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'End Jim Crow in Sports': The Protest at New York University, 1940-1941

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Students at New York University made a significant contribution to the Civil Rights Movement when, during 1940 and 1941, they took a stand against racial discrimination in collegiate athletics. An historical examination of the event, the issues involved, the era itself, and the internal and external impact of the protest can tell us much about the nature of social activism, establishment reaction, the educational and social environment of the period, the development of big-time intercollegiate athletics, and the importance of sport and the Black athlete to the history of American race relations.

Jim Crow has been an ever-present factor in American society, and it was alive and well during the years just prior to the entrance of the United States into World War II. Despite the nation's fervently professed ideals of democracy and equality, and the denunciation of Hitlerism, racism and discrimination pervaded every segment of American society even as the country prepared to enter yet another war to make the world safe for democracy and freedom.

Blacks were discriminated against, segregated, and despised as they sought to participate in the war effort. The economic and employment opportunities that the burgeoning war economy made possible were for Blacks severely circumscribed. In Chicago, for example, thirty-five industries had been awarded National Defense contracts in excess of $160,000,000 by 1940. The Chicago chapter of the Urban League reported that Blacks received none of the newly created jobs nor practically any benefits to them or their communities from the new defense contracts.[1]

To be treated unfairly in the employment realm was one problem. To be treated as subhuman was more pernicious. Local draft boards often took it upon themselves to act as a bulwark against integrating the military, declaring Blacks as physically unfit for military service without specificity. The popular view in the South likened the Negro to the monkey, possessing a tail and, in general, as a subspecies. Some southern draft boards rejected all Black draftees and volunteers in their districts as physically or otherwise unfit for military duty. Northern boards were also tainted with the brush of Jim Crow. William

1. "Race Workers Ignored by Local Defense Industries," *Chicago Defender*. 14 December 1940, 4

Pickens, field secretary of the NAACP, complained to Clarence Dykstra, national director of Selective Service, that Negro draftees and volunteers were being discriminated against. Pickens wrote directly to Colonel Arthur McDermott, director of Selective Service for the New York area, and to Governor Lehman, that the NAACP objected to the draft board's policy in New York to send all of the colored men for examinations to Harlem Hospital and all of the white men to Lutheran Hospital, the official examination center. Evidently, too, some White physicians felt that it was beneath them to have to give physical examinations to Blacks.[2]

Once in the military the problems did not subside. The Black serviceman was usually relegated to grunt duty in the most literal sense of the word. They served as porters, drivers, latrine and grave diggers. There were, of course, Blacks who would be used in combat. The average Black military man would, however, serve in a more traditional capacity. The United States Navy beckoned Blacks to enlist because there was a shortage of galley servants. The Navy advertised in the *San Francisco Chronicle* prior to the war, calling upon Negroes, ages 17 to 28, to enlist as mess attendants in the naval reserve at $21.00 a month with uniforms and subsistence. An editorial in the Black press blasted the Navy for being arrogant and chided them for substantiating the complaint of Negro seamen that despite any talent or efficiency they may show, they cannot rise above the menial job of officers' mess attendant where they are at the mercy of the whims and petty spite of White naval officers, many of whom come from southern states.[3]

So bad was the relationship between Blacks and the military industrial complex in the period before the war that race leaders organized a conference to address the issue. At the two-day national conference held in Hampton, Virginia, November 25 and 26, in 1940, the two hundred delegates, headed by historian Rayford W. Logan, passed a formal resolution condemning racial discrimination and prejudice in industries holding defense contracts and within the various branches of the armed forces of the nation.[4] That the nation, moving closer to war, could continence the continued existence of discrimination and segregation in its military and the defense industry were indicative of just how completely ingrained the color-line was in American institutional life and just how thoroughly inconsistent and hypocritical the nation was in its professed democratic, economic, social, and moral ideals.

There was one institution in which the inconsistency and incompatibility of Jim Crowism with American democratic principles was more glaring and flagrant than in the arena of national defense-sports. The sanctum of sport is premised on unofficial doctrines of equality of opportunity, sportsmanship, and

2. "Hastie Says Our Uncle Toms Hinder Fight on Segregation in U.S. Army," *Chicago Defender*, 30 November 1940. I; "Uncover Bias in Inspection of Draftees." Chicago *Defender*. 14 December 1940, 4.

3. "Navy Wants Race Seamen, But Only for Chambermaid. Galley Service."Chicago *Defender*. 7 December 1940. 5: *San Francisco Chronicle*. 1-4 December 1940.

4. "Hit Discrimination in National Defense Work," Chicago *Defender*. 7 December 1940. 1: George Q. Flynn, "Selective Service and American Blacks During World War 11." *Journal of Negro History* 49 (Winter 1984), 14-25.

fair play. It is thus a perfect arena for the exposure of the dual nature of American society, with its paradoxical blending of democracy and inequality. In the pre-war years there were many positive strides toward racial integration in sports. Three Black athletes, Jesse Owens, Joe Louis, and Henry Armstrong, became the darlings of the American public, both Black and White. Owens's four gold medals in the 1936 Olympic Games were a triumph for American democracy over Nazism. The same was said of Louis's defeat of Max Schmeling in their second fight in 1938. Armstrong won the resounding respect of pugilist fans everywhere, holding world championships in three weight divisions. But these men experienced numerous barriers and unpleasant incidents owing to their race. Armstrong withdrew from several important bouts because they were scheduled to be held in segregated arenas. Other Black professional athletes, such as Josh Gibson and Satchel Paige of the Negro Baseball League, failed in their lifetimes to receive the recognition and monetary reward they deserved. [5]

In collegiate sports the paradox was at its zenith. The collegian was seen as an amateur, a purist who played for the love of the game and not, like the professional, for the almighty dollar. Hence college athletics, with the possible exception of the church, best personified American virtues and values in a working, social context. The athletic field was a proving ground to verify and glorify the rightness of hard work, preparedness, self-sacrifice, teamwork, individual merit, stick-to-itiveness, valor, and fair play. In the game, the player had the opportunity to prove his mettle, demonstrate his physical prowess (if not his mental acuteness), champion a cause, defend the honor of his school, "win the big one," and earn the accolades of his peers. The spectators, too, held a similarly lauded view of the game and the role of their knights, the athletes.[6]

The reality of intercollegiate sports during the pre-war years is far less magnanimous when the experiences of Black collegiate athletes are considered. They suffered racial abuses and discrimination at the hands of opponents, teammates, coaches, spectators, sports journalists, and post-season selection committees. Ozzie Simmons, for example, quit the University of Iowa football team because he was unable to further endure the racial bigotry on and off the playing field. Kenny Washington of UCLA, despite being the leading ground gainer in collegiate football in 1939 with over 1,000 yards, was not selected to the All-American team nor invited to play in the College All-Star Game

5. Frederic C. Jaher, "White America Views Jack Johnson, Joe Louis, and Muhammad Ali," in *Sport in America: New Historical Perspectives*, ed., Donald Spivey. (Westport. CT: Greenwood Press, 1985). 145-192; Anthony Edmonds, "The Second Louis-Schmeling Fight: Sport, Symbol, and Culture," Journal *of Popular Culture* 7 (Summer 1973). 42-50; Jeffrey T. Sammons, *Beyond the Ring: The Role of Boxing in American Society* (Urbana, IL: University of Illinois Press, 1988); William Brashler. *Josh Gibson: A Life in the Negro Leagues (New* York. NY: Harper Row. 1978); Robert Peterson. *Only the Ball Was White* (Englewood Cliffs. NJ: Prentice-Hall, 1970). Donald Spivey. "The Black Athlete in Big-Time Intercollegiate Sports, 1941-1968." *Phylon* 44 (June 1983). 116-125; Chicago *Defender*, 7 December 1940, 9: 28 December 1940, 22.

6. Allen Guttman, *Sports Spectators* (New York, NY: Columbia University Press, 1986); Benjamin Rader. *American Sports* (Englewood Cliffs, NJ. Prentice-Hall. 1983); Harry Edwards. *Sociology of Sport* (Homewood. IL: Dorsey Press. 1973); Steven A. Riess, "Sport and the American Dream," *Journal of Social History* 14 (1980): 295-301; Peter Levine and Peter Vinten-Johansen, "Sports Violence and Social Crisis," in Spivey, *Sport in America*, 219-238.

because of his color. That same year, the Cotton Bowl Committee denied Lou Montgomery, the Black star running-back for Boston College, the right to play in the bowl game in Dallas against Clemson. Boston College, Clemson University, and the Cotton Bowl Committee honored the Jim Crow tradition in collegiate sports against having an interracial game if one of the parties involved objected. In this case, the Cotton Bowl Committee and Clemson University raised said objection. Boston College consented, leaving Montgomery at home when the team ventured to Dallas. This so-called "gentlemen's agreement" was a common practice in intercollegiate athletics, along with a host of other discriminatory traditions that were tacitly accepted.'

Students at New York University, however, raised a loud clamor that took the form of a mass movement against the gentlemen's agreement at their school. Their protest was profound, having a substantive sociopolitical impact, and educational, cultural, philosophical, historical value. The student action began at NYU in October of 1940 when it was learned that Leonard Bates, who was Black and the starting fullback on the "Violets" football team, would not be allowed to accompany his teammates to Columbia, Missouri, and play in the slated game against the University of Missouri Tigers on November 2. Missouri, like most teams in the South, objected to playing against a Negro. What appalled the NYU students was that their University acquiesced to Missouri's request that Bates be excluded from the game. "Bates Must Play" became the rallying cry of some 2,000 students and sympathizers as they took to the streets on October 18, picketing the NYU administration building. The huge placards that the picketers bore made the demands clear: "Bates Must Play" "Don't Ban Bates" "Ban Gentlemen's Agreement" "End Jim Crow in Sports" "End Jim Crowism at NYU" "No Nazi Games" and "No Missouri Compromise."[8]

Immediately after the demonstration, the students formed the All-University Committee on "Bates Must Play," headed by Argyle A. Stoute. Meeting on October 21 the committee passed four resolutions: that Len Bates be released from his gentleman's agreement and be allowed to make his own decision as to whether he will or will not play; that New York University never again enter upon any contract with Jim Crow schools; that the University administration make a statement clarifying its views on this issue; and that if the administration fails to comply with the aforementioned resolutions, there be a boycott of all the home games for the remainder of the season. Following the meeting, the committee distributed hundreds of buttons bearing in violet the slogan: "Bates Must Play." Over the next ten days they and their supporters orchestrated daily rallies, distributed several thousand flyers, and circulated petitions demanding

7. Spivey, "The Black Athlete in Big-Time Intercollegiate Sports." 117-120; Donald Spivey and Thomas A. Jones, "Intercollegiate Athletic Servitude: A Case Study of the Black Illini Student-Athletes, *1931-1967*,"*Social Science Quarterly* 55 (March 1975), 939-947; Edwin B. Henderson, *The Negro in Sports* (Washington. D.C.: Associated Publishers. 1949): Harry Edwards. *Revolt of the Black Athlete* (New York. NY: Free Press, 1969).

8. "Bates Must Play Group Adopts Four Resolutions," *Education Sun.* 23 October 1940, 1; *Heights Daily News.* 23 October 1940. 1. New York University Archives.

that either Bates be allowed to play against Missouri or that the University cancel the game.[9]

The press's coverage of the protest at NYU generates serious questions about fairness and sensitivity in American journalism during that era. Why did the White press differ markedly from the Black press in its coverage of the protest and the issues and individuals involved? It is true that this was a "Black story," but it was also an American one that encompassed concerns and questions regarding social justice, education, race relations, law, and more. White newspapers, including those in the northeast, gave either none or at best limited attention to the story. *The New York Times*, with the incident occurring literally within its backyard, evidently considered what was happening at NYU a news item unfit to print. The *Times* devoted no major coverage to the protest or its aftermath. In its general coverage of NYU football the paper continued to speak of coach Mal Stevens in highly favorable terms. In the opinion of the *Times*, he was "a man of great truth." On the one occasion when the newspaper devoted four sentences to what was taking place on the campus, it predicted that the protest would quickly abate.[10]

In the Black press, the NYU story received major attention. Black papers with national circulations, such as the *Baltimore Afro-American*, *Chicago Defender*, and others, gave it either front or second page coverage, and then continued to follow the situation at NYU with routine updates. Content analysis of the commentaries in the Black press indicates that they rendered a decidedly negative assessment of NYU administration's position and handling of the Missouri matter. In the Black newspapers, Coach Stevens, for example, was described as a man of poor character and "wishwashy." While there was great empathy in Black papers for Leonard Bates's plight, several of them also criticized him. One paper characterized him as a plantation Negro for "not turn[ing] in his uniform rather than suffer humiliation" and for remaining silent while his fellow students actively denounced the Jim Crow policy. "Perhaps Bates wants a job down in the rural section of some southern county where he has to 'mister' the dog catcher," a Black editor remarked. "Folk don't want him up North if he hasn't any manhood and most colored folk down South don't want him there.""

The NYU student body was mixed in its opinion of what should be done about the "Missouri Crisis," if anything. A substantial number of students advocated moderation. The Student Council went on record in opposition to Jim Crowism and the gentlemen's agreement, but criticized the actions of the All-University Committee on "Bates Must Play." Why these differences of opinion within the student body? The answer, in part, lies within the natural con-

9. *See Washington Square Bulletin*, New York University Archives: *Heights Daily News.* and *Education Sun.* 23 October 1940-3 November 1940.

10. *New York Times.* 23 October 1940, 29; 26 October 1940.21; 29 October 1940, 35; 30 October 1940, 31.

11. "Ban on Grid Star Stirs NYU, "*Baltimore Afro-American*, 26 October 1940, 1-2,20; 23 November 1940, 20; "Race Issue Stirs New York University Campus," *Chicago Defender*, 26 October 1940, 1, 23; *Pittsburgh Courier*, 26 October 1940, 16; 2 November 1940. 17; 9 November 1940, 1. 17; "NYU Students Protest Ban on Bates," *Philadelphia Afro-American.* 26 October 1940, 1, 21.

sequences of human diversity which suggest that it is improbable that a group can have a thoroughly homogeneous point of view or course of action. The other part of the answer is social. An examination of the "Bates Must Play" movement portends the importance of social stratification and class as determinants of an individual's or a group's social philosophy and political and policy formulations.

A physical and social dichotomy existed within the student body at NYU. The institution was essentially comprised of two campuses and two student bodies at the time of the Bates issue: its original site at Washington Square, which opened in 1832, in the heart of the city; and its University Heights campus, established in 1894, located in the Bronx. Washington Square housed several colleges and the administrative offices. The campus attracted an ethnically and culturally diverse student body and was wedded to its cosmopolitan environment and the problems associated with city life. The University Heights campus, on the other hand, was established on the principle of providing a more idyllic educational setting. The Heights sought a bucolic existence, an intellectual setting free from the distractions of urban America. It remained "an elite oasis of calm and splendid isolation" from the city's diverse people until 1973 when it moved back to Washington Square and merged with the University's other colleges. [12]

The All-University Committee on "Bates Must Play" was the product of Washington Square students and the movement was concentrated on that campus. Heights students were considerably more circumspect on the Bates issue than their counterparts at Washington Square. In their official student newspaper, the *Heights Daily News,* they recommended a conservative approach to resolving the problem. "Unmoved by the confused and impractical attempts of the Washington Square colleges," the paper asserted, "the students at the Heights have taken a firm and undeniable lead towards remedying the situation" confronting the school. Their solution was to have the athletic department to "refrain" from scheduling contests "in the future" with "teams that find members of our eleven unsuitable." For the present, they asked "not for cancellation of this year's Missouri game nor for Bates' playing in it." The editorial, moreover, warned against moral posturing and "bringing up again issues which have been in existence since before the Civil War. Neither is this an effort on the part of anyone to change the ethics of another school whose ideas on fairness differ so radically from ours. We disagree with Missouri, but we are hardly in a position to condemn them for holding the same principles as does the greater part of the South."[13]

The Student Council championed the Heights point of view. Alan Brooks, sports editor for the *Heights Daily News* and a member of the council, publicly criticized the "Bates Must Play" campaign. He lambasted the All-University

12. William H. Exum, *Paradoxes of Protest: Black Student Activism in a White University* (Philadelphia, PA: Temple University Press, 1985). 10-13; Education Sun. 23 October 1940, 2; *Heights Daily News.* 24 October 1940, 1, 3.

13. *Heights Daily News.* 24 October 1940, 1, 3, 9

Committee, calling their effort "a perfect example of bungling." Brooks criticized them for "constant refusal to heed the facts of the case" and "their vociferous howling of 'Bates Must Play,' " which, in his opinion, had "carried the affair to ridiculous heights." He further accused the committee and its supporters of having "transfigured a serious affair into a cheap burlesque act." The only "practical solution," according to Brooks, was that which the Student Council recommended at its meeting of October 22.[14]

At that meeting the council was predictably cautious in its recommendations. After all, the Student Council was headquartered on the Heights campus and Heights students and faculty dominated it. At the beginning of the meeting, however, the group briefly contemplated taking a firm stand on the Bates matter. It was moved and seconded that they go on record as

> opposing the conditions and provisions which will keep Leonard Bates out of the Missouri game of November 2, 1940, and that we, as duly elected representatives of New York University strongly suggest that the Athletic Association of New York University *cancel* [emphasis mine] and refuse to schedule in the future any and all athletic relations with said Missouri University.[15]

The architect of the motion surprisingly was Alan Brooks. Professor Bronstein, the faculty representative on the Council, evidently found Brooks's motion intemperate and objected to it. His objection was seconded and the motion defeated by a vote of 5 to 3. Bronstein then offered an amendment to Brooks's original motion, "striking out all but the enacting clause." One of the students, a Mr. Antin, moved to repeal Bronstein's amendment. His motion against the Bronstein amendment was ruled out of order. The final, amended motion passed 7 to 0. Indicative of the conservatism at the Heights, the council passed a tame resolution:

> BE IT RESOLVED that the Student Council go on record as opposing the type of conditions under which we are to play the Missouri game of November 2, 1940 and that we desire the Athletic Board of the University to refrain from scheduling schools which entertain similar discriminations.[16]

At Washington Square or the Heights, "Bates Must Play" was the leading topic of ethical and political debate. Was Jim Crow right? Most students answered emphatically-no. In a democratic and free society it was simply wrong to discriminate against another human being. Do we at NYU have a right to tell Missouri or any other school what beliefs or policy it must embrace with respect to the race question? Some answered yes. Others answered no. They wrestled with the moral imperative of collegiate athletics. Is competition in and of itself good? Does sports build character? Does it foster democratic principles or is it too militaristic? The students explored the concept of individualism

14 Alan Brooks, "Violets Should Drop Missouri From Future Court Schedules," *Heights Daily News*, 24 October 1940, 3.

15. "Minutes of the Student Council Meeting." 22 October 1940, New York University Archives, Student Affairs. Box 12. Folder 12. Washington Square students established their own student council. but I am unable to verify that it was officially recognized by the University. The group evidently did not have the ear of the administration at any rate.

16. Ibid.

versus teamwork. They intellectualized about the meaning of fair play in a capitalist society. Was sport a microcosm of society? They addressed questions of race, religion, and gender in their discussion of Jim Crowism and how the gentlemen's agreement had been used against Jews, Blacks, and women. Do private citizens have a right to discriminate in social clubs, private establishments, or personal relations? Discussion was heated, lively, and possibly enlightening. Into the wee hours of the morning, small pockets of students could be found on both campuses grappling with the many questions surrounding "Bates Must Play."

Inevitably the seeking of truth led to faultfinding and to placing the ultimate blame. The accusatory finger pointed to the NYU administration. Why schedule games with institutions that discriminate? In the *Education Sun,* the publication of the College of Education which was located on the Washington Square campus, students debated why the protest arose when it did. "Perhaps it is the appearance of a Negro on a team which has aroused this action," the Sun suggested. "But it seems to us that since this wave of feeling concerns the whole question of racial prejudice, the furor [sic] should have been raised when the schedule was first announced. Whether there was a Negro on the team or not—Missouri was known to be guilty of race prejudice and should not have been accepted as an opponent." *The Washington Square Bulletin,* the official student newspaper of the Washington Square campus, seconded the opinion of the *Sun* in insisting that "all relations with Missouri and other Jim Crow schools be broken. No football team is worth the sacrifice of the ideals of liberty and freedom. The game should be canceled."[17]

The Bulletin, in arriving at the conclusion that the game with Missouri should be scratched, considered a factor that had been overlooked in much of the debate and activism: What about the safety of Len Bates if the game is held and he is allowed to play in it? Jim Herbert, a Black and former world-class NYU track athlete, agreed with the paper's position. He refused to sign the petition of the All-University Committee on Bates Must Play. In his opinion, Bates stood an excellent chance of being critically injured if he competed against a racially hostile team such as Missouri. "If he plays it will be the first instance of legalized lynching," the *Bulletin* argued. "For this reason we disagree with the petition circulated by the All-University Committee on Bates must Play. The Committee is acting with a purely idealistic viewpoint."[18]

Based on the long history of incidents in interracial football contests, the question of whether it would be safe for Bates to play was a legitimate one. Football, after all was only a sport, but when you added the ingredients of personal pride, valor, ethnicity, religion, sectionalism, or race, the game moved to a higher level of significance. Athletes performed with great determination and intensity when individual honor and that of the alma mater were at stake. When any two teams played one another, hometown identity and possibly social

17. "Bates Is Not The *Issue."Education Sun,* 23 October 1914, 2-3: "Break Sports Relations With Intolerant Jim Crow Colleges," *Washington Square Bulletin.* 22 October 1940. 1.

18. *Washington Square Bulletin.* 22 October 1940. 1.

or class vindication could be on the line. The player's parents, sweetheart, relatives, friends and fellow students witnessed the competition and shared vicariously in the glory of victory or the agony of defeat. Fans, like players, became deeply immersed in the game, excited, emotional. Derogatory remarks were routinely shouted at opposing team members. If you were Jewish, such as NYU's Irv Hyman, you were often called a dirty Jew, hymie, or kike. The Villanova spectators spouted so many nasty epithets at Hyman that the NYU student body demanded an apology after the game. If you were Black, such as Len Bates, you could expect someone to call you a nigger every time you ran with the ball, caught a pass, threw a block, or made a tackle. White players seemed to reach down a little bit deeper inside and play with greater veracity when they were up against a Black. Even when two interracial teams squared off on the field, the racial dimension was still prevalent as was the determination in the hearts of opposing players to "get that nigger off the field."[19]

Injury to the Black player frequently occurred as White opponents redoubled their efforts against him. In 1923, Black footballer Jack Trice of Iowa State University paid the ultimate price. On that October afternoon Iowa State took on the University of Minnesota in one of the hardest hitting games in the history of collegiate football. Race played no part in the Minnesota match according to Robert Fisher, one of the White players on the Iowa State team. Other eyewitnesses believed that race was a factor in the game and in what happened to Trice afterwards. Trice himself thought that race was always an issue when you are Black. Since the game against Minnesota was to be his first grid contest (three other teams had refused to play Iowa State with a Black on the team), he felt the weight of his race on his shoulders. The evening prior to the competition, Trice wrote a note and placed it in his pocket. It read: "The honor of my race, family, and self is at stake. Everyone is expecting me to do big things. *I will!* My whole body and soul are to be thrown recklessly about on the field tomorrow. Every time the ball is snapped, *I will* be trying to do more than my part. On all defensive plays I must break through the opponents line and stop the play in their territory."[20]

And he did. By all accounts, Jack Trice played a stupendous game against Minnesota. It was an unforgettable contest. You knew that this would be an event long remembered when on the opening kickoff the hitting was so ferocious that three players left the field dazed and limping. The first play from scrimmage had the audience in aught, not so much from the efforts of the ball carrier but from the thunderous sounds of the blocking and utter viciousness of the tackling. The intensity of the game swelled on each snap of the ball. The blows were so violent that one spectator was heard to remark that he thought it was getting ready to rain. The teams went after each other, play after play, hit

19. Art Rust. Jr., *Get That Nigger Off The Field (New* York. NY: Harcourt Brace, 1976), 1-64; Harry Edwards, *Sociology of Sport,* 175-236; Spivey, "Intercollegiate Athletic Servitude," 943-947.

20. Robert Fisher. George Trice, Nelson Trice, interview, 7 May 1988; see accounts of the game in *Chicago Defender, Baltimore Afro-American.* and *Pittsburgh Courier;* Lou Ransom, "White University Rights 65-Year Wrong Done to Black Athlete, *Jet Magazine,* May 1988, 48-52.

after hit. Sounds and stench filled the air. Athletes yelled, growled, moaned, and farted. They went at one another with all that they had.[21]

By the end of the first half, both sides were battered, bruised, cut, and bleeding. This was Knute Rockne rock’em sock’em style ball played at its primordial best. Every yard was earned with blood, sweat and tears. Players gave no quarter and took no prisoners. This was a football game. It was a match, for the strong of heart and stout of character. Through it all, Trice played above everyone else on the field. Time and again the opposition ran power sweeps directly at him, and he stopped them cold. He played like a man possessed, giving a superhuman effort on every down. On one eventful sweep just before the end of the third quarter, Trice threw himself in the path of three blockers and stopped Minnesota for no gain. But he was hurt. He had to be carried off the field on a stretcher and was unable to continue for the remainder of the contest, which Iowa State lost. It is questionable whether Minnesota fans were expressing sympathy or disdain when they chanted repeatedly *“we’re sorry”* as the injured brown-skinned warrior was carried from the field.[22]

Trice was taken to a nearby hospital. It is unclear whether he received attention at the medical facility or was refused service there because of his color. At any rate, he was deemed fit to travel with the team back to Iowa. He made the return trip lying on a bed of straw in the rear of a Pullman car. On occasions he coughed and winced for air. By arrival in Ames, Iowa, Trice’s condition had deteriorated. He was taken to a local hospital where he died later that night of a punctured lung and other internal injuries received in the Minnesota match. [23]

You could count on a spirited contest when any two football teams of quality met on the gridiron. When a team from the North met a team from the South, the contest took on heightened athletic importance and intensity along with political, psychological, and cultural dimensions. Add the specter of race, and it was the Civil War revisited. The game in which Trice met his death was between two northern schools. Minnesota, moreover, had been one of the first universities in the Big Ten Conference to have a Black on its team when it signed Bob Marshall, who played from 1901 to 1904.

The football matches between southern and interracial northern squads were often brutal beyond belief, especially for the participating Black athlete. Edwin B. Henderson, in his work, *The Negro in Sports*, is essentially correct in his statement that many southern teams, when they played in the North, were willing to temporarily suspend the gentlemen’s agreement and compete against Negroes. He tells us that the University of North Carolina, for example, in 1936 “willingly played New York University’s team on which was [Ed] Williams.” Williams was the standout performer on an otherwise fair NYU squad, a legitimate star running back, one of the very best on the east coast, including those of the powerful Fordham and Columbia teams. He and his Violet cohorts,

21. Ibid.
22. Ibid.
23. Ibid.

however, were no match for the Tarheels of North Carolina. Henderson fails to mention what happened to the Black star in the North Carolina contest. Williams took a merciless beating at the hands of the Tarheels. An NYU alumnus, who had been a spectator at the affair, recounted how Williams was "carried off the field unconscious and was ruined as a football player."[24]

The possibility of harm coming to Leonard Bates if he competed in the meeting with the Tigers of Missouri was real, but the NYU administration was disingenuous when it intimated that his well-being was an important factor in their decision to keep him out of the game. They attempted to skirt the major issue, the moral imperative demanded of the students that the University speak out and let the world know that it opposes discrimination on and off the playing field. The students wanted to know how could NYU, an institution that "believes in liberal traditions" and "democratic principles" remain muted in the face of such an ugly violation of basic human and constitutional rights. They continued to question why a game with the Missouri Tigers had been scheduled in the first place. Several other institutions had branded Missouri a "Jim Crow School." In April of 1939, the University of Wisconsin, Notre Dame University, and the University of Missouri held a triangular track meet. Missouri asked Wisconsin to withdraw its Negro athletes from the meet. When Notre Dame heard of Missouri's request, it joined with Wisconsin in severing relations with the University of Missouri. The NYU Athletic Association's justification for continuing its association with Missouri was that the game had been arranged before the track incident occurred. The explanation failed to persuade NYU students who were pushing the issue, trying to find conceptual clarity and the University's true position on race. Students queried the ethics and political wisdom of having athletic competition with a school like Missouri and risking the prestige of NYU. It simply made no sense to them to engage in sport with an institution that symbolized "all the repulsive and filthy [sic] evils that we fought against in the Civil war some eighty years ago?" Student activists reasoned that the ultimate showdown with the Tigers had to take place off the gridiron and in the hearts and souls of the leadership of the University. The Bates incident, as they saw it, afforded their institution "the opportunity to take the first step which would let the academic world and the world at large know exactly how we at New York U. feel on the matter of race prejudice and intolerance."[25]

The recalcitrance of the school's leadership angered and unified the student body. Washington Square students were furious with the administration and contemplated a massive boycott to shut down the entire University. The inaction of the University's leaders confused students at the Heights and they felt betrayed. Heights students labelled the administration "obnoxious" and "as intolerant as Missouri when you accepted these terms and completely ignored

24. "Local Stars for NYU." *Daily Worker.* 17 November 1936, 8; Henderson. *The Negro in Sports,* 121; *Washington Square Bulletin,* 22 October 1940, 1.

25. *Washington Square Bulletin.* 21 October 1940.1; "Statement From AA Board Would Speed Conclusion of Bates *Issue." Heights Daily News.* 29 October 1940. 9: *Education Sun.* 23 October 1940, 3: *Washington Square Bulletin.* 22 October 1940, 1; *Heights Daily News,* 22 October 1940, 2-3; 24 October 1940, 2-3.

the feelings of a man who was good enough to play in our other contests yet not worthy of playing against the Tiger eleven.” Student organizations from Washington Square and the Heights jointly chided the administration, reminding them that they were “suppose to be opposed to the theory of race supremacy.”[26]

The administration defended itself and used Leonard Bates to support its position. Professor Philip O. Badger, head of the New York University Board of Athletic Control (better known as the athletic department), said that Bates understood the situation and was uninterested in playing in the game at Columbia, Missouri. George Sheiebler, NYU’s director of publicity for the athletic department, at a press conference on October 30, 1940, produced a letter that Bates wrote. The letter was addressed to the president of the Negro Cultural Society of which Bates was a member. Sheiebler had somehow acquired the letter which, according to Bates, had never been intended for release to the public as his statement on the Missouri question, the gentlemen’s agreement, or Jim Crow in sports. The letter read:

> In view of the situation which had been precipitated by the question of whether I would play in the football game between New York University and the University of Missouri at Columbia. Missouri, on November 2nd. I feel it necessary to clarify my position in the matter.
>
> When I entered New York University, it was explained to me in a perfectly friendly manner by the University Board of Athletic Control that a series of games had already been arranged between New York University and Missouri in which I would be unable to participate in so far as those games played in Missouri were concerned. At that time, I stated I did not wish to play in the game scheduled to be played at Columbia, MO.
>
> My major concern has been to gain a college education. Football is a secondary matter.[27]

The administration used Bates’s own words to justify its compliance with the gentlemen’s agreement. The letter was genuine although used out of the context and for an audience for which it was not intended. The way that the athletic department presented his words it seemed that Leonard Bates wanted to stay out of the Missouri game. This was untrue. “By playing up one part of this letter,” Bates retorted the following day after the publicity office released his letter, “the press succeeded in creating the impression that I do not wish to play. This, however, is false. I would like to play.” He had been informed of the gentlemen’s agreement when he entered NYU and said at that time that he was agreeable to being omitted from games against teams that opposed playing a Negro, but that the decision was not his. He was an athlete and wanted to perform. Regarding the matter of the campus protest that he be allowed to participate in the Missouri contest, Bates had vacillated at first but then came out in support of the movement. Nearly fifty years later, Leonard Bates reiterated in emphatic terms that “I wanted to play. I remember the bogus way the athletic department tried to

26. Ibid.
27. *Heights Daily News*, 31 October 1940, 3; *Washington Square Bulletin*. 29 October 1940: Leonard Bates, interview, 2 June 1988.

put my letter. They made it sound like I did not want to play. I very much wanted to play Missouri. I wanted to play!"[28]

Bates was not the first Black at NYU to be a victim of the gentlemen's agreement in sports. The school had a long tradition of playing southern teams and accepting the color-line covenant. In 1929, the case of Violets halfback Dave Myers gained national attention. NYU was scheduled to play at home against the University of Georgia on November 9 of that year. When it was learned that the Violets had acquiesced to Jim Crow and would leave Myers out of the lineup, a public outcry ensued, demanding that either he be permitted to play or that the meeting with the Bulldogs of Georgia be canceled. When NYU announced that it intended to go forward with the game under Georgia's stipulation, this for many proved that the University was "no better than their Southern brethren in the matter of racial prejudice."[29]

NYU's decision was thoroughly condemned and challenged. Friends of Meyers urged him to "turn in his football togs rather than sit on the bench because of a color prejudice." Others condemned the University, demanding that it change its way and institute positive reforms. "If a New York city university allows the Mason-Dixon line to be erected in the center of its playing field," Bob Gibson, sports columnist for the *Baltimore Afro-American* wrote, "then that New York city university should disband its football team for all time." The NAACP prodded NYU to take a firm stand in opposition to the Jim Crowing of Myers, serving notice on the school that it was prepared to file a lawsuit against both institutions if Myers was denied his right to play.[30]

The University responded with a variety of answers to the problem. Chick Meehan, who was then the head football coach of the Violets, at first defended the gentlemen's agreement as binding. He also attempted to downgrade Myers's importance to the team, claiming that the Black lad was an undistinguished performer and could either sit on the bench for the Georgia game or watch the match from the stands. The coach added that it would be dangerous for Myers to compete because Georgia would try to hurt him. He cited Myers's mother, who had expressed worry that the southern team would intentionally try to cripple her son. Dave Myers, in an interview, dampened the swell of protest on his behalf when he announced that he thought that his coach knew best and that he supported Meehan's decision. The coach and the administration, however, began to change their statements as pressure mounted from the press, students, and the NAACP. Professor Giles L. Courtney, who headed the NYU Board of Athletic Control during the incident, began to suggest in public statements that there was still a high likelihood that the game with Georgia would be canceled if the Tigers refused to withdraw the color-line. When the time came for the actual game, the University administration issued a joint statement that Dave Myers

28. Leonard Bates, interview, 2 June 1988.
29. "New York University Called Upon to Cancel Georgia Game," *Baltimore Afro-American*, 26 October 1929, 1.
30. Rollo Wilson, "Downed By His Own Team," *Pittsburgh Courier*, 2 *November* 1929, 6; 16 November 1929, *6; Baltimore Afro-American*, 2 November 1929. 14; Exum, *Paradoxes of Protest*, 12.

was injured and would be unable to play against Georgia. They claimed that a corps of eminent surgeons examined Myers and that his "acromio-clavicular ligaments of his left shoulder had been injured in the previous game and that if he played this coming week he would be in danger of permanent injury."[31] Outside sources never confirmed the alleged injury. Myers was absent when the Violets took on the Bulldogs, and the gentlemen's agreement was thus honored.

The treatment that Len Bates received on the team mirrored the daily struggle of Blacks in the society at large. Blacks were treated as social outcasts or, at best, second-class citizens who were segregated and humiliated. Hotels and restaurants routinely refused to serve them. Paul Robeson, famous actor, singer, political activist, and former Rutgers All-American, sued Vanessi's restaurant in San Francisco in November of 1940 for discriminating against him and eight others in his dinner party. A. Philip Randolph and Milton P. Webster of the Brotherhood of Sleeping Car Porters condemned the Central Labor Committee of the American Federation of Labor for attempting to segregate Black delegates at the annual convention meeting scheduled to be held in New Orleans at the end of the year. In this same period, Harlem residents demanded and received assurances that the charge that the Red Cross segregated the blood of donors according to race was untrue.[32]

These were the times of which Leonard Bates was a part. He was Black and had experienced similar and other adversity firsthand. Bates had been a high school drop out for five years before returning to earn his diploma. A friend at NYU knew of his great football ability and convinced coach Mal Stevens to recruit Bates with a full athletic scholarship. He entered the University in 1939 and was married that same year. Bates was a New Yorker and liked the city. The campus experience was difficult but survivable. Instructors were generally fair minded although aloof. The athletic department was nonprogressive and in disarray. Philip O. Badger, a professor of marketing and head of the NYU Board of Athletic Control, was, in Bates's words, "a disaster. I would not care to comment further about him." On the team, he found head coach Stevens "difficult" and no champion of civil rights. Stevens was an elitist who tolerated Blacks in a limited capacity. Trained as a physician, he had coached at Yale before coming to NYU. He had been given credit for finding a way to play Chuck "Indian" Jones in 1938, an NYU Black athlete, without the objection of their southern opponent. Stevens had simply listed Jones on the roster as an Indian since he was nicknamed that and light in complexion. Thus Jones made an end around the gentlemen's agreement. Leonard Bates, however, was unmistakably Black and had no desire to deny his race. Bates felt that the coach and the athletic department should have refused to play Jim Crow schools. He was also disappointed that his teammates remained muted when he was Jim

31. *Pittsburgh Courier*, 16 November 1929.6; *Baltimore Afro-American*. 9 November 1929.15; 16 November 1929, 15.

32. "Sue in Jim-Crow Row." "Brotherhood Snubs A.F.L. Jim Crow Fete Plan," *Chicago Defender*. 30 November 1940.2; "BlackBlood, WhiteBlood. All Same Says Red Cross," Chicago Defender. 7 December 1940, I.

Crowed. "They could have spoken out or refused to play if I didn't play. I got along very well with them [the players]," Bates reflected. "They were supportive until that Missouri thing."[33]

Beyond the issue of playing in the Missouri game, there were other incidents of discrimination against him. Southern teams would, on occasion, forgo the gentlemen's agreement when they played in the North. Bates played in the games against Texas A & M, Tulane, and Georgetown as these contests were held at Yankee Stadium or at Ohio Field on the Heights campus. If the northern team traveled southward, the gentlemen's agreement was strictly enforced. Mississippi, for example, passed a law in 1949 prohibiting interracial sporting events of any kind within its borders. Opposition to interracial sports also existed in the North. When NYU traveled to West Point, New York, to scrimmage the Cadets of Army, Bates was excluded from that contest. " 'You have the flu for this one' is what coach Stevens told me," Bates recalled. "They didn't want you to play at West Point because some of the students were southerners." On the trip to play Penn State University at University Park, Pennsylvania, he also learned that it was forbidden for a Black to room with a White. When the pairing off for room assignments began at the hotel, one White player, Tommy Pace, chose Bates for his roommate. The coach vetoed that selection. "Lenny, I got you covered," coach Stevens said. Bates was the only Black on the team and the only player assigned to a single room. Another humiliating experience for Bates came while he was at the famous Penn Relays, the annual track meet held at the University of Pennsylvania in Philadelphia. Bates was a discus thrower on the Violets track team. After competing in the meet that afternoon, he and a fellow member of the team decided to have a beer at a nearby pub. Bates reminisced about what ensued: "I remember how the White bartender acted. He didn't want to serve me. After I finished my beer, he took my glass and broke it. Threw it away. My friend from the team said, 'Let's smash up the place. ' I said, 'No. Let's be civilized even though he [the bartender] isn't. ' "[34]

One of the two prerequisites of Jim Crowism is a lack of civilization. The other is a misunderstanding of or disregard for one's own best interest. NYU's athletic program exhibited at least one of the prerequisites. The football team contributed to its own detriment when it bowed to the gentlemen's agreement. To have your most talented athlete sit on the bench when he is desperately needed in the game is an insult to the sport, the fans, and the players. It is also a poignant indicator of the endemic depth of institutional racism.

NYU sports had a long history of complying with the gentlemen's agreement and suffering the negative results. In the 1929 game against Georgia, coach Meehan benched Dave Myers though he was their best athlete. Myers had gained fame the previous year as a javelin thrower and as a football player. One year later he had become a genuine star. On the gridiron he was a standout in

33. Leonard Bates. interview, 2 June 1988.
34. Ibid. Also note *Violets Yearbook* (1941). Bates was omitted from photograph of football team.

every game he played. In the contest against the mighty Penn State team, the week prior to the scheduled clash with the Georgia Bulldogs, Myers was shifted from his regular position at guard to quarterback. He ran, passed, and played defense in the game. Time and again he brought the 30,000 spectators to their feet with spectacular plays. One sportswriter referred to him as a "human catapult, who flung himself recklessly at the white-shirted Penn State line, and who reaped all the NYU glory." His brilliant play and field generalship enabled NYU to upset Penn State, 7-0. An ecstatic Violets fan gave Myers all the credit for the win, calling him a virtual one-man team. A more conservative witness of the game and estimator of Myers's importance to NYU's football fortunes said that the young colored lad "is half of the NYU team." He was by any estimate essential if the Violets were to have a chance at victory. Nevertheless, because of his color Myers was omitted from the match with Georgia, and his team lost. [35]

Likewise, Len Bates was a vital but expendable commodity in deference to the color-line. By the second game of the 1940 season, students were referring to him as the heart and soul of the team. The press dubbed him "the brilliant Negro back." The big sophomore fullback was a pillar of strength and dependability for the injury riddled Violets. Coach Stevens called him "unharnessed power." He was that. At 205 lbs., strong, and fast, Bates awed opponents and teammates alike. He was a crashing, brushing runner who could be counted on for yards when nothing else worked. Coach Stevens, however, had only used Bates as a substitute during the first three games of the 1940 season. But after the Syracuse drubbing, in which the Violets were beaten and bruised by a score of 47 to 13, it was announced that Bates would start for the first time in the upcoming game against Holy Cross.[36]

The Violets were a three touchdown underdog as they took on the Holy Cross Crusaders. The superb play of Bates sparked the team to give one of its best performances of the year. NYU held Holy Cross on the first series of downs, forcing them to punt. Len Bates was back to receive. He brought the fans to their feet as he returned the ball twenty yards to mid-field. Bates sparked the ensuing drive, banging out five and six tough yards at a crack. After a successful pass, the Violets were on the Crusaders 6-yard line. Bates got the call and blasted for five yards, running over two or three Crusaders, before he was gang tackled and finally brought down only one foot from the goal line. This was fullback territory as Mal Stevens had coached. On the following play, however, another back, Woodrow Whittekind, ran the ball in for the score. The Violets led Holy Cross 7 to 6 at the half. They would go on to lose to the Crusaders 13-7 in what was, nevertheless, one of their best performances that year against a quality

35. *Baltimore Afro-American,* 26 October 1929, 1: 2 November 1929,14: 9 November 1929.15; 16 November 1929, 15; *Pittsburgh Courier. 2* November 1929, 6, 16 November 1929.6; Henderson. Negro *in Sports.* 84, 108.

36. *Heights Daily News.* 11 October 1940. 12: "Coach Stevens to Start Bates at Fullback *Slot. "Heights Daily* News. 18 October 1940. 1, 3. The *New York Times* considered Bates a superb running back and gave him substantial coverage through the Holy Cross game, but very little attention to the forthcoming Missouri match and the issue of Jim Crow. See, for example. *New York Times,* 11 October 1940, 27; 18 October 1940. 27; 19 October 1940. 12: 16 October 1940. 31; 22 October 1940, 29; 25 October 1940, 26; 31 October 1940, 33.

opponent. [37] Bates figured prominently in any plans for success that his team entertained for the remainder of the season. To face Missouri without his services substantially diminished the Violets's chances. Proven ability to help the team took a backseat to Jim Crow tradition.

Despite the efforts of the "Bates Must Play" movement and Bates's proven contribution to the team, the NYU squad kept to the agreement and left him behind when it traveled southward to take on Missouri. It was chilly and overcast on October 31, 1940, as the Violets headed for the train station to depart New York. Waiting at the station to see them off was a small group of student ill-wishers bearing the familiar sign: "Bates Must Play." The team ignored them and entrained. Arriving in St. Louis the following day, the squad worked out at Washington University in preparation for the big game.[38]

Several miles away at the University of Missouri campus at Columbia, where the game would be played that Saturday, there was no talk of the gentlemen's agreement or any discussion of racial discrimination. Jim Crowism was a norm in the state of Missouri. The St. Louis Post-Dispatch did mention Bates's absence, reporting matter-of-factly: "The New Yorkers are nothing to cheer a coach's heart this season and without Len Bates in their backfield, they're strictly 'suckers' for a passing team. And, since the contract with Missouri stipulated that the Negro ball carrier would not play, Bates is not being taken on the trip."[39]

His absence from the game was sorely apparent as the Tigers toyed with the Violets and humiliated them. NYU was unable to move the ball against the Missouri defense. An observer for the the Associated Press reported that "New York, playing without Negro halfback Leonard Bates, couldn't get its offense clicking effectively until the fourth period."[40] By then it was much too late. Perhaps the protesters back in New York City felt a sense of divine retribution as their team fell to Missouri 33-0.

That the team lost the Missouri match did nothing to placate the protesters. They believed that the game should have been canceled because of the race issue. Rather than subsiding, the protest on the NYU campus escalated. On November 4, 1940, two days after the "Missouri Massacre," students at Washington Square and the Heights held public forums to address the question of Jim Crow in collegiate sports and the role of their University. The All-University Committee on Bates Must Play found new life and new members. They challenged the University's commitment to democratic ideals and criticized its administrative leadership, especially Harry Woodburn Chase, Chancellor of the

37. *New York Times*, 20 October 1940. sect. 5.. 1; *Violets Yearbook* (1941). 126-127.

38 "Bates Left Behind as NYU Entrains," New York Times, 1 November 1940, 34. The Times. in one of its rare mentions of the Jim Crow issue. devoted four lines in a small column to Bates's absence.

39. "Violets in Poor Shape for Tigers, "*St. Louis Post-Dispatch*, 31 October 1940.38; 2 November 1940,4B; *Kansas City Times*, 2 November 1940. 20; *Atlanta Constitution*, 3 November 1940, 6B; *New York Times*, 21 November 1940.21; *Kansas City Times.* 22 October 1940, 11; *Kansas City Star*, 31 October 1940,14.18: *Kansas City Star*, 18 October 1940, 22; 3 November 1940, 1B; *Kansas City Times*, 18 October 1940. 12.

40. *Hartford Courant.* 3 November 1940, Part 4. 1; "Missouri Crushes New York U., 33 To 0," *St. Louis Post-Dispatch*, 3 November 1940, Part 2, 1: *Violets Yearbook* (1941), 125. 128.

University, and Professor Badger. They charged the institution with giving "tacit approval to bigotry by playing Jim Crow teams" and criticized it for the hypocrisy of its "vaunted democratic idealism." They demanded that the institution denounce Jim Crowism as morally wrong and that it make policy changes in the sports programs of the University. "We either show the whole world that we are unalterably opposed to blind, ignorant, lynch philosophy," a *Bulletin* editorial asserted, "or we stop referring to ourselves as a school that prepares young people for a full share in a rational democratic society." Failing that, it was suggested that students boycott the sports program of the University and refrain from attending any athletic events[41]

The protest was evolving into a second phase, which would be a familiar process in the activism of the 1960s, that of direct confrontation. A new and more broad-based student organization emerged at NYU, The Council for Student Equality. The council was formed as a permanent watchdog to fight discrimination on campus and to challenge the inaction of the University administration on the race issue. They organized rallies, public forums, workshops, distributed thousands of informational flyers, and continuously berated the administration for its position on the issue. The council took the administration to task when it found that gentlemen's agreements also existed on NYU's two other major team sports on which Blacks participated: basketball and track.

They uncovered in early December of 1940 that Jim Coward, a star player on the basketball team, had been deemed ineligible for the Georgetown and North Carolina games in January because of his race. Massive demonstrations with several thousand participants were held in front of the administration building. The picketers carried placards denouncing the University administration and yelled such chants as "Coward Must Play" and "Don't Jim Crow Jim Coward."[42]

The same color-line restrictions were occurring on the much heralded track team. The council's investigation during February 1941, disclosed that the team had agreed to participate in a track meet that Catholic University sponsored. The meet was scheduled to be held in Washington, D.C. in late March, and Blacks were excluded. George Hagans, David Lawyer, and Fabian Francis would have to be left at home. The action doubly outraged students in that George Hagans was co-captain of the team. He and Lawyer were the standout performers on NYU's crack mile relay team. Francis was one of the team's top sprinters. More demonstrations were held and the mood of the protesters was turning decisively ugly. Several students, purportedly representing a cross-section of various student organizations, were ejected from the office of Professor Badger when they sought to meet with him to voice their concern over Jim Crow in the athletic program. They condemned the athletic department and

41. "Smash Racial Bigotry," *Washington Square Bulletin,* 4 November 1940, 1-2.

42. *Washington Square Bulletin,* 6 March 1941, 1: "NYU Should Define Policy on Scheduling," *Heights Daily* News. 15 October 1941, 3; "NYU Students Have Put Schools Jim Crow Policy on Run With Great Fight," *Daily Worker,* 18 January 1941, Sl.

the University for agreeing to send an "all-white team to the Washington contest."[43]

Lester Rodney, sports editor of the *Daily Worker*, the official newspaper of the Communist Party of America, may have captured the unbridled sentiment of the disgruntled students when he lambasted the NYU administration for having "capped its infamous record of discrimination against Negro athletes with the most brazen and contemptuous piece of Jim Crow ever pulled on an American student body. This time it is track." He criticized the leadership of the University for "having overridden [sic] the loudly expressed will of 90 per cent of the NYU student body in the case of football player Bates and basketball player Coward" and pointedly accused the athletic department "headed by Philip O. Badger and blessed by Chancellor Chase" of having injected its "putrid brand of Hitlerism into the sport of track, the sport to which Negro stars have traditionally made their most magnificent contribution."[44]

NYU's administration reacted to the growing tide of rebelliousness. It took strong exception to the accusations that the institution was racist and that the school or the administration countenanced discrimination against Black athletes. Dean McConn, speaking on behalf of the administration, characterized the University as a friend of the Negro and nondiscriminatory. Athletic director Badger explained that colored players were excluded when the team traveled South because "he did not want to insult NYU Negroes by taking them in Jim Crow railroad coaches." The gentlemen's agreement was acceptable to the administration because the South was then inhospitable to Blacks.[45]

Their explanations failed to satisfy student protesters and the battle was joined. On Monday, March 3, 1941, The Council for Student Equality began circulating a petition calling upon the NYU Board of Athletic Control to halt its policy of Negro discrimination. The administration moved to stop the petition. When the council failed to heed the administration's warnings to desist, its leadership was charged with violating University rules and regulations and brought before Dean McConn on Thursday afternoon of March 6. After a brief discussion, the dean suspended Naomi Bloom, Jean Bornstein, Mervyn Jones, Robert Schoenfeld, Argyle Stoute, Anita Kreiger, and Evelyn Maisel. McConn said that the students were suspended for circulating a petition without permission and for spreading false information about the University.[46]

The suspension of the "student seven" galvanized the protest movement. Students at Washington Square, with some support from the Heights, urged the University administration to reinstate the suspended students. Student representatives from both campuses and various organizations such as the Philo-

43. "NYU Will Send All White Team to Washington Contest," *Washington Square Bulletin.* 6 March 1941, 1,
44. Lester Rodney. "NYU Heads Bar Negro Track Stars From Meet," *Daily Worker.* 4 March 1941. S1.
45. "McConn Suspends Seven Students for Violating Administrative Ruling on Circulation of Council for Student Equality Petition; Protest Organized," *Washington Square Bulletin.* 10 March 1941, 1-2; "NYU Students in 'Sitdown' for Suspended 7, "Daily *Worker*, 11 March 1941,8; "Discipline Committee Suspends Seven Students For Semester: Faculty Upholds Action by 66-6 Vote; Independent Group Formed for Reinstatement," *Washington Square Bulletin.* 13 March 1941, 1-4: *Daily Worker,* 19 October 1940. 8: 4 November 1940, 8: 12 February 1941, 8: 24 April 1941. 8.
46. *Washington Square Bulletin.* 10 March 1941. 1-2.

sophical Society, Debating Team, Math Club, League of Women, the Jewish Students' Organization, fraternities, sororities, and others, requested that Dean McConn reverse his decision on the student seven. A petition with more than 2,000 names was sent to the administration in support of reinstatement. The administration received telegrams and letters from all over the nation supporting the student seven, Paul Robeson wired that all American athletes deplore the gentlemen's agreement. The NAACP and the Urban League praised the dissidents. The Council on African Affairs and the Communist Party denounced the NYU administration. Football star Kenny Washington called for an end to gentlemen's agreements everywhere. Professor Walter Rautenstrauch of Columbia University lectured on the evils of Jim Crow in education. Student organizations and athletes of the City College of New York endorsed the protesters, as did groups at Holy Cross, St. Mary's in Texas, and Rutgers. Harvard students launched a demonstration challenging their institution's color-line policies in sports. They then organized a nationwide conference on the Cambridge campus to discuss the issues. Four hundred delegates from 65 colleges attended. The Harvard administration reacted quickly, banning games with any team that invoked the gentlemen's agreement. Boston University ushered in reforms in its sports program as did the University of Maryland. William Brooks, one of the NYU Black students involved in the demonstrations, captured the essence of what was happening when he commented that he felt "students are acting right in protesting this discrimination" and that what was occurring could have "national significance" and be a "step forward in the field of education."[47] The student action at NYU was making a difference throughout the country.

Finally, Violet students launched their boldest effort. Civil rights scholars continue to see the founding of the Congress of Racial Equality in 1942 as the birth of the "ins," in particular the use of the sit-in as a protest technique-a strategy widely utilized in the 1950s and 1960s. Actually, the sit-in had been employed before CORE: residents of Harlem used it against area public utilities companies in the 1930s; striking automobile workers used it in 1936-1937; and student protesters at NYU used it on the afternoon of March 10,1941. Waiting to greet the Faculty Disciplinary Committee when it reached the fifth floor of the Washington Square main administration building for its meeting to review the suspension of the student seven were nearly 150, peaceful sit-in demonstrators who were there to lend their support in favor of reinstatement. The student press contended that the entire student population of NYU, which numbered above 3,000, thought that the punishment given the student seven was too severe and should be reversed.[48]

The Faculty Disciplinary Committee disagreed with the students. The NYU

47. "NYU Students in 'Sitdown' for Suspended 7, "Daily Worker, 11 March 1941, 8: "Discipline Committee Suspends Seven Students For Semester; Faculty Upholds Action by 66-6 Vote; independent Group Formed for Reinstatement." *Washington Square Bulletin*. 13 March 1941, 1-4; *Daily Worker*, 19 October 1940,8: 4 November 1940. 8; 12 February 1941, 8: 24 April 1941, 8; Spivey, "The Black Athlete in Big Time Intercollegiate Sports. 1941-1968," 119-120.

48. Ibid.

faculty was on most issues quite conservative, including the question of Jim Crow in the sports program. When asked for their opinion about the gentlemen's agreement and the fate of the student seven, the typical faculty response was: "I don't know enough about the situation"; "I am in no position to express a judgment"; "I believe I am entitled to hold my own opinion"; "I don't think the matter warrants discussion;" "What suspension, I haven't heard much about it"; and "It is not for the faculty to decide." This abdication of authority on the part of the faculty was upsetting to the *Bulletin* which conducted a survey of the professors and concluded that they were either afraid or ignorant of the facts. The disciplinary committee had what it considered to be the facts and was not hesitant to render an opinion. The committee suggested that the protest movement was the result of misinformation and the influence of instigators from outside the University community. Specifically, the committee found that the student seven had, despite a warning from the dean's office that they desist, willfully dispersed untruths about the athletic program when it said that the Negro members of the two mile relay team were banned from the Washington meet. The committee pointed out that the three colored athletes in question were not members of the two mile relay team and that a statement from the head track coach, Emil Von Elling, supported this fact. Two of the athletes were members of the one mile relay team and the other was a sprinter. The committee was technically correct but avoided the more pertinent issue that, in fact, the three athletes were barred from the track meet because they were Black. Mervyn Jones, one of the student seven, spoke before the committee and remarked how it was hardly fortuitous that the suspended students were members of organizations that had consistently fought Jim Crowism at NYU. According to Dean Baltzy, however, chairman of the disciplinary committee, "There has been no racial discrimination at New York University. The reverse is true. Yet individuals and organizations persistently raise the cry of racial discrimination and raise it in leaflets of the most sensational character, designed not to calm passions but to stir them." Chairman Baltzy further added that it was his belief that the protest movement on campus was the result of outside agitators. "It is a well-known part of the policy of Communist organizations," he concluded, "and it is very clear further that those organizations are acting under instructions of an authority which is in itself in alliance with that government which above all others is hostile to racial equality."[49] The suspension of the seven was upheld.

The position of the administration with respect to the University's sports programs went unchanged for the time being and the school's athletic teams continued to honor the gentlemen's agreement. In the 1941 football season, the Violets once again battled Missouri. Ironically, Len Bates would have been allowed to play against the Tigers this time since they were the visiting team and the game was being held in Yankee Stadium, but he had suffered a severe shoulder injury earlier in the season and was unable to play for the remainder of

49. See Dean Baltzy's statement. "The Discipline Committee Says," in *Washington Square Bulletin*. 13 March 1941, 1-2.

the year. At any rate, football was curtailed at NYU after the 1941 season for the duration of World War II. [50]

The war impacted on public consciousness and on the commitment to reform. The modern Civil Rights Movement emerged in the post-war years and flowered in the 1950s and 1960s, bringing profound changes to American race relations, even within athletics. The students’ protest at New York University during 1940-1941 had been a harbinger of that movement.

50. Leonard Bates, interview, 2 June 1988; *Violets Yearbook* (1942), 124-132; “NYU is Crushed by Missouri,” *New York Times.* 9 November 1941, Sect. 5, 3.