

THE ELEANOR ROOSEVELT PROGRAM

December 29, 1950

Description: In the opening segment, ER and Elliott Roosevelt respond to a listener's question about why the United States shoulders the economic burden abroad when there is still poverty at home. In the interview segment, ER interviews Roger Baldwin, co-founder of the American Civil Liberties Union.

Participants: ER, Elliott Roosevelt, Roger Baldwin

[ER:] Have you any interesting questions today, Elliott?

[Elliott Roosevelt:] I have a very interesting letter from a Mrs. Louisa Merrell of Cranford, New Jersey, and I think that in large measure it represents the thinking and the feeling of a large number of mothers in this country, and I think it is something that should be gone into rather deeply by all of us in our thinking. She has written in and has asked two questions: "Why does it always have to be the United States uh who foots the bill both with money and men? How long do you figure middle class people like myself are going to put up with it?" Course I don't think that she really means middle class people: how long do-- are any people going to put up with it? And then she goes on and says, "as for the needy of Europe, walk the back streets of any, yes, any town in the USA. Seems like we could use a little Marshall Plan right at home. Don't you agree?" (1:08)

[ER:] I don't like that kind of thinking. I never have. Um it is true that in any of our big towns we can find people who are in need. Uh the only countries I've ever been in where I've found uh no need, no real need, no slums were the Scandinavian countries. There are no very rich people or very few very rich people and no very poor people. And um perhaps it is that we have not yet learned though I think we've made great progress in our country how to establish for everybody a minimum. But, even if you establish a minimum on which uh people could live decently there are always some people who would not live decently no matter what you did. [Elliott Roosevelt: Mhm.] uh we've seen that in our own community and um it's very difficult. I don't know how it is so well-accomplished in the Scandinavian countries except that I think there is uh some very strict supervision. I think there is a good deal of uh obligation to do certain things in the homes uh that perhaps we don't enforce to the same extent here.

[Elliott Roosevelt:] well, do you not think that uh-uh following our trip to the Scandinavian countries that in large measure the ability to overcome the slum uh conditions goes back to uh an educational system uh a system that they stress in the schooling of the children on uh hygienics and on cleanliness and on uh all of the things that go into the makeup of a home and of pride in one's home.

[ER:] Yes, I think that's true. I think there is a great deal done um in those countries perhaps uh perhaps it's a little bit more um of socialism than we have in this country.

[Elliott Roosevelt:] Not necessarily socialism, it's more of a training of the importance of the home, uh the importance of the community and the- and the part that each individual plays in the community life. I don't think that necessarily means [ER: Socialism.] socialism. (4:10)

[ER:] Well, it may be - it may be that, and it may be too that um they work more closely together because there are not such big differences, that there are not really a great many very rich people in those countries. I mean someone is really well off um who has rather a moderate standard of living.

[Elliott Roosevelt:] Well, I-I'm not quite prepared to agree with you completely on that because uh I know of certain people that come from Scandinavian countries who are immensely wealthy.

[ER:] Well, but that is rather few, dear. When you think that-- I was thinking-- you know Miss Eckman who uh helped Tommy [Thompson] a great deal, who was assigned to us from the Scandinavian-American Society, [Elliott Roosevelt: Yes.] and arranged a great many things. Now I would say Miss Eckman had a -- [ER coughs] was extremely well-educated, was a charming person but she lived uh very simply eh and- and yet she-she belongs, I'm sure to uh um uh to uh very good people, I mean really good people. [Elliott Roosevelt: Mhm.] And I think she is characteristic of a-of a great many people, of a great number of people. Uh she's just been over here sent by her society for the Scandinavian-American dinner and uh I've seen her two or three times, and she's been much impressed by things that she has seen here and enjoyed them very much, but um I couldn't help thinking, as I was talking to her here the other night at dinner, um how-how typical she was um of a very large number of people in those countries and I think perhaps there is still um too-too much um too wide a gulf in-in too great numbers in this country and that's what--

[ER and Elliott Roosevelt overlap]

[Elliott Roosevelt:] Well, of course, I'm- I'm inclined to disagree with this lady for a very simple reason that uh in the span of the last twenty years in traveling around the United States, I have seen uh a large portion of the population for instance the sharecropper of the South, the small farmer of uh all the Southern states. Their whole standard of living has risen tremendously. [ER: Well, I think it has risen.] I've watched the-- I've watched the standard of living and the way of life of people in the steel districts and the coal mining areas and the uh large industrial towns such as Detroit uh and the difference between today and twenty years ago is simply fabulous.

[ER:] Well, I-I feel that same way. I feel that um while what she says is true, that you see here--

[Elliott Roosevelt:] There are sore spots.

[ER:] There are sore spots, but on the whole when you drive through our countryside you see more television sets and there are practically-- there are none in the Scandinavian countries. You see more of-- we take for granted, I'll put it that way, we take for granted more luxuries than almost any other country in the world. (7:40)

[Elliott Roosevelt:] We-we make luxuries into necessities in this country which would be unheard of in other countries.

[ER:] And that is what I really think is not often appreciated, and when there is a feeling that uh we are asked to contribute too much, we do not realize that what we are asked to contribute is for the repair of war devastation which we were saved from because our country was not actually bombed in the last war, and our cities are still intact, and when this lady says uh, "Will we stand to help other parts of the world," I think she hardly realizes that when we help other parts of the world, we help ourselves, because every-- our need, is for markets for our products. We're a big producing nation and it is imperative that we have markets. And it's only by making it possible for other parts of the world to buy that we are going to have markets. And so I-I personally feel that she does not realize that she was not just being asked to give, she was being asked to help develop the well-being of the other countries so that her children and grandchildren might have a better chance to hold to the standards that have been built up.

[Elliott Roosevelt:] All right, well, now, in in just for one minute, I'd like to refer to the first part of her first question about men. It is true that we are providing the largest portion of the manpower [ER: But it is--] that is represented in the UN forces today.

[ER:] Yes, but you must realize that this is the first time that we haven't been able to wait till the war had gone on for a long time, and that we have had to be on the firing line at the beginning. Before we've always come in to "clean-up" and we've been essential to the winning.

[ER and Elliott Roosevelt overlap]

[Elliott Roosevelt:] Do you feel that uh before we have been slow to get into the fight?

[ER:] Get into it. Then we carried our full share.

[Elliott Roosevelt:] Yes, but it is true that uh we made the preparations, we got in full-scale. Do you feel that the other nations are getting ready and are getting into-into this thing in their full share? Do you think they're going to be prepared to do it in shortest possible time?

[ER:] I don't think they are uh, perhaps, uh able to do it, and that's one of the-- one of the difficulties today. That no one has fully recovered from the last war, and that we are the ones who are the most recovered.

(Break 10:33-10:48)

[ER:] Civil liberties and human rights are the prerogatives of everyone in the world. They're issues being widely discussed today both in and out of the United Nations. My guest this afternoon is the distinguished champion of human liberty, Mr. Roger Baldwin. I'm very glad to have you here, sir.

[Roger Baldwin:] Delighted, Mrs. Roosevelt.

[ER:] Before we get into our discussion, I would like to tell you a little bit about Mr. Baldwin. In 1918 he helped to found the American Civil Liberties Union, and for thirty years was its director. On January 1st, 1950, he resigned his post there to become Chairman of the International League of the Rights of Man, which is now recognized by the United Nations as the special consultative agency in its field. In July of this year, Mr. Baldwin went on a globe-girdling tour to study the conditions of human liberty in such trouble spots as Germany, the Near East, Southeast Asia, and Japan. He must be one of the few people who could tell us something about why we are in the situation we are in today. His most recent publication is a pamphlet: *Human Rights: World Declaration and American Practices*. And now, Mr. Baldwin, as you know, I have been Chairman of the United Nations Commission on Human Rights uh for-- well right ever since the beginning.

[Roger Baldwin:] No other the chairman.

[ER:] No other Chairman so far [Roger Baldwin: We hope not.]. We expect one soon, however. I expect the next meeting we'll have a new Chairman. [Roger Baldwin: I trust not.] There the discussion of human rights and freedoms is a never-ending subject of interest. As a founder and guiding spirit of the American Civil Liberties Union for many years, I'm sure you can tell us very simply just how civil liberties and human rights are related.

[Roger Baldwin:] Human rights, Mrs. Roosevelt, is a big phrase and covers a good deal more than civil liberties. Every right that a human being claims for himself or herself would be called a human right. But the heart of human rights, I think we everybody will agree, are those civil liberties which we associate with our Bill of Rights and our Constitution and which people all over the world associate with their demands for freedom of speech, press, and assembly, for a fair trial in the courts, for freedom of religion, for those liberties which are the heart of democratic progress. And they are I'm sure your Commission will agree, and as already indicated by the work of the Commission, the heart of your own efforts.

[ER:] Yes, I think that's true but we are having a little difference of opinion, and you as a representative of the many non-governmental organizations which have been aiding in this pioneering work as United Nations consultants you know that we have differences of opinion, even between the non-governmental agencies.[Roger Baldwin: We do.] and those of us who represent governments. How much understanding do you think there is throughout the world of what the United Nations is attempting to do?

[Roger Baldwin:] Uh I have found in my travels that the United Nations' efforts in this direction are much more understood than I had assumed. The United Nations hasn't gained a sufficient strength among the peoples of the world to be looked upon with great hope as yet, but there is evidently a vast faith that somehow or other, this international organization can help to realize those freedoms against all of the autocratic controls which have afflicted the world for so long. And as you know, far better than I, the United Nations was in receipt I think last year of over forty thousand letters and petitions from all over the world. People who had grievances which they thought the United Nations somehow or other could settle. (15:00)

[ER:] And which unfortunately we couldn't do anything but just answer and note because we have no machinery.

[Roger Baldwin:] Exactly, but um there is evidently a yearning for um the uh United Nations to handle these problems of law uh in a world in which we are afflicted by a power struggle and by force on all sides, and in which people somehow or other think there is going to be faith in uh in uh a United Nations action. And I want to ask you, Mrs. Roosevelt, since you know more about this than any of us non-governmental organizations, how you size up the tendencies in the UN toward drafting a really effective set of rights which can be made uh practically real by committing the UN to handle complaints of violations and some machinery for-for getting them corrected?

[ER:] Well, of course, you know very well that as government representative I have had to tell the non-governmental organizations a number of times that I thought we would have to go rather slowly. I think that, however, there is more feeling today that it is possible to set up machinery um which can soon reach the point where uh individual complaints can be received. The steps will have to be I think first as we originally said complaints of one nation against another, which is most unsatisfactory, because an unfriendly nation will complain frequently whereas a friendly nation will not like to complain against another. But then there is already a mandate to study the-the having organizations, international organizations, can-uh study um how they can come in as complainants. And then to proceed to the study of what can next be done. I don't think that nations are ready yet to sign even uh actually uh for that kind of implementation. I'm afraid if we put it in the first Covenant, the completed implementation, [Roger Baldwin: Yea.] um that we will have fewer signatures than if we um do it step by step and take, let us say, a couple of years before we come to the full implementation. Implementation as you know, is-is, of any kind is opposed by the whole Soviet bloc.[Roger Baldwin: Of course [unclear].]Their -their desire is only for uh enforcement by the country concerned which is a little difficult when you come to complaints by a citizen of that country of its own country. That is so. [ER laughs] um We're not going to get I'm afraid uh any signatures from that area.

[Roger Baldwin:] Well, of course, that raises a question which uh as you know long debated, whether its better to have a Covenant with a few signatures and get something started that's really effective or to perhaps weaken it and get more signatures.

[ER:] Well, the trouble is that many of the countries that are the countries that have the most human rights are the countries that I doubt would be able to sign if you start with um too strong an implementation machinery. I think they have to get accustomed to the idea, and I find that even among countries which all of us consider -- I'm not talking about my own for a moment -- but some of the other countries that we feel have all the civil liberties that we consider to-- that we have had [Roger Baldwin: Yes, certainly.]. And uh I'm afraid that step by step is wiser though we have been given a mandate by this General Assembly. We haven't yet-- it hasn't yet uh uh gone beyond the point of being in the Committee. But the Committee has given us a mandate to put into the first uh Covenant so many things in the five weeks of our next meeting that I don't really know how it's to be done at all.(19:35)

[Roger Baldwin:] I happen to be one of the impatient people outside of official responsibility, Mrs. Roosevelt, [ER: I know]) so I'd go further perhaps and I-I-I would point out that that I think the world is a little closer to getting an effective system of enforcement of rights than perhaps some of our friends in the UN think. After all, there are one thousand international, over one thousand international organizations today, ninety recognized by the UN, and I think one could trust them to prepare petitions that would have a reasonable basis and would express the grievances of these people who sent in, say forty thousand complaints last year.

[ER:] I think it could be trusted. Um my difficulty is in wondering um how much responsibility some of the nations that want to go the furthest but that have the fewest rights at present are actually uh going to accomplish when they sign because they seem quite ready to sign. But when you say, well how is this going to be accomplished, they also seem totally indifferent.

[Roger Baldwin:] Well, of course, that's true. The gulf between practice and precept is very wide in so many areas, but we've got to begin of course with a piece of machinery that uh we think will work.

[ER:] Well, now we have to stop just for a few minutes and then we'll go on again. [Roger Baldwin: Alright.] (20:55)

[ER:] Mr. Baldwin, you just said that you felt we must set up a good piece of machinery and um uh get started with something that was really uh good. My feeling, of course, is that um you must be sure if possible that you don't go so far that nations who sign um who have never perhaps experienced any of these rights will actually sign without doing anything. Now I was talking to one of the representatives of a country the other day who has been urging us to put everything possible into this first Covenant, I mean all the social and economic rights, the cultural rights, um implementation down to the individual complaint and so forth, and um she was particularly interested in the fact that everything should be-- that we should say definitely that men and women should be equal in everything and uh I discovered that in her country um women don't even have a vote and they have not had many equalities in-- and I've asked how, when there was so little of the type of-of thing, how economically this was to be carried. And it seemed to me to have very little understanding of the fact that when you sign the Covenant in the form of a treaty um you actually had to do what the Covenant said you would do.

[Roger Baldwin:] Well, this illustrates of course a very happy ambition on the part of the so-called "backward peoples." And I should think though that a minimum condition for getting human rights enforced throughout the world, or making a beginning of enforcement, would be to have access to the United Nations by people who have grievances, petitions screened, perhaps, by the non-governmental organizations which are recognized by the UN and which are responsible or screened by uh an Attorney

General operating for your Commission or for the General Assembly, and then using the UN machinery to handle these uh petitions and grievances and ultimately I suppose a world court to pass upon them.

[ER: Well--] I should think that would not be too difficult? And you know the history already.

[ER and Roger Baldwin overlap]

[ER:] At the present time -at the present time, of course, we haven't envisioned a court. We've envisioned a committee of human rights to be chosen from a panel. [Baldwin: I know] And um eventually I supposed one might hope -- or might come to the point where one could have a court. But I personally would like to see us do a much more modest document which had a-a chance of actually being um put into practice in most of these --in most of the countries of the world. Um because I'm afraid if you put too much in, you get so few ratifications and the value even-- the value of the Declaration was education, but even of a Covenant, which has to be put into law, the value is education [Roger Baldwin: Yes of course.] just for that point.

[Roger Baldwin:] Well, I think most of the non-governmental organizations that have been working with you feel pretty strongly that the right of private petition, through organizations not through individuals necessarily, is a fundamental requirement for a good covenant. And that uh some machinery then of examining these petitions should be set up. I agree with you that we can't go too fast and get general acceptance, but those I think are um indispensable.

[ER:] Well, [Elliott Roosevelt: Mother.] I think perhaps [unclear]--

[Roger Baldwin:] I'd like-I'd like to interrupt just a minute. Don't you think that one of the things uh we're most concerned about is what we can get approved by our own Congress.

[ER:] Well, that, of course, is one of my-one of my uh deep concerns as a representative of government. (25:04)

[Roger Baldwin:] Well, of course, Mrs. Roosevelt has to as a representative of the American government think what she can get through her own country but we've just had a genocide convention ratified by twenty-five nations in the world and more are going to do it and the United States has not yet ratified, yet its in effect.

[ER:] You know why. You know why.

[Roger Baldwin:] Yes I know why, of course.

[ER:] You know why. Well now, um that is-that is one of the um uh that is one of the things that troubles me very much you see, our non-governmental organizations in this country um want very good things, but you can't get it through Congress uh we lose our we lose any possibility of leadership and I doubt if the thing is as strong in the world as a whole if the United States is not there.

[Roger Baldwin:] I agree with you, but I think in the first place the Genocide Convention will be ratified by the United States Senate. It has an enormous body of support, official and unofficial behind it, and the fears which some of the lawyers have expressed, that it's going to invade our domestic jurisdiction or that some of the Southerners have expressed that it'll be misused in relation to the race problem in the United States can be dissipated because they are not real. And other nations with the same kind of problems have ratified, and I feel that um we've got an educational job to do here and ought not to stop the Covenant

[ER: Of course--] or with the Genocide Convention just because of our own difficulties.

[ER:] Of course the Genocide Convention has no federal-state clause.

[Roger Baldwin:] But they've got an explanation, a reservation, an understanding which the Senators have introduced in their report which does make an exception about it. At least they ratify with the understanding that it's in accordance with our constitutional requirement.

[ER and Roger Baldwin overlap]

[ER:] Well they -- well, of course, that's the same thing, I suppose. Well uh do you um-- what do you understand would be the means that would be taken to punish this international crime of killing people wholesale because of their race or religion?

[Roger Baldwin:] That's uh one of the misunderstandings that we've meant in the uh Senate uh debates in committee on that. They think that in international authority is going to invade the United States and punish people who may commit genocide. We've never had a case of genocide in the United States. They've had them in India between the Muslims and the Hindus recently, they threatened in Korea. I suppose they exist in Korea with the attempted extermination of Korean Christians, at least that's what the South Korean government has said. We do have instances, elsewhere, but not here, and the uh fear that the United States is going to be hauled before an international community and tried for that crime is entirely outside the bounds of reason.

[ER:] Well now, do you think that it could be uh that any um effort at genocide could be stopped uh by international action short of war in the future?

[Roger Baldwin:] Yes I-I-I suppose that's a very considerable question but under the Convention the crime is to be tried under the laws of the particular country in that country. And if it is not punished, it then goes to United Nations for action by United Nations agencies, which is no more than at present. Uh I don't think that necessarily you have to have a world war or even civil war out of the kind of genocide that's going on in India today or has been going on in India recently between Muslims and Hindus.

[ER:] Well, now you've spoken of a number of obstacles that you've encountered in trying to get this over in the Senate. Are there any others that you've found that are important?

[Roger Baldwin:] Two important ones are the fear of the Southerners, or some of the Southerners, that it may be misused in the United States, although it couldn't be because it would be under American law, that can be explained away. And second is that uh it will invade the state fed- jurisdiction, federal law invading state jurisdiction. Now all treaties, I understand, I'm not a lawyer, all treaties do invade the state jurisdiction because they become obligations of the United States, and in that field, when we make a treaty, if the crime of genocide conceivably could be committed in the United States, it would be one for action by the federal government.

[ER:] But you see, uh I happen to have some of the very good constitutional lawyers in the State Department, one in particular, Miss Marjorie Whiteman, sit behind me. She tells me that a treaty does not become the supreme law of the land until it is accepted, and that a treaty which is not constitutional cannot be accepted and that no treaty will be considered constitutional which does not have a federal-state clause.

[Roger Baldwin:] That sounds like a good lawyer's argument [ER laughs].

[ER:] That's why I give it to you! As it was given to me.

[Roger Baldwin:] I think it's probably a correct statement, but since the Genocide Convention depends for its enforcement a law passed by the United States not upon the uh action of any other government or of the United Nations we can write our own ticket.

[ER:] I see, well now do you think that our position, the position of the United States throughout the world, is uh affected by our reluctance to ratify?

[Roger Baldwin:] I do, and I have been surprised in my travels abroad recently to find the degree to which the United States is criticized on the very grounds we are discussing, that is a denial of human rights. Our race practices are almost gleefully seized upon by critics who want to pull down the big fellow, the big United States, who they think is presuming to teach the rest of the world. And they say how about your own practices at home, and they point to certain other discriminatory acts and legislation in the United States. But every step we take toward correcting our racial mispractices in the United States, every step we take like ratification of the Genocide Convention. The hearty reception which your Universal Declaration of Human Rights got in this country and it was extraordinary, even recognized by courts, does increase our credit throughout the world.

[ER:] And I now see that my time is up-- our time is up, and I want to thank you so much for being with us today.

[Roger Baldwin:] Well I'm delighted, Mrs. Roosevelt, for the opportunity.

(31:31)

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