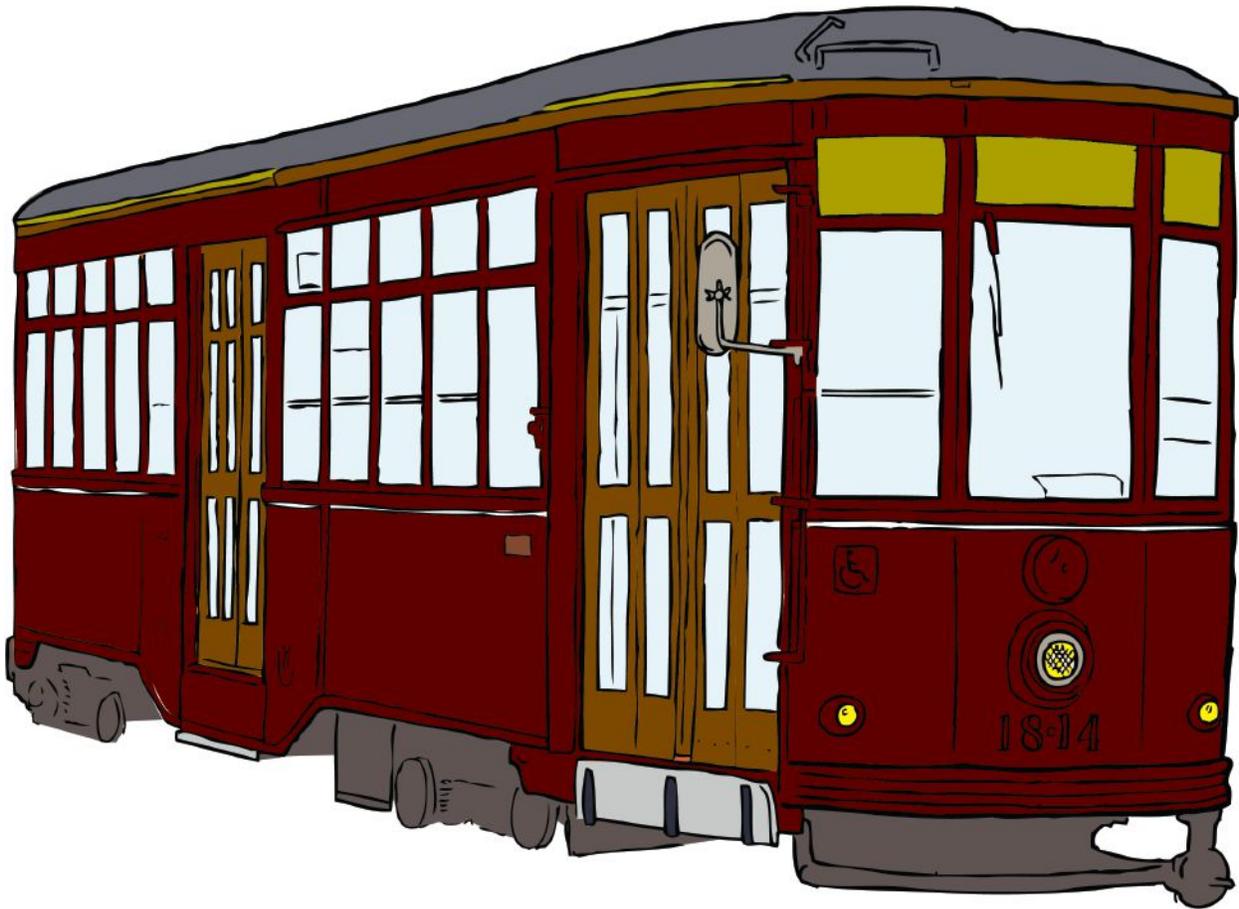


75 YEARS LATER:

The Philadelphia Transit Strike of 1944

By Patrick McKnight



Popular history often places the beginning of the modern civil rights movement in the 1950s. Historians correctly cite *Brown v. Board of Education* in 1954 and the Montgomery Bus Boycott of 1955 and 1956 as landmark events in legal history. Fewer people may appreciate the significance of a different sort of boycott a decade earlier. This often-forgotten historical drama didn't occur in the Deep South or before the Supreme Court. It happened on the streets of Philadelphia. Seventy-five years ago, the failure of the Philadelphia Transit Strike helped build momentum towards later, more widely remembered civil rights victories.

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Philadelphia Goes to War

1944 is remembered for many of the most pivotal battles of the Second World War. There is a wealth of information about the legendary Normandy Invasion, the Battle of the Bulge and landings in the South Pacific. Here in the Delaware Valley, Philadelphia was playing a critical role in the war effort. Philadelphia was the third-largest manufacturing city for United States war production. The Navy Yard alone employed nearly 60,000 workers. Philadelphia factories worked around the clock to keep up with the insatiable demand for ships, planes and other crucial equipment for the war.

Although America was fighting tyranny overseas, some African American leaders increasingly questioned racial inequality at home. The “Double V” campaign sought victory over both the Axis Powers abroad and discrimination at home. Some estimates suggest over 90% of African Americans actively supported this campaign. African Americans served in segregated military units in World War II. The Tuskegee Airmen are the most famous example, but other units, such as the 92nd and 93rd Infantry Divisions also served with distinction during the war.

The Strike

On Aug. 1, 1944, eight Philadelphia African Americans were promoted to streetcar motormen for the first time. This prompted a strike led by white transit workers who opposed the inclusion of the new black operators. The strike crippled the city for six long days. Just a few weeks after D-Day, Philadelphia’s factory workers suddenly had no way of getting to work.

The strike was only broken when the federal government used the Smith-Connally Act to send 5,000 soldiers into the city. Fairmount Park became

a temporary military encampment for federal troops. Strikers were told they had to return to work or lose their draft deferments. The entire episode was a high-profile incident which undercut America’s image as a defender of freedom. It also resulted in a drastic reduction in war production at a critical time.

Despite the concerns of all-out riots, the city remained generally nonviolent during this embarrassing ordeal. Philadelphia Mayor Bernard Samuel closed all establishments selling alcohol and deployed extra police. The NAACP worked diligently to maintain the peace and even distributed over 100,000 posters reading, “Keep Your Heads and Your Tempers! ... Treat other people as you would be treated.”

Although there was sporadic racial violence, most accounts seem to agree that the majority of Philadelphians opposed the strikers and their demands. The federal troops left on August 17, and the number of black transit employees in skilled positions continued to increase. The four men who led the strike were fired and arrested.

Discontent Spreads in 1944

Unrest wasn’t confined to Philadelphia during the summer of 1944. The Port Chicago disaster in California was a prominent example. Unfortunately, this event involved significant loss of life and the “mutiny” of hundreds of African American servicemen. Three hundred twenty soldiers and civilians died in the Port Chicago tragedy. Dangerous munitions exploded while being loaded onboard a Navy cargo ship. Most of the dead were African American sailors working under the direction of white officers. Unsafe working conditions provoked a subsequent strike where 50 men were convicted of mutiny. Thurgood Marshall led the effort to appeal these

convictions. By 1946, most of these men were released and honorably discharged.

Later in 1944, a full-scale race riot broke out among Marines on Guam. Forty-three Marines were court martialed and convicted. These convictions were overturned shortly after the war, once again by legal challenges launched by the NAACP. Many historians believe these events helped motivate the eventual desegregation of the U.S. military in 1948.

What Does 1944 Mean in 2019?

These largely forgotten events undercut the image of 1944 as a year of national solidarity at home and patriotic victories abroad. Instead, they paint a more complicated and painful image of a nation divided. These stories remind us of the ugliness and complexity of America’s history of inequality. Yet, these events can also provide us perspective on the divisions and animosity which appear resurgent in 21st-century America.

The unrest of 1944 suggests that although the problems of today aren’t new, neither are they intractable. The rule of law has the power to nonviolently overcome injustice. The legal process may not always be smooth, quick or pleasant, but lawyers who are willing to lead the effort can have a tremendous and long-lasting impact.

How far have we really come in 75 years? Surely not far enough. But just 10 years after the Philadelphia Transit Strike, when an army was required to overcome racism, Philadelphia lawyer William T. Coleman Jr. was helping Thurgood Marshall win *Brown vs. Board of Education*. Thirteen years after that case, Marshall became the first African American Supreme Court justice. Progress has indeed been far too slow, but important legal victories deserve to be celebrated.

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America has two great legal principles, both of which were born largely out of Philadelphia history. The first is equality, an unsatisfied ideal that continues to motivate a new generation of young lawyers today. The second is the rule of law, the principle that justice doesn't depend on violence or coercion. It's easy to forget how many nations today have yet to embrace either of these principles. The fact that many Americans take them for granted is both a symptom of progress and a great cause for concern. The Declaration of Independence, the

Constitution and Philadelphia's role in the civil rights movement all demonstrate our city's unparalleled legacy in furthering both of these principles.

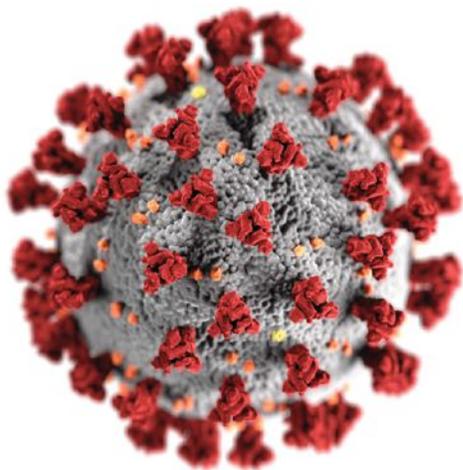
Conclusion

In an era too often defined by partisan animosity, lawyers are uniquely placed to fight for justice and civility. These are not political issues. Today's leaders can't make informed decisions without understanding the lessons of yesterday. Many of these historical truths can be

complicated, unsavory and unsettling. But that's exactly why they're so important. Understanding Philadelphia's local legal history can make us better citizens, better lawyers and better leaders. Seventy-five years later, we still have plenty of work to do. ■

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Have an Ethics Question?



The spread of COVID-19 has caused major disruptions among lawyers, the courts and our clients. Nevertheless, lawyers are still bound by the Rules of Professional Conduct. Are you prepared to address the ethical issues that may arise in this rapidly changing legal landscape? The Philadelphia Bar Association's Ethics Hotline is a free confidential service for Pennsylvania attorneys. Call 215-238-6328.