense of superiority to defeated Japanese population as the post-war American occupation in Japan exaggerated the power hierarchy between white American and non-white Asians before WWII. President Harry Truman deployed American troops stationed in Tokyo, including the all-black 24th Infantry, to Korea in great haste. Following the tradition from World War II, black soldiers were considered unfit for leadership position in the military, but “if properly led by white men, it was conceded, blacks could become efficient combat soldiers. But as a race, they were followers, not leaders.”³⁸

³⁷ Langston Hughes, “The Progress Made in 1951 Spotlights The Problems that Face Us in 1952,” *The Chicago Defender* (National Edition) (1921-1967); Dec. 29, 1951, pg.10.

³⁸ Stephen J. Whitfield, *The Culture of The Cold War* (The Johns Hopkins University Press; 2nd edition, 1996), 176.

Even though *Crisis*, the official journal of the NAACP, interpreted Truman's executive order as the change in official policy, segregation and discrimination persisted among the U.S. troops in the Far East. But Truman's order fostered hope in the black community that "for armed service officers and civilian groups to work for the elimination of the practices and build a military establishment without a color line."³⁹

The American occupation troops stationed in East Asia reflected the same system to regulate the society domestically. Rigid segregation in the military rendered an undesirable environment for African Americans: "U.S. commanders court-martialed a disproportionate number of African American soldiers during the conflict and sentenced them more severely on average than their white counterparts."⁴⁰

Similar to World War II, the Korean War brought segregation in the military to the fore in a different context. As Richard M. Dalfiume wrote, "Negro soldiers found that many white Americans packed their prejudices as well as their clothes in their duffle bags when they went overseas."⁴¹ The war exposed the credibility gap between the professed American ideals—democracy, freedom and equality—and their actual practices. Wherever the Americans troops went, America's race problem followed them there. It was the social circumstances in which thirty-nine black GIs of the 24th Infantry were charged with grave breaches of military discipline, harshly prosecuted, and heavily sentenced.

As Marshall wrote, in Korea "the disproportionate number of court-martial of African American soldiers and the harsh sentences meted out when they were convicted."⁴²

³⁹ "Armed Service Jim Crow Policy Ends," *The Crisis*, 56 (May, 1949), 137.

⁴⁰ Borstelmann, *The Cold War and the Color Line*, 82.

⁴¹ Dalfiume, *Desegregation of the U.S. Armed Forces*, 75.

⁴² Ball, *A Defiant life*, 110.

Particularly, a black officer named Leon A. Gilbert, was sentenced to death for “misbehavior in the face of the enemy.” Perplexed and helpless, the thirty-nine downtrodden black soldiers wrote to the NAACP, charging the United States Army with racism against African Americans and demanding justice.

Petitions to the NAACP

First hearing the Korean situation from a black correspondent for the *Baltimore Afro-American*, the NAACP received pleas from thirty-nine GIs and their relatives to investigate the possible racial discrimination in their court-martial trials.⁴³ The thirty-nine court-martialed black GIs pinned their hopes on the NAACP to seek redress.⁴⁴ Lieutenant Leon A. Gilbert, a black officer in the 24th Infantry was charged with a violation of the Seventy-fifth Article of War, “misbehavior in the presence of the enemy” because he failed to perform his assigned duties by leaving his post in a combat zone. Lieutenant Gilbert was convicted and sentenced to death. The association declared that it would give priority to this case and “defend, upon determination of, racial discrimination or denial of constitutional rights, any of the convicted servicemen who request such assistance.”⁴⁵

For years, the NAACP had been dedicated to unhinging the rule of white supremacy through legal litigation. Founded in 1909, the NAACP was the nation's oldest and largest

⁴³ “The Reminiscences of Thurgood Marshall” (Columbia Oral History Research Office, 1977), in *Thurgood Marshall: His Speeches, Writings, Arguments, Opinions, and Reminiscences*, ed. Mark V. Tushnet (Chicago, IL: Lawrence Hill, 2001), 441. The number of the requests of black enlisted men was twenty-four when Marshall took the investigative mission. Petitions continued to pour in after Marshall’s departure, and finally rose up to thirty-nine. See “Marshall on Job For GIs in Korea,” *Pittsburg Courier*, Jan 27, 1951; pg. 10.

⁴⁴ “GIs Convicted in Korea Ask NAACP Aid,” *The Chicago Defender*, Nov. 25, 1950; pg.4.

⁴⁵ “NAACP Gives GIs Priority,” *The Chicago Defender*, Dec. 2, 1950; pg.12; “GIs Convicted in Korea Ask NAACP Aid,” *The Chicago Defender*, Nov. 25, 1950; pg.4.

civil rights organization. At the beginning of the twentieth century, W.E.B. Du Bois, one of the founders of the NAACP, announced that: “the problem of the twentieth century is the problem of the color line.”⁴⁶ A half of the American century had elapsed, and America still wrestled with this problem.

The racial situation in Korea would remain shrouded in mystery unless an attorney could make an on-site trip to investigate thoroughly. As Marshall later recalled, “In most cases there was no dispute between the prosecution and defense on points of law, but versions of the facts given by witnesses varied widely.”⁴⁷ The NAACP endorsed the candidacy of Thurgood Marshall for the job. Marshall was the chief civil rights lawyer for the NAACP in 1950.

A Baltimore-born black attorney, Marshall became a protégé of Charles Hamilton Houston, Dean of Howard Law School. Houston’s vision for training lawyers argued that “As social engineers, lawyers had to decide what sort of society they wished to construct, and then they had to use the legal rules at hand as tools.”⁴⁸ He saw them “working within a racist system to combat racism.”⁴⁹ Marshall was the kind of black lawyers whom Houston produced to change the society.⁵⁰ After succeeding the late Charles Houston in 1934, Marshall became a special counsel for the NAACP with a successful career fighting for equal rights for his race. Before Korea, Marshall won his first important case at 27 when he succeeded in forcing the University of Maryland to open its law school to African Americans. As a veteran of the NAACP legal team,

⁴⁶ W. E. B. Du Bois, *The Souls of Black Folk* (Boston, 1997), 45.

⁴⁷ Marshall, “Summary Justice,” in *Thurgood Marshall*, 130.

⁴⁸ Tushnet, *Making Civil Rights Law*, 6.

⁴⁹ *Ibid*, 3.

⁵⁰ *Ibid*, 7.

Marshall had chalked up an impressive legal record in the highest courts of this country, including a major case involving 50 navy stevedores during the WWII.⁵¹

What followed is the story of the investigation conducted by Marshall under the auspices of the NAACP against the military version of the Jim Crow. The NAACP did anticipate all the hurdles their civil rights lawyer would face. They bought expensive insurance for Marshall who flew to Asia and conducted the investigation of the complaints.⁵²

General of the Army Douglas MacArthur, the commander in chief of the Far Eastern Theatre, first vetoed Marshall's visit to Tokyo, where all the 39 prisoners were kept. The NAACP refused to back down. Walter White, executive secretary of the NAACP, urged MacArthur to reconsider his refusal to permit the entry of Thurgood Marshall by stating that "we are certain you would want to see that they receive full justice not only because they deserve it, but also to counter inevitable Communist propaganda through Asia."⁵³

At the same time the NAACP appealed to President Truman, who finally overruled MacArthur's veto. On December 24, MacArthur cabled his permission to the NAACP to send an attorney to Tokyo to probe on the court-martial of 23 Negro soldiers in Korea, stating: "In any individual trial a soldier can obtain counsel to defend him if he so desires. There would be, of course, no objection to Atty. Thurgood Marshall representing the accused, and coming to this theatre for such purposes."⁵⁴ Facing the NAACP's charge of discrimination in some of the trials, MacArthur categorically rejected claims about segregation and discrimination, and refused to countenance any change in the status quo.

⁵¹ Ball, *A Defiant life*, 103-104.

⁵² Ibid, 111; Gary, Hengstler, "Looking back," *American Bar Association Journal* 78 (June 1992), 56-61.

⁵³ "Marshall to Leave for Japan on Jan.11," *Pittsburg Courier*, Jan 6, 1951; pg. 4.

⁵⁴ "MacArthur Agrees to Negro Counsel," *Washington Post*, Dec 25, 1950; pg. B9; "Marshall to Leave for Japan on Jan.11," *Pittsburg Courier*, Jan 6, 1951; pg. 1.

MacArthur made the assertion that: “Not the slightest evidence exists here of discrimination as alleged...no [not the] slightest bias of its various members because of race, color or other distinguishing characteristics. Every soldier in this command is measured on a completely uniform basis with the sole criteria his efficiency and his character.”⁵⁵ Immediately following MacArthur’s cable, the NAACP announced that Marshall would leave for Tokyo, Japan, on January 11th to defend convicted black servicemen from the Korean battle zone.⁵⁶

State Department Blustering

Marshall’s investigative trip did not go off without a hitch. Mrs. Ruth B. Shipley, head of State Department’s passport division, denied a passport to Marshall. She even had J. Edgar Hoover to check Marshall’s record, which cleared him of any subversive taint. But she still refused to grant the passport. However, President Truman’s permission opened a door for Marshall. But still, after Marshall finally received the passport and opened it on the plane to Japan, it stated: “No good for travel in Korea.”⁵⁷

The State Department had its reasons to attempt to block Marshall and the NAACP. In order to manage the activities of African Americans overseas, the State Department constantly thwarted other African American activists’ trips overseas. Marshall’s predecessors in the NAACP, along with notable African American activists Paul Robeson and W. E. B. Dubois, had their passports confiscated and had been denied access to an international audience for their civil rights appeals.

⁵⁵ Marshall, “Summary Justice,” in *Thurgood Marshall*, 126.

⁵⁶ “Marshall to Leave for Japan on Jan.11,” *Pittsburg Courier*, Jan 6, 1951; pg. 1.

⁵⁷ “The Reminiscences of Thurgood Marshall,” in *Thurgood Marshall*, 441.

To officials in the State Department, certain African American activists' exposure overseas angered them as they perceived that those activists were undermining the credibility of America overseas. Contrary to the State Department version of a progressive increasing racial equality in America, many civil rights activists tried to expose the discrepancy between the U.S. government's democratic rhetoric and the realities of racism.

The State Department constructed a different story about race. This version of race relations in America was expressed in a 1953 pamphlet *The Negro in American Life*.⁵⁸ This pamphlet enunciated the U.S. government position on race, as Mary L. Dudziak succinctly put it, "presenting American history as a story of redemption" as democracy leads to national reconciliation between black and white.⁵⁹ American democracy was presented as "a superior form of government. The history of racism in the United States, a liability in the Cold War, was thus reinterpreted into a strategic asset. The story of race in America became a story of the supremacy of democracy over communism."⁶⁰

On the other hand, the NAACP strived to be a legitimate organization for its civil rights cause in the American society. To achieve this aim, Marshall and other members of the NAACP went to great length to distance themselves from any attachment to the Communist Party in America, so that the organization could employ an anti-Communist rhetoric in its struggle for African Americans' civil rights.⁶¹

⁵⁸ United States Information Agency (U.S.I.A.), *The Negro in American Life* (1952); Dudziak, *Cold War Civil Rights*, 49.

⁵⁹ Dudziak, *Cold War Civil Rights*, 49.

⁶⁰ Dudziak, "Brown as a Cold War Case," 38.

⁶¹ Williams, *Thurgood Marshall*, 168-169; Walter White, "Undergirding the Democratic Ideal," *The Crisis* 58, December 1951, 647-650.

Marshall's Trip to Japan and South Korea

Before his investigative trip to Korea, Thurgood Marshall raised questions regarding American racial practices in the military when he was in Tokyo. Upon his arrival in Japan on January 14, 1951, Marshall plunged into his work and launched a full-scale investigation into possible discrimination and trial without due process. Rumors said Marshall was put under "loose surveillance" in Tokyo, as Walter White said "some Americans tried to put stumbling blocks in Mr. Marshall's path after his arrival in Tokyo."⁶² And he encountered a serious controversy with General MacArthur when he found out that it was inescapably clear that segregation practices and racism still lingered in the army. As he later recalled when talking to the *New York Times* that "the rule of segregation was most glaringly apparent at the headquarters of the Far East Command, to which no Negroes are assigned."⁶³

After visiting MacArthur's Far East Command headquarters in Tokyo first, Marshall spent the next five weeks examining the courts-martial records, and interviewing eighteen out of thirty-nine convicted black GIs in the 8th army stockade near Tokyo, including Lt. Leon A. Gilbert in prison in a stockade outside Tokyo. Accompanied by one of MacArthur's generals, Marshall elicited testimonies of the prisoners and asked nearly one hundred witnesses to the allegations of misbehaviors.⁶⁴ Marshall found out the majority of the convicted black GIs were not assigned suitable counsels for court-martial defense. Besides, he was shocked by the unpreparedness and haste of the trial of the cases. The

⁶² Walter White, "Thurgood Marshall's Trip to Japan Bears Fruits Already," *The Chicago Defender*, Feb 3, 1951, pg.7.

⁶³ "Lawyer is Praised as Civil Defender," *New York Times*, April 6 1951, pg. 27.

⁶⁴ Ball, *A Defiant life*, 111.

civil rights lawyer wrote: “In numerous instances the counsel spent no more than fifteen or twenty minutes with the men about to be tried.”⁶⁵

An intense battle was being fought in Tokyo. Marshall approached MacArthur and urged him to do something about the racial situation in the Far East. More than two decades later, Marshall remembered vividly how he struck up a conversation with MacArthur with his chip-on-the-shoulder attitude:

I [Marshall] said, “Well, General, look—you’ve got all these guards out there with all this spit and polish and there’s not one Negro in the whole group.”

He [MacArthur] said: “There’s none qualified.”

I [Marshall] said, “Well, what’s qualification?”

[MacArthur]: “In field of battlefield, et cetera.”

I [Marshall] said: “Well, I just talked to a Negro yesterday, a sergeant, who has killed more people with a rifle than anybody in history. And he’s not qualified?”

And he [MacArthur] said, “No.”

I [Marshall] said: “Well, now, General, remember yesterday you had the big band playing at the ceremony over there?”

He [MacArthur] said, “Yes, wasn’t it wonderful?”

I [Marshall] said, “Yes. The Headquarters Band, it’s beautiful. Now General, Just between you and me, goddamn it, don’t you tell me that there’s no Negro that can play a horn?”

That’s when he [MacArthur] said for me [Marshall] to go.⁶⁶

This dialogue was a revelation of the racial blinders of MacArthur as the commander of the U.S. Army of the Far East Headquarters. He observed that no black soldiers were assigned to General Headquarters in Tokyo, or to the honor guard and the headquarter band. Appalled by the presence of injustice because of race or color, Marshall called segregation “glaringly apparent” at headquarters of Far East Command.⁶⁷ Particularly, Marshall was angered by MacArthur’s soft-pedaling of the situation of African American servicemen who were fighting for the American way of life and American democracy

⁶⁵ Marshall, “Summary Justice,” in *Thurgood Marshall*, 129.

⁶⁶ “The Reminiscences of Thurgood Marshall,” in *Thurgood Marshall*, 452.

⁶⁷ “Lawyer is Praised as Civil Defender,” *New York Times*, April 6, 1951; 27.

overseas. He said: “Discrimination and segregation in the military were particularly galling to people of color who risked their lives to protect the nation yet were not treated equally even during their military service.”⁶⁸ MacArthur’s unwillingness to integrate his command perpetuated the grim racial situation in the U.S. Army.

Upon completing preliminary investigation in Japan, Marshall proceeded to fly to the Eighth Army Headquarters in South Korea for further scrutiny of courts-martial cases. During this piercing, hazardous winter in Korea, after MacArthur claimed that his troops had clear policy of uniform treatment, Marshall was blunt about the racial situation in the U.S. troops in Japan and challenged MacArthur segregation in military head-on by pointing out the fact that—white racial superiority and discrimination against blacks.⁶⁹

Marshall’s Investigation Report

After returning from his Korean investigation, Marshall filed a report with the NAACP, and published in the official journal of this national black organization *The Crisis* on its May 1951 issue. Marshall claimed that “African American soldiers were being subjected to unfair treatment in the military’s court-martial process.”⁷⁰ There were a number of reasons enumerated by Marshall in his memo for massive black court-martial convictions: “Race-hating white officers, general lack of morale contributing to high officer casualties, trumped-up charges and failure to provide counsel and defense for accused.”⁷¹

⁶⁸ Tushnet, *Making Civil Rights Law*, 83.

⁶⁹ “The Reminiscences of Thurgood Marshall,” in *Thurgood Marshall*, 452. Marshall later recalled that MacArthur’s successor Ridgway integrated the army in three weeks after he came to the office was proof for MacArthur’s racial prejudices toward black GIs.

⁷⁰ Marshall, “Summary Justice,” in *Thurgood Marshall*, 126.

⁷¹ “Korea Report Puts Jim Crow Blame on Mac,” *The Chicago Defender*, May 5, 1951; pg.1.

With “some flashes of the eloquence and wit Marshall brought to his courtroom performance,”⁷² he contended that black GIs were victims of racial discrimination and that “the majority of Negro court martial cases were the result of low morale induced by segregation.”⁷³ Marshall astutely observed that sixty out of sixty-eight court-martial cases in which the Seventy-fifth article of war (misbehavior in front of the enemies) were black GIs’ cases. Among them, thirty-two were convicted while only two white GIs were sentenced with the same charge from August to October 1950.⁷⁴

A disproportionate number of African Americans were heavily sentenced and received much harsher treatments than their white counterparts with similar criminal charges. Marshall asserted that Negroes were meted out “stiffer sentences than white defendants for parallel offenses.”⁷⁵ On top of that, black soldiers were given “inadequate time allow for preparation of defense.”⁷⁶ Citing a black serviceman tried, convicted and sentenced to life imprisonment within forty-two minutes, Marshall blurted out “even in Mississippi a Negro will get a trial longer than 42 minutes, if he is fortunate enough to be brought to trial.”⁷⁷ Besides, the court martial decisions were white ones. According to Marshall, all commanding officers who sanctioned charges and the entire staffs of the Inspector General’s Office, and of the trail Judge Advocate’s office were 100 percent

⁷² Tushnet, *Thurgood Marshall*, 67.

⁷³ “Unfairness Seen in Courts Martial: Special Criticism of Army’s Handling of Negroes Voiced After Survey in Korea,” *New York Times*, Mar 2, 1951; 3.

⁷⁴ “Assails Army’s Korean Trials of Negro GIs,” *Chicago Daily Tribune*, Feb 23, 1951, pg. 4; “Negro Injustice Charged: Investigator in Korea Calls G. I. Trials Discriminatory,” *New York Times*, Feb. 22, 1951, pg. 4; “Army is Criticized For Court-Martial of Negro Troops,” *Washington Post*, Feb 22, 1951, pg. 1; “Korea Report Puts Jim Crow Blame on Mac,” *The Chicago Defender*, May 5, 1951, pg.1.

⁷⁵ “Assails Army’s Korean Trials of Negro GIs,” *Chicago Daily Tribune*, Feb 23, 1951; pg. 4.

⁷⁶ “Unfairness Seen in Courts Martial: Special Criticism of Army’s Handling of Negroes Voiced After Survey in Korea,” *New York Times*, Mar 2, 1951; pg. 3.

⁷⁷ Bernard C. Nalty, *Strengthen for the Fight: A History of Black Americans in the Military* (New York: The Free Press, 1986), 258.

white.⁷⁸ Most of the men were, Marshall noted, were white southerners tainted by racial prejudices.

In his report, Marshall clearly couched his opposition to de facto racism in the Cold War rhetoric. His effort keep Cold War struggle on the front burner when crusade against Jim Crow system in the military. He stated:

To date, the Cold War has erupted into violent action in one area, the Far East. There we face the potential enmity of hundreds of millions of men whose skins are not white, who look with extreme care to see how white men feel about colored peoples.⁷⁹

As the Cold War spread to East Asia, Marshall argued that, America's dereliction on race issues would put the U.S. in a vulnerable position in the global Cold War struggle.

Marshall presented this report to the board, and published it in the NAACP's official journal. Besides publicizing his study of the court-martial cases, Marshall and the NAACP brought appeals to the military's Judge Advocate General's Office, and wrote to the family of the convicted African American GIs. Marshall's investigation along with his NAACP colleagues' work resulted in "reversed conviction or reduced sentences" for most of the thirty-nine black GIs who wrote to the association for help.⁸⁰ Among them, Leon A. Gilbert, after a hearing of the Judicial Council of the Judge Advocate General in Washington, was reduced to a sentence of twenty-year imprisonment by President Truman. Gilbert was released with a dishonorable discharge after five-year sentence.

"Wholesale court-martial was a White Conspiracy"

⁷⁸ Marshall, "Summary Justice," in *Thurgood Marshall*, 130.

⁷⁹ *Ibid*, 137.

⁸⁰ Nalty, *Strengthen for the Fight*, 259.

The underlying reason for a great number of African American servicemen were charged with various offenses, including cowardice, misbehavior and desertion, was an attempt to undermine the good reputation the all-black 24th Infantry won in the early stage of the war. Embedded racism contributed to the miscarriages of justice in Korea. According to Marshall, black soldiers from the 24th Infantry were accused of not being able to stand up under fire and were “railroaded” into prison.⁸¹

Marshall noticed that the all-black 24th Infantry scored great success in the Inchon landing against great odds and received positive media coverage for its performance.⁸² Walter White believed that “a tremendous amount of favorable publicity about the gallantry and the fighting ability of Negro troops” incurred resentment and hatred among white people.⁸³ He asserted: “It was partly because of this resentment against Negroes stopping the enemy when numerous white units broke under fire and fled that a number of courts-martial of Negroes occurred for the obvious purpose of negating the laudatory publicity Negro troops had received.”⁸⁴ White maintained the opinion that the preservation of good reputation did not only matter to those convicted black enlisted men and the 24th Infantry, but the African American community as a whole.⁸⁵

“Indeed, they [the convicted African American servicemen] may all be guilty,” one editorial of the *Pittsburg Courier* admitted, “but we have had long and bitter experience and know that in the past there have been some outrageous miscarriages of justice in

⁸¹ *Chicago Daily Tribune*, “\$2000 Raised to Fight Negro GI Convictions,” Feb 28 1951, pg. 18.

⁸² William T. Bowers, William M. Hammond, and George L. MacGarrigle, *Black Soldier, White Army: The 24th Infantry Regiment in Korea* (Washington, D.C.: Center of Military History, United States Army, 1996), 186.

⁸³ Walter White, “Thurgood Marshall’s Trip to Japan Bears Fruit Already,” *The Chicago Defender*, Feb. 3, 1951; pg. 7.

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*

military courts-martial where Negroes were involved.”⁸⁶ Marshall, citing a string of courts-martial records in previous wars America fought, indicated that it would not a novelty to attempt to discredit the valor of African Americans in the armed forces in the Korean War. He declared “somebody is trying to brand Negro fighting men in Korea as cowards. They tried it in World War I. They tried it in World War II. And they are trying it in this war.”⁸⁷ *The Chicago Defender* echoed the same theme about the perennial dilemma for America: “The facts from Korea simply confirm the basic truth which is known to every student of race relations in America—segregation by its very nature pits one group against another, thwarts true unity and fellowship and opens the gate for all sorts of discriminatory practices.”⁸⁸

All the court-martial charges—“cowardice, misbehavior in the presence of the enemy and failure to perform their assigned duties”—all can be boiled down to the army’s “dogged determination to maintain racial segregation.”⁸⁹ One reader’s letter to *The Nation* in September 1950 decrying the segregated military system wrote: “It is a segregated unit, and we are dramatically informing the whole world by our deeds that America has second-class citizens good enough to die for us but not to associate and intermingle with us.”⁹⁰

The sense of conspiracy was not that intense in Marshall’s report; however, it was escalated in one article in the issue of May 5 1951 of *The Chicago Defender*. The article started with the following sentence: “Washington—A story of the shameful disregard of

⁸⁶ “Mission to Tokyo,” *Pittsburg Courier*, Jan 27, 1951; pg.4.

⁸⁷ L. F. Palmer, Jr., “NAACP’s Marshall, Defender War Newsman Cite GI’s Plight in Korea,” *The Chicago Defender*, Mar 10, 1951; pg.4.

⁸⁸ “Jim Crowism in the Army,” *The Chicago Defender*, Mar. 24, 1951; pg. 6.

⁸⁹ “Korea Report Puts Jim Crow Blame on Mac,” *The Chicago Defender*, May 5, 1951; pg.1; L. F. Palmer, Jr., “NAACP’s Marshall, Defender War Newsman Cite GI’s Plight in Korea,” *The Chicago Defender*, Mar. 10, 1951, Pg.4.

⁹⁰ *Nation*, September 2, 1950, 216.

civil rights in United States courts—martial proceedings aimed to discredit the record of courageous Negro combat troops in Korea is told in a ‘Report on Korea,’ released by the NAACP last week.”⁹¹ Similarly, a reader’s letter on *The Chicago Defender* complained that “the slightest thing a Negro GI did led to a court-martial.”⁹² Written by an African American soldier in Korea, the letter charged that “white man’s justice” reigned in Korea.⁹³ Another article from *Defender* went even further, indicating the existence of a surreptitious plotting: “It was partly because of this resentment against Negroes stopping the enemy when numerous white units broke under fire and fled that a number of courts-martial of Negroes occurred for the obvious purpose of negating the laudatory publicity Negro troops had received.”⁹⁴ Another Chicago newspaper *Chicago Daily Tribune* hammered away at the same point: “without exception the Negro soldiers were given an unbelievably dirty deal, solely because of their race.”⁹⁵

MacArthur Assailed

Marshall proved to be a formidable challenger. In his report, he lashed out at MacArthur’s acquiescence to and complicity on racial matters. MacArthur was charged with responsibility for “maintaining a color line” in the army’s Far East Command.⁹⁶ When he spoke to a *New York Times* correspondent, Marshall charged that MacArthur “failed to implement the President’s order pointing to the elimination of segregation in

⁹¹ “Korea Report Puts Jim Crow Blame on Mac,” *The Chicago Defender*, May 5, 1951; pg.1.

⁹² “Can This Be Justice? A Soldier in Korea,” *The Chicago Defender*, Sep 22, 1951; pg.6.

⁹³ Ibid.

⁹⁴ Walter White, “Thurgood Marshall’s Trip to Japan Bears Fruit Already,” *The Chicago Defender*, Feb. 3, 1951; pg. 7.

⁹⁵ “Assails Army’s Korean Trials of Negro GIs,” *Chicago Daily Tribune*, Feb 23, 1951, pg. 4. .

⁹⁶ “Lawyer is Praised as Civil Defender,” *New York Times*, April 6 1951; pg. 27.

the armed services.”⁹⁷ Marshall remarked in an interview years later: “He was as biased as any person I’ve run across.”⁹⁸ According to Marshall, the contradictory nature of MacArthur’s official rhetoric and practices raised serious questions about his attitude toward race.

Marshall also charged that the trials of convicted African American soldiers were conducted in the circumstances that made justice impossible. He believed that the trials followed the Jim Crow principle which still lingered in the Army practice, and insisted that “the NAACP has evidence to clear most of these hapless men of the unfounded charge of cowardice,” and that “so long as we have racial segregation in the Army we will have the type of injustice of which these courts-martial are typical.”⁹⁹

Despite the fact that MacArthur “had no direct hand in the courts-martial,” he took no action on the petition against racial discrimination among the U.S. occupation troops in East Asia.¹⁰⁰ His lack of concern for civil rights stemmed in part from his ignorance of the circumstances in which most African-American GIs lived, as well as a lack of sensitivity toward race. The *Chicago Defender* reported:

One of the main reasons for the continued persistence of segregated units in the Far East, particularly Japan is the blatant ignorance of the problem by Douglas MacArthur. It was not discussed, in fact it never existed and any attempts to question policies were aborted before they got aborning.¹⁰¹

Truman’s integration policy was vitiated by MacArthur’s disobedience in the Far East.

An editorial in the newspaper *New York Times* echoed the same Cold War rhetoric:

“The Communists preach and propagandize how Americans abuse colored people, and

⁹⁷ Ibid.

⁹⁸ “The Reminiscences of Thurgood Marshall,” in *Thurgood Marshall*, 452.

⁹⁹ Nalty, *Strengthen for the Fight*, 258.

¹⁰⁰ “Korea Report Puts Jim Crow Blame on Mac,” *The Chicago Defender*, May 5, 1951, pg.1. “These cases were initiated within the regiment and approved by 25th Division headquarters, which forwarded them directly to the Judge Advocate General’s Office in Washington.”

¹⁰¹ Ethel Payne, “The Last Time I Saw MacArthur,” *The Chicago Defender*, April 28, 1951; pg.1.

MacArthur has allowed discrimination in his own headquarters. Negro troops in Korea are not succumbing to the Communist propaganda any more than they believed the Germans in the last war. They see how the Communists are killing Negroes as thoroughly as they are killing others.”¹⁰²

A growing American military presence in East Asia encountered a great number of colored people while America’s military Jim Crowism became the perfect Communist propaganda fodder. By pointing out the parallel of the treatment of African Americans in the American society and non-white people in the former colonial areas of the world, Marshall and the NAACP pushed for advances in the racial relations in America. The armed forces, which stood at the forefront of American interactions with non-white people in Asia, needed to recognize the urgency to win the hearts and minds of Asian people. The report was full with such phrases as “justice”, “democracy”, and “right,” warning Americans that the failure to live up to American ideals would dilute the promise America conveyed to the world. Thurgood Marshall closed with a wish: “The best way to accomplish this [to prevent injustice] in our Armed Services is to work to bring about complete abolition of segregation now.”¹⁰³

Media Spinning on Race

Shrill criticisms on the racial matters weighed heavily on Americans during the Korean War. Just a week after Marshall’s arrival in Japan, the Jan 20, 1951 issue of the

¹⁰² “Lawyer is Praised as Civil Defender,” *New York Times*, April 6 1951, pg. 27.

¹⁰³ Ibid.

black newspaper *Pittsburg Courier* lashed out at the hypocrisy of U.S. army race policy, saying that soldiers of color were “dying in Korea today for less than a square deal.”¹⁰⁴

The black newspapers trumpeted the news when the lobbying by the NAACP successfully reduced the sentences of most convicted black servicemen. The *Pittsburg Courier* ran the front-page story under the banner headline “GI Sentences in Korea Cut.” It reported: “Drastic reductions in the sentences imposed upon twenty-one Negro servicemen court-martialed in Korea have been reported to the NAACP by the U.S. Army’s Judge Advocate General’s Office before which the convicted men were represented by association attorneys.”¹⁰⁵

The news of integration in the military was enthusiastically received and widely applauded by the black community which celebrated it as a successful story of race and American democracy. Black newspapers presented the desegregation case with outpourings of commendation. An editorial in the *Pittsburg Courier* enthusiastically praised Marshall. “Being one of the ablest lawyers in the land, there was confidence that Attorney Marshall could help these men if anybody could,” the *Courier* continued, “Mr. Marshall has become, in a way, the leader and symbol of this legal success which has led to such a revolutionary impact on American life.”¹⁰⁶ Black commentators further stressed the integrated military as “a bastion of racial harmony.”¹⁰⁷

Race was even elevated over all other factors in explaining why MacArthur was fired. The dismissal of MacArthur as the command in chief in the Far East was presented as a spin on race, rather than on his imperial, flamboyant personality and desire to take the

¹⁰⁴ “Capital Hypocrisy Making Mockery of GI Sacrifices,” *Pittsburg Courier*, Jan 20, 1951; pg.4.

¹⁰⁵ “GI Sentences in Korea Cut,” *Pittsburg Courier*, Feb 22, 1951; pg.1.

¹⁰⁶ “Mission Accomplished,” *Pittsburg Courier*, Feb. 24, 1951; p. 22.

¹⁰⁷ Green, *Black Yanks in the Pacific*, 142.

war to Red China. The dismissal was presented as the result of MacArthur's failure to implement President's policies issued from Washington, including the policy of the integration of the troops.¹⁰⁸ Marshall claimed that the fact that General Matthew B. Ridgway, superseding the authority of MacArthur, became the new Far Eastern Commander and implemented desegregation within three weeks lent credence to the assertion that MacArthur was a racist.¹⁰⁹ Nevertheless, some other editorials asserted that Ridgway acted out of military necessity (there were not enough white replacement), rather than political considerations.¹¹⁰ The President's Commission on The Equality of Treatment in the Armed Forces was brought to fruition finally, even though by necessity. By all means, Ridgway's integration policy paved the way for "the complete abolition of Jim Crowism throughout the armed forces of the United States."¹¹¹ As of October 22 1953, the army was 95% integrated.¹¹²

Racial Politics in Washington and Korea in 1951-1953

Thurgood Marshall's defiance of General MacArthur in Korea was just an epitome of the broader story of the struggle between the NAACP and the white U.S. army. Marshall and MacArthur, the two highly dissimilar figures, represented two different communities and different perspectives at odds on racial issues. The showdown between the two was part of the broader ongoing struggle between who struggled to achieve racial equality and

¹⁰⁸ "Mission to Tokyo," *Pittsburg Courier*, Jan 27, 1951; pg.4; L. Alex Wilson, "Wilson Says Mixed Army Big Gain of Korean War," *The Chicago Defender*, Aug 8, 1953; pg.1.

¹⁰⁹ "The Reminiscences of Thurgood Marshall," in *Thurgood Marshall*, 453. "Best Proof of it was, General Matthew Ridgway took over after him, and desegregated in about three weeks. Desegregated the whole thing. And the only opposition he found was among the Negroes. They didn't want to be integrated."

¹¹⁰ "Our Opinions: General Ridgway Steps Forward," *The Chicago Defender*, Aug 11, 1951; pg.6.

¹¹¹ *Ibid.*

¹¹² "Army Termed 95 Per Cent 'Mixed,'" *Pittsburg Courier*, Oct. 24, 1953; p. 4.

those who still embraced Jim Crow. The NAACP and southern politicians were in a bitter struggle that was dividing the country on racial issues.

MacArthur saw himself as the leader with the vision of preserving order and maintaining military efficiency. Many white men in the military establishment and Congress held similar opinions, especially southern politicians. In the army white authorities remained firmly entrenched while the Navy and Air Forces applied the integration policy. As Lee Nichols stated, the army was “the mule of the military team,” on race issues as it had held more black soldiers and was more amenable to pressure from white southerners and Army brass opposed to abolishing segregation.¹¹³ Marshall said he could find not a shred of evidence of massive court martial cases in any mixed unit in the Air Force and Navy.¹¹⁴ A bureaucratic competition between the Army and the Navy and the Air Force was called upon to dismantle Jim Crow in the military.

While the criticism from the black community against a white army was acrid, the top brass in the military argued from the perspective of military efficiency. Based on the belief in the inferiority of the combat capacities of African Americans, people like MacArthur insisted a segregated army would better serve American interests in Korea battlefield.¹¹⁵ One point they made was that “Segregation seemed necessary to prevent bloody racial conflict and a reduction of the armed services’ effectiveness.”¹¹⁶

Marshall, through scrupulous examinations, drew the conclusion that “segregation sapped the morale of the black soldier, numbed his sense of purpose, and thus encouraged

¹¹³ Nichols, *Breakthrough on the Color Front*, 107.

¹¹⁴ Marshall, “Summary Justice,” in *Thurgood Marshall* 135-37; “Unfairness Seen in Courts Martial: Special Criticism of Army’s Handling of Negroes Voiced after Survey in Korea,” *New York Times*, Mar 2, 1951; pg. 3.

¹¹⁵ “There was still a segregated army fighting in Korea during the first year of the Korean War because of the general’s belief that African American troops were inferior in battle.” See Ball, *A Defiant life*, 110.

¹¹⁶ Ball, *A Defiant life*, 3.

him to defy or ignore the rules incorporated by his white superiors into the Uniform Code of Military Justice.”¹¹⁷ Furthermore, by raising the troubling realities of segregation and discrimination in a society based on democracy, freedom and equality, Marshall and the NAACP forged the army establishment to recognize the logic of the Cold War ideological struggle for civil rights.

Employing an anti-Communist Cold War rhetoric, the NAACP jockeyed for the black votes and the public opinion to undermine the social underpinnings of segregation policy. The army was bowing to demands from Southern congressmen whose popularity was determined by ballots and votes. Returning after his Korean trip, Marshall called out a crowd of 1,100 people in a public high school in Chicago to “act now to wipe out segregation if we want to stop wholesale convictions of Negro GI” and “flagrant miscarriages of justice” in Korea.¹¹⁸ The attorney challenged all African Americans in America “to use their two most effective weapons—the ballot and the pen—to fight segregation in the army and in all phases of American life.”¹¹⁹ “Vote,” He urged, “Vote the right men in and the wrong men out. Take a few minutes to write your elected officers letting them know that unless Jim Crow goes, they will have to go.”¹²⁰

In Washington, Clarence Mitchell, the director of the Washington Bureau of the NAACP, was fighting a battle against the top brass in the armed forces. Mr. Mitchell later recalled that: “The halting of segregation in the Armed Services is one of the finest examples of an entrenched evil yielding to the pressure of public opinion.”¹²¹ By calling

¹¹⁷ Nalty, *Strengthen for the Fight*, 258

¹¹⁸ L. F. Palmer, Jr., “NAACP’s Marshall, Defender War Newsmen Cite GI’s Plight in Korea,” *The Chicago Defender*, Mar. 10, 1951, pg.4.

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*

¹²¹ Clarence Mitchell, “The Status of Racial Integration in the Armed Services,” in *The Journal of Negro Education*, Vol. 23, No. 3, Next Steps in Racial Desegregation in Education (Summer, 1954), 203.

non-Southern African American voters “to threaten ‘ballot-box reprisals,’” Mr. Mitchell hoped to exert pressure to their segregationist Congressional representatives to implement integration policies in the armed forces.¹²² Two powerful legislators, Senators Richard B. Russell and Representative Carl Vinson, were both Democrats of Georgia and chairmen of the Armed Services Committees in their respective branches of Congress. They were deemed as “the ‘brakes’ on the armed services’ integration program” and “had ‘cowed’ the Army’s ‘top brass’ through their legislative grip on military requirements for defense.”¹²³

At the same time, Marshall and the NAACP presented the black servicemen’s remonstrance to the federal government, particularly “Gordon Gray, Secretary of the Army, on the question of segregation, and officials of the Judge Advocate General’s Office to press for revisions in court martial procedure.”¹²⁴

Two months after Marshall returned to the United States, the southern congressmen finally backed off. Jack Foner had a very gripping story about this subtle change:

All these steps took place without incurring significant vocal opposition from the many influential Southern legislators who held key positions on the Congressional military committees. The legislators remained silent, evidently convinced by the arguments of leading military figures and civilian officials that integration would not only improve military efficiency but also reduce the battlefield casualties among whites.¹²⁵

Many high-ranking Army officers finally came to the recognition that “full integration of white and colored soldiers is the only solution to the racial problems confronting them.”¹²⁶

¹²² John N. Popham, “Negro Votes Urged Against Army Bias,” *New York Times*, Jun. 29, 1951, pg. 24.

¹²³ *Ibid.*

¹²⁴ *New York Times*, “Unfairness Seen in Courts Martial: Special Criticism of Army’s Handling of Negroes Voiced after Survey in Korea,” Mar 2, 1951; pg. 3; Walter White, “Thurgood Marshall’s Trip to Japan Bears Fruit Already,” *The Chicago Defender*, Feb. 3, 1951, pg.7.

¹²⁵ Jack Foner, *Blacks and the Military in the American History* (New York: Praeger Publisher, 1974), 192.

¹²⁶ “Integration on Way for GIs in Europe,” *The Chicago Defender*, Feb 9, 1952; pg.1.

The NAACP requested a clear-cut decision to end segregation in the U.S. army. Some federal action on civil rights was needed to allay blacks' antagonism toward the war, and conciliate the adverse publicity of the army court martial procedures in the Far East.¹²⁷ The convictions of twenty of the thirty-two convicted black enlisted men were overturned and reduced by the army's Advocate's Office in the Pentagon in Washington, D.C.

Now let us shift the political terrain from Washington, D.C. back to the front-line battlefield of Korea again. The integration policy rankled white southern officers in the troops and provoked an outcry from white southern soldiers and officers in Korea. The Confederate flag was waved to show protests and dissatisfaction, not only as a symbol of regional pride, but as a race statement—"resistance to integration in the fall of 1951."¹²⁸ White southern soldiers expressed their anguished cries against mixed barracks with black enlisted men and pled for their southern parents to appeal to southern politicians in the Congress. Walter White remarked on this phenomenon with a wry sense of humor: "Korean and Chinese sharpshooters, abysmally and blissfully ignorant of the fact that the South is still fighting the Civil War of ninety years ago, assumed that the flags meant that the occupant of the decorated and beflagged car was at least a one-star general."¹²⁹ A. M. Rivera Jr, from the *Pittsburg Courier* criticized the way of obstinately upholding a racist political system with remnants from the nineteenth century. He simply stated that: "This deplorable badge of American discriminty [discriminability] has supplemented 'Old

¹²⁷ "Unfairness Seen in Court Martial: Special Criticism of Army's Handling of Negroes Voiced after Survey in Korea," *New York Times*, Mar 2, 1951, pg. 3.

¹²⁸ Green, *Black Yanks in the Pacific*, 141.

¹²⁹ Walter White, "Confederate Flags! A Fad or Revival of Fanaticism," *Chicago Defender*; Oct 6, 1951; pg. 7.

Glory' and the United Nations' flag wherever American military personnel have been staged since World War II, and in the present Korean War.”¹³⁰

III. Conclusion

In the early 1950s when Cold War spread to Asia, America's racial problem was an enticing target to Communist propaganda. The concept of race figured prominently in the Korean War. The Communist Chinese and North Koreans, who later promulgated and inflamed racial hatred and resentment in the prisoner camps late in the war, did so “based upon the idea that race prejudice is, by-and-large, a principal weakness of the American Army.”¹³¹

In this context, civil rights lawyer Thurgood Marshall and the NAACP adroitly combined their civil rights cause to America's Cold War mission in Asia. In an article entitled “The Struggle for Asia,” Marshall wrote “we cannot go to Asia with clean hands until we have done everything possible in the United States to eliminate racial and religious discrimination.”¹³² After his investigative trip to Japan and Korea, Marshall drew a conclusion that the underlying reason for hasty trial procedures was racial prejudice. Even-handed justice could not be realized unless racism was eliminated in the armed forces, Marshall argued. Marshall's trip to Japan and Korea, as NAACP executive secretary Walter White put it, “underscores the need for immediate elimination of segregation from the United States Army and for the full implementation of the

¹³⁰ A. M. Rivera Jr, “GIs, Children Flying Flags: Fear Spreads,” *Pittsburgh Courier*, 22 September 1951; pg. 4.

¹³¹ “Says Red Propaganda Misses Mark in Korea,” *The Chicago Defender*, April 25, 1953; pg. 12.

¹³² Richard L-G Deverall, “The Struggle for Asia,” *The Crisis*, vol.58, no. 1(479), Jan. 1951, 29.

President's Executive Order."¹³³ He continued, "All of us are deeply indebted to Mr. Marshall for his expose of these conditions, which cry to high heaven for immediate correction if the prestige of our country to be maintained and the lives of our fighting men to be saved."¹³⁴ Samuel J. Rosenman, former Supreme Court Justice, praised Marshall for "righting the shocking wrongs directed against Negro soldiers in Japan and Korea."¹³⁵ Marshall's trip and the NAACP's charges did give a final blow to a dying Jim Crow in the armed forces.

The NAACP spurred the federal government and high tribunal to take actions on the race issue by presenting blacks as committed to American goals in the Cold War. The Korean War transformed the army from a strictly segregated institution with four all-black units and the rest white to an almost fully integrated modern army. As one *Courier* editorial acclaimed, "this has been a revolution which has occurred without any observable tension or untoward incidents."¹³⁶ The Korean War witnessed a number of developments that served to delegitimize racism, segregation and discrimination. Korea broke through the color barrier, three years after President's Truman's executive order for racial equality in the armed forces. The armed forces realized integration as a result of the Korean War.¹³⁷ Marshall reported that black troops did not succumb to the Communist propagandists' manipulation of their situation: "Despite the difficulties they have encountered, our Negro troops have remained staunchly loyal, turning a deaf ear to

¹³³ Davis etc., *Thurgood Marshall*, 132.

¹³⁴ *Ibid.*

¹³⁵ "Lawyer is Praised as Civil Defender," *New York Times*, April 6 1951, pg. 27.

¹³⁶ "Good News from the Army," *Pittsburgh Courier*, 24 October 1953; pg. 4.

¹³⁷ Nicholas, *Breakthrough on the Color Front*, 96.

Communist propaganda. Our Negro troops in Korea have not been lured by the song the Communists sing.”¹³⁸

The crumbling of the walls of segregation in the armed forces had far-reaching impact on the American society during the Cold War.¹³⁹ First of all, desegregation in the armed forces proved that segregation was not immovable. Actually as Gerald Early contends, "By the end of the war, the military was the most integrated and racially advanced institution in the United States."¹⁴⁰ Rep. William L. Dawson of Chicago remarked in 1951: "If there is one place in America where there should not be segregation, that place is in the armed forces, among those who fight for this country."¹⁴¹ The military, as a racially advanced institution, acted as a catalyst, speeding up the racial changes in the civilian society in a not fully appreciated way. Shortly after the Korean War ended, Thurgood Marshall along with his colleagues at the NAACP thrust themselves into the center of the segregation controversy in the public schools.

The desegregation in the military, even though causing no immediate stir, was received enthusiastically in the leading black newspapers and reverberated in the black community. "The role of African-Americans in the military, always symbolic of their status in the larger society, continued to reflect this congruence [of races]."¹⁴² With growing political power, African Americans were encouraged to take more vigorous moves to tear down barriers of segregation and discrimination on all fronts—public school, public transportation, and public facilities. Black GIs continued to refuse to bow

¹³⁸ Davis, etc., *Thurgood Marshall*, 131.

¹³⁹ Enec P. Waters, "Adventures in Race Relations," *The Chicago Defender*, Feb. 3, 1951, pg. 7.

¹⁴⁰ Neil Schoenherr, "Korean War had major impact on race relations in the United States,"

<http://news.wustl.edu/news/Pages/304.aspx>

¹⁴¹ "Our Opinions: General Ridgway Steps Forward," *The Chicago Defender*, Aug 11, 1951; pg.6.

¹⁴² Richard M. Dalfiume (ed.), *Papers of the NAACP*, part 9, Discrimination in the U.S. Armed Forces, 1918-1955, Series B: Armed Forces' Legal Files, 1940-1950 (Bethesda, Maryland: University Publications of America, 1989), xvi.

to Southern Jim Crow state laws after returning to the States. They plunged themselves into the currents of racial change. Howard Ball pointed out: “Black veterans of World War II and Korea would become the core plaintiffs in the lawsuits leading to victory against Jim Crow in the 1950s.”¹⁴³ At the same time, the winds of change slowly trickled down to the neighboring community of military bases, enlarging black opportunities in the public space. More and more public institutions like churches, cafes and transportation were willing to treat white and black servicemen on an equal basis.¹⁴⁴

To sum up, integration as a “by-product”¹⁴⁵ of the exigency of the Korean War paved the way for later social reforms in late 1950s; similar to how President Lincoln’s use of black troops during the Civil War set the stage for postwar Reconstruction. Thurgood Marshall and the NAACP successfully unitized the international condemnation of America’s racial situation to advance civil rights movement in America. In turn, integration of the military had exerted great impact on the Cold War struggle, as Mrs. Anna Rosenberg, Assistant Secretary of Defense in charge of manpower, commended the importance of military integration in the Cold War as “can’t be overestimated; it’s a living example of democracy in action—the only answer to Communist propaganda.”¹⁴⁶

¹⁴³ Ball, *A Defiant life*, 113.

¹⁴⁴ Nicholas, *Breakthrough on the Color Front*, 224.

¹⁴⁵ “Integration: a Beneficial By-product,” *The Chicago Defender*, Aug. 15, 1953, pg.11.

¹⁴⁶ Green, *Black Yanks in the Pacific*, 179.