

Civic and Political

CIVIL LIBERTIES

DURING 1949-50 the United States Government continued and intensified its efforts to root out all evidences of Communist and other subversive activity.¹ These efforts, which were pursued on federal, state, and local levels, took two main forms: 1) investigations of loyalty and new requirements for affirming loyalty to the United States and non-membership in Communist groups; 2) legislative and administrative proceedings to expose subversives and remove them from certain posts. These measures were augmented by other activities of private associations and individuals designed to expose Communist elements and elicit affirmations of loyalty.

Criticism of Loyalty Investigations and Oaths

These activities evoked considerable criticism from many liberal anti-Communist groups and individuals on the ground that, in the legitimate attempt to strengthen internal security, they jeopardized the basic liberties of all Americans. Many of the critics asserted that the same ends could be achieved without unduly restricting freedom of thought and expression. In the case of certain legislation, it was not so much the intent of some measures that was condemned as their implications and loose wording.

In other instances the entire legislation was deemed to violate basic liberties. Some questioned that a "clear and present danger" from subversive elements existed to an extent warranting drastic measures. Others sought to differentiate between subversion and political dissent. Perhaps the severest criticism expressed by liberal as well as by some conservative anti-Communist forces was directed at certain activities of individuals and private groups, who in their zeal to expose Communists and fellow-travelers allegedly wronged innocent individuals and contributed to the creation of an atmosphere of hysteria, suspicion and fear. This was a situation which many observers of the political scene deemed to be more dangerous to American democracy than the activities of the subversive elements the protective measures were designed to combat. Many of these points were made by President Harry S. Truman in his August 8, 1950, message to Congress in which he asked for certain moderate measures against subversives and warned against extreme legislation which, he said, would bring more harm than good.

¹ Because important civil liberties developments followed the outbreak of war in Korea on June 25, this section refers to relevant events after June 30, 1950, the end of the period under review in this volume.—Editor

All of this controversy, in the opinion of many, highlighted one of the most thorny problems facing American democracy in the post-World War II era: how to guard against subversion from within without depriving Americans of their civil liberties. The transformation of the "cold war" into armed conflict in Korea in June, 1950, necessitating still greater internal security measures, only served to heighten this dilemma.

Following is a review of the principal anti-subversive activities of the year, from the point of view of their bearing on problems of civil liberties.

Loyalty Investigations and Oaths

The investigation of the loyalty of Federal employees, begun in 1947, showed the following situation as of August, 1950: Of about 2,500,000 persons employed by the Federal government or applying for such employment, 273 had been actually dismissed from or refused employment because their loyalty was in doubt. Loyalty boards had settled 8,392 cases and had cleared 7,906 persons. Criticism of the program continued on three main grounds. First, it was pointed out, hearings were secret, no public record was made of either the proceedings or the decisions, the accused persons could not directly cross-examine informants, and informants did not testify under oath and were not identified. Second, it was claimed, some local review boards often show racial or religious bias. Finally, it was argued, the program inhibited free thinking and expression by Federal employees.

BAILEY CASE

The Federal loyalty program was challenged in the courts by Dorothy Bailey, who, after years of admittedly competent service, was suspended in 1948 when her loyalty was found to be in reasonable doubt. She was ordered discharged on February 11, 1949. Miss Bailey brought suit in Federal court to challenge the entire program, but her dismissal was upheld on July 28, 1949. In the United States Court of Appeals her dismissal was again upheld, on March 22, 1950.

Several other challenges failed in the lower courts, one (*Washington et al. v. McGrath et al.*) being of special interest because of the charge of racial and religious discrimination. Twenty-six Postal Department employees, including twelve Negroes and eight Jews, charged that such discrimination lay back of their dismissal because of doubtful loyalty. They lost in a federal district court, whose decision was upheld by the United States Circuit Court of Appeals, which on April 17, 1950, rejected the claim of discrimination and upheld the constitutionality of the program. The discharged employees asked the United States Supreme Court to review the case, but the Court had not acted on the request by October, 1950. Four of these loyalty cases, including Miss Bailey's appeal, were argued before the United States Supreme Court on October 10, 1950, but had not been decided by October 15, 1950.

TAFT-HARTLEY OATH

Meanwhile, on May 8, 1950, the Supreme Court upheld by a vote of 5 to 1 the constitutionality of the requirement, under the Taft-Hartley law, that trade union officials sign non-Communist affidavits. The Court was evenly divided, however, on the constitutionality of the second part of the oath in which signers were required to state that they did not believe in, and were not members of organizations which advocated the overthrow of the government of the United States by illegal means; this part of the law was therefore also upheld. The oath's validity was upheld by the Court in another case on June 5, 1950.

STATE AND LOCAL ACTION

On the state and local levels many laws were enacted which required oaths of loyalty from public employees or elected officials.

A New Jersey statute passed on March 30, 1949, required candidates for elective public office to sign a special loyalty pledge. The Progressive party candidate for Governor, James E. Imbrie, refused to sign and brought suit to have the law voided. After being upheld in a lower court, the oath requirement was declared unconstitutional on October 19, 1949, by the Appellate Division of the New Jersey Superior Court, on the ground that by this added pledge the legislature had unconstitutionally amended the oath as prescribed by the state constitution. This decision was appealed to the Superior Court, which upheld the Appellate Division on January 9, 1950, but did not yield to a request to rule whether or not the oath violated freedom of speech and due process of law.

In Maryland the Ober law, which became effective on June 1, 1949, required an anti-Communist loyalty oath of teachers and public employees, and prohibited their membership in organizations held to be subversive. On August 15, 1949, a state court judge ruled that the law violated the Bill of Rights of the United States Constitution, but the state Court of Appeals held on February 9, 1950, that the constitutionality of the law was not at issue, because the persons who brought suit were not actually threatened with prosecution under the statute, and had not violated and were not clearly about to violate its criminal provisions. On March 1, 1950, the United States Supreme Court denied a motion asking that the law be temporarily voided; it therefore was effective pending a decision on the appeal from the Court of Appeals ruling of February 9.

Internal Security Act of 1950

The most important anti-Communist law enacted during the year was the Internal Security Act of 1950, passed on September 23, 1950, over President Truman's veto of the day before. The act provided for the registration of the Communist party, Communist "action" and Communist "front" organizations, the listing of their officers, sources and use of funds, and the listing of all the members of Communist "action" organizations. The Internal Secur-

ity Act gave the President authority in time of war or national emergency to order to detention camps Communists and other persons held to be subversive; and it prohibited agreements "to perform any act which would substantially contribute to the establishment within the United States" of a foreign-controlled dictatorship. The act contained other provisions designed to label Communist propaganda, exclude Communist and other "totalitarian" aliens from the country, and strengthen the government's power in matters of internal security. It was the registration, detention camp, and "foreign-controlled dictatorship" provisions which stirred the greatest controversy.

VETO MESSAGE

In his veto message President Truman asserted that the measure would help Communists rather than hinder them, would "weaken our existing internal security measures," would "seriously hamper the Federal Bureau of Investigation and other security agencies," and would "help the Communist propagandists throughout the world" by making a "mockery of the Bill of Rights and of our claims to stand for freedom in the world." He added that the result of the law "could only be to reduce the vigor and strength of our political life—an outcome that the Communists would happily welcome but that free men should abhor."

OPPOSITION TO THE ACT

Organizations and individuals with a record of hostility to the Communists and their "fronts," as well as many outstanding anti-Communist newspapers such as *The New York Times* and the *New York Herald Tribune*, joined President Truman in opposing certain features of the new measure as threats to civil liberty, and as an ineffective and unnecessary means for combatting Communism. Proponents of the measure, however, defended it on the floor of Congress as a necessary and just means of protecting the nation against subversion.

Prior to the passage of the Internal Security Act of 1950, Congress had already given the first statutory recognition to the Attorney General's list of subversive organizations. The Displaced Persons Act of 1950, signed by the President on June 16, 1950, contained a provision excluding aliens who had belonged to any organization on that list.

Congressional Investigations

As in the past, Congressional investigations raised civil liberties problems during 1949-50. Considerable attention was given to the investigation of charges by Senator Joseph McCarthy (Rep.-Wis.) that the Department of State was lax in its hiring and retention of Communists, fellow travelers, and sexual perverts. Much criticism was levelled at Senator McCarthy and his supporters for allegedly making wild and irresponsible claims, for refusing to admit errors and exaggerations, and for actually hindering the effective carrying out of the government's own loyalty check on Federal employees.

The Congressional investigating committee confirmed these criticisms in its report on July 17, 1950, in which the majority (three Democrats) asserted that Senator McCarthy's charges were a "fraud and a hoax," representing "perhaps the most nefarious campaign of half-truths and untruth in the history of the Republic." The two Republican members of the committee did not sign the report, and Senator Henry Cabot Lodge, Jr., of Massachusetts, made public his own report in which he called the investigation "superficial" for not having probed deeply enough, even though "many charges have been made which have not been proven."

SUPREME COURT DECISION

The United States Supreme Court, meanwhile, in effect upheld the right of Congressional committees to ask witnesses whether or not they were members of the Communist party by refusing on April 10, 1950, to grant a hearing to two of the ten movie writers and directors who had refused to answer this question before the House Committee on Un-American Activities in October, 1947, and who had been convicted of contempt of Congress.

PROPOSALS FOR PROTECTING CIVIL LIBERTIES

While the fundamental right of Congress to carry on investigations was not questioned, these specific investigations continued to stimulate criticism of excesses and brought forth several proposals for protecting the rights of persons under attack. Senator Scott Lucas (Dem.-Ill.) introduced a bill which had not been reported out of committee by the time Congress recessed on September 23, 1950. This bill gave persons attacked in the course of an investigation the right to file a sworn statement, to testify personally and in the presence of counsel to present four witnesses in their own behalf, and to cross-examine for at least one hour any witness who had attacked them. To prevent "leaks" by members of Congressional committees, the bill would also prohibit the publishing or presentation of a report until officially approved by the committee. The American Civil Liberties Union, however, found this bill did not go far enough, and suggested other means of safeguarding the reputations of persons and groups under attack. The use of such means had been proposed by others in previous years, and the most important of them were included in a report submitted by the Committee on the Bill of Rights to the New York City Bar Association on December 14, 1948.

State Legislation

The drive against alleged subversives was carried out on the level of local as well as Federal government. In New York State the Feinberg Law, requiring the dismissal of teachers belonging to subversive groups as defined by the Board of Regents, became effective on July 1, 1949. The Feinberg Law was soon challenged in three court cases and was held unconstitutional by two state Supreme Court justices, one on November 28, 1949, sitting in Albany, the other on December 14, 1949, sitting in Brooklyn. These deci-

sions, however, were overruled in the Appellate Division on March 8 and 27, 1950. It was announced that these decisions would be appealed further. Meanwhile, on May 3, 1950, the New York City Superintendent of Schools suspended eight teachers because they refused to state whether or not they were members of the Communist party.

Special efforts to secure loyalty oaths from teachers were made in California. In June, 1949, the Board of Regents prescribed an anti-Communist oath of loyalty for the members of the faculty and the non-academic staff at the two branches of the University of California. After months of opposition by representatives of the faculty, the Regents rescinded the loyalty oath and substituted a non-Communist clause in the contract for faculty members, which was opposed less vigorously by the faculty. A total of 156 teachers and administrative officers, however, did not sign the new contract, and the Regents, rejecting recommendations by a faculty board, voted to dismiss them. In October, 1950, confusion, disappointment, ill-will and fear were reported prevalent, with protracted litigation in prospect.

Municipal Legislation

Anti-Communist fervor in the wake of the North Korean invasion of South Korea in June, 1950, stimulated municipal legislation to curb Communists and fellow travelers. Birmingham, Ala., passed an ordinance on July 18, 1950, making it unlawful for any officer or member of the Communist party to remain in the city longer than forty-eight hours. The ordinance applied to persons who distributed literature put out by the Communist party or by any organization "controlled" by members of that party, and to persons who might secretly or privately associate with Communists. Ordinances requiring Communist party members to register with the local police were passed by McKeesport, Pa., on August 3, 1950; Cumberland, Md., on September 5, 1950; and Los Angeles, Cal., on September 13, 1950. On September 18, 1950, the city council of New Rochelle, N. Y., unanimously passed an ordinance requiring police registration for every member of the Communist party or of a "subversive" organization who lived, worked, conducted business in, or "regularly traveled through" that city. Commuters who passed through the city would not be affected, the Mayor said. However, a Jacksonville, Fla., ordinance making it a crime for Communists to reside within the city's borders was declared unconstitutional on October 3, 1950, by a state court judge. A similar ordinance in Los Angeles County, Calif., was likewise voided on October 7, 1950, and again on October 9.

Unofficial Action

Unofficial action to secure affirmations of loyalty from non-Communists and to keep alleged Communists and fellow travelers out of prominent positions, was frequently reported. A war veterans group in Hyndman, Pa., conducted a campaign in September, 1950, to secure loyalty pledges from persons

of eighteen years of age and over. The veterans' leader stated that mimeographed lists of signers of the pledge would be posted in public places.

MUIR AFFAIR

National attention was directed to an announcement made by General Foods Corporation on August 28, 1950, that Jean Muir had been dropped from the cast of a planned television serial after the company had "received protests from a number of groups" charging that she was a Communist or fellow traveler. The company stated that it was not "passing judgment on the merits of these protests," but that it could not afford to employ "controversial" personalities. A special committee was organized with the avowed purpose of purging the radio and television field of "pro-Communists" as listed in a privately issued pamphlet entitled "Red Channels." A large number of protests followed these announcements. Three weeks later General Foods announced that, pending a solution of the problem of charges of disloyalty against entertainers, it had temporarily suspended the execution of its policy of avoiding controversial material and persons. The statement added that it was not planned to rehire Miss Muir at the moment.

HARDYMAN V. COLLINS CASE

A court decision (*Hardyman v. Collins*) rendered in May, 1950, took on added significance with the invasion of Korea the following month. In 1947 a Democratic party club meeting in La Crescenta, Cal., called for the purpose of urging Congress to reverse the Marshall Plan policy, had been deliberately disrupted by a group of private individuals. The club members sued the disrupters of the meeting, charging interference with their Federal right to petition Congress. A Federal district court judge dismissed the complaint on the ground that the statute did not allow suits to be brought in Federal courts by private individuals whose Federal rights were violated by other private individuals. The United States Court of Appeals for the Ninth Circuit, however, in reversing this decision, on May 29, 1950, affirmed the right of individuals to appeal to the Federal courts to protect their Federal rights from infringement by other individuals, and ordered the case tried in Federal Court. The case was appealed to the United States Supreme Court.

Citizenship

Of allied interest were certain legislative and judicial developments with reference to citizenship.

On August 26, 1949, the United States Circuit Court of Appeals upheld a federal district court decision restoring citizenship to three native Americans of Japanese descent who had renounced their citizenship during confinement in war-time detention camps. The court held that the renunciations had been made under duress. On October 26 the Attorney General announced that the government would not appeal the case, and that the decision would be "applied in all future cases of this kind," numbering about 4,000. On August 14, 1950, the Walter Resolution, which would have

eliminated bars to naturalization of Asiatics already in this country, was passed by the House and Senate. It contained an anti-subversive rider, however, which led President Truman to veto it on September 9. The House overrode the veto on September 14, but the Senate had not reached consideration of the bill when Congress recessed on September 23.

MORROE BERGER

EMPLOYMENT

THE TREND toward mounting unemployment which was so evident in 1949 was sharply reversed in 1950. By the close of the period under review (July, 1949, to July, 1950), employment exceeded 61,000,000 and labor shortages were beginning to appear in selected occupations. This condition of relatively "full employment" constituted a favorable background for "fair employment." Nevertheless, there was evidence that unemployment continued to affect non-white workers more critically than white workers. United States Bureau of Census figures for March, 1950, for example, revealed that whereas 7.4 per cent of white males were without work, 13.1 per cent of non-white males were unemployed. Among females, the proportion of unemployed was 6.5 per cent among whites and 11.1 per cent among non-whites.

Federal Fair Employment Practices (FEP) Legislation

During 1949-50 activity for fair employment practices legislation took place primarily on the federal level.

In his State of the Union message convening the second session of the Eighty-first Congress, President Harry S. Truman renewed his request for passage of the civil rights program, including FEP. From January 15 to 17, 1950, in a dramatic demonstration of the widespread demand for enactment of civil rights legislation, more than 4,000 delegates from thirty-three states assembled in Washington in a National Emergency Civil Rights Mobilization. Legislative priority was demanded for FEP as "the most fundamental of all pending civil rights measures," and commitments to support the legislation and to oppose maneuvers designed to block its consideration were sought in conferences with congressmen and senators. In an interview at the White House, President Truman assured delegates from the Mobilization that FEP would be brought to a vote "if it takes all summer."

COX RESOLUTION

Delegates to the Mobilization had no sooner left Washington than a resolution introduced in the House of Representatives by Congressman Eugene E. Cox (D.-Ga.) came up for vote on January 20, 1950. The resolution would have restored the power of the Rules Committee to bottle up legislation indefinitely by repealing the "twenty-one day rule," adopted by the House early in 1949 in order to make it possible for committee chairmen to remove approved legislation from the Rules Committee and bring it

to the floor of the House. Since Chairman John Lesinski (D.-Mich.) of the Education and Labor Committee had announced that he would call up the FEP bill (HR 4453) under the "twenty-one day rule" on January 23, Mr. Cox's effort was timed especially to forestall this action. After several days of political manipulation, the Cox Resolution was defeated by a vote of 183-236. Although the way now seemed clear for Mr. Lesinski to call upon the FEP bill as planned, action was blocked once again when Speaker Sam Rayburn (D.-Tex.), who had long been opposed to the measure, announced in advance that he would recognize some other committee chairman. He asserted that the "atmosphere" of the House was not right for discussion of FEP. On January 23, Mr. Rayburn recognized speakers on the Alaska and Hawaii statehood bills rather than Mr. Lesinski, and the opportunity to get FEP before the House through the use of the "twenty-one day rule" was lost.

CALENDAR WEDNESDAY STRATAGEM

FEP supporters then tried several other tactics. Congressmen F. D. Roosevelt, Jr., (D.Lib.-N.Y.) and Adam C. Powell, Jr. (D.-N.Y.) both filed discharge petitions, but neither obtained the 218 signatures necessary to bring up FEP. Efforts to bring the bill to the floor through the customary channels of the Rules Committee were repeatedly thwarted by tie votes.

Proponents of FEP then resorted to the "Calendar Wednesday" procedure, under which standing committees of the House are called upon in alphabetical order on successive Wednesdays with the privilege of bringing legislation to the floor. Under this procedure, it is mandatory for the Speaker to recognize the appropriate committee chairman. The turn of the Education and Labor Committee came on February 22, 1950; thus, for the first time, FEP reached the floor of the House of Representatives

MC CONNELL AMENDMENT

Debate on bills brought to the floor under the "Calendar Wednesday" procedure must be completed on the same day. FEP opponents, therefore, resorted to time-consuming quorum calls and points of order, forced readings of the *Congressional Journal* and of the Bill, and employed other parliamentary devices, in the hope of preventing the issue from being brought to a vote. After more than fifteen hours of wrangling and debate, an amendment sponsored by Congressman Samuel McConnell (R.-Pa.) to substitute a voluntary bill for the administration-sponsored measure was adopted by a vote of 221-178. Adoption of the McConnell amendment was made possible by the votes of Southern Congressmen, all of whom, including such outspoken opponents of FEP as Congressmen John E. Rankin, Eugene Cox, and Ed Gossett, voted for the substitute. The bill passed by the House of Representatives declared it to be the national policy "to aid in eliminating" employment discrimination. It did not, however, prohibit or make such discrimination unlawful. A commission was created which was authorized to make recommendations but lacked any powers of enforcement. The protection of the bill was extended to include discrimination because of physical disability, sex, and political affiliations, as well as race, creed, or

color. In addition, the bill provided that "the absence of individuals of a particular race, religion, color, national origin or ancestry in the employ of any person shall not be evidence of discrimination against individuals of such race, religion, color or national origin or ancestry." The bill was considered unsatisfactory by all the major organizations supporting FEP.

MC GRATH BILL

In the Senate, scheduled debate on FEPC was repeatedly postponed in deference to other "vital" legislation. Finally, on May 5, 1950, Majority Leader Scott W. Lucas (D.-Ill.) moved that the Senate "proceed to the consideration" of S.1728, the McGrath FEP Bill. Southern opponents immediately objected and embarked on a filibuster. Although the merits and demerits of FEP were aired thoroughly in the course of the debate which ensued, the only question technically before the Senate was whether it should take up the bill at all. On May 19, an attempt was made to invoke cloture in order to break the filibuster. The failure of this attempt by a vote of 52-32 meant that the Senate was unable even to bring to a vote the question of taking up FEP.

SENATE CLOTURE ACTION

On July 12, Senator Lucas once again moved consideration of FEP and simultaneously filed a cloture petition. Fifty-five senators, ten more than a majority of those present, and six more than a constitutional majority, voted in favor of the petition. This total, however, was still nine votes short of the constitutional two-thirds necessary to invoke cloture under the Wherry "Compromise Rule" adopted by the Senate on March 11, 1949. Thus FEP was defeated in the Senate without formally ever having been before it.

Federal Fair Employment Board

Meanwhile, the Fair Employment Board established under Executive Order 9980 governing fair employment practices in the federal establishment, handled fewer than a dozen cases during the first twelve months of its operation. Charges of discrimination in employment in the United States Post Office were filed in a number of cities. Following hearings, the Board ordered the New Orleans Post Office to employ one of the fifteen Negro complainants with full seniority rights as of 1946 and directed the San Antonio Post Office to employ a Negro clerk and to place his name above that of a white employee who had been appointed to the post to which the Negro was entitled. Other gains in the federal service included the appointment of the first Negro engineer in the Public Health Service and the elimination of segregation in the Government Printing Office. Charges of discrimination in the State Department, the Bureau of Standards, and the Veterans Administration were still pending in July, 1950.

State Legislation

Whereas forty-four state legislatures met in 1949 and enacted several far-reaching civil rights laws, only twelve held regular sessions during 1950. Half of these were in the South and the remainder were in the states where FEP was already in effect. In several states, however, notably in California, Colorado, Illinois, Ohio, and Pennsylvania, the groundwork was already being laid for vigorous FEP campaigns during the 1951 legislative sessions.

In anticipation of these campaigns the Committee on Education, Training and Research in Race Relations of the University of Chicago, in co-operation with the American Council on Race Relations (ACRR) and the Anti-Defamation League, published in April, 1950, a pamphlet entitled *The Dynamics of State Campaigns for Fair Employment Practices Legislation*.

Based on interviews, questionnaires, and newspaper files, the study analyzed the factors which contributed to the passage or defeat of FEP campaigns on the fifty-nine occasions since 1944 when FEP legislation had been considered in twenty-seven states.

Almost without exception, successful campaigns were found to have been guided by centralized state committees representative of all interested community groups. The establishment of similar local committees was also found to be helpful. Minority group and intergroup relations agencies formed the nucleus of FEP support, with Jewish organizations "most consistently" providing leadership, materials, and financial support. Religious groups were well represented in the campaigns, but "in no case" was the church membership effectively organized on a "grass-roots" basis. Labor similarly failed to mobilize its full resources of behalf of FEP and, in some states, American Federation of Labor (AF of L) unions opposed the measure.

Although both "grass-roots" and "top-level" campaigns were analyzed, neither was found to be uniformly successful. The study concluded that strategy should largely be determined by the resources of FEP proponents and the political tradition of the particular state. The focal point of opposition for FEP in all instances was found to be the organized business and industrial interests. According to the study, the most effective rebuttal to the arguments advanced by the opposition consisted of accurate descriptions of the extent and the effects of employment discrimination in the state, and accounts of satisfactory experiences with FEP laws in other states.

Administration of FEP Laws

July, 1950, coincided with the fifth anniversary of the operation of New York's pioneer Ives-Quinn Act. Although it was not possible to apply any statistical measure to the number of industries and occupations which had adopted non-discriminatory employment policies as a direct result of the law, there was ample evidence that job opportunities, particularly for Negroes, had increased in New York and in other areas with effective FEP laws, espe-

cially in the transportation, utilities, hotel and restaurant, and retail occupations. There was evidence, too, that opportunities in FEP areas had increased at a more rapid rate than in other parts of the United States. Evidence of this kind was revealed in the findings of a survey conducted by the Bureau of Jewish Employment Problems in Chicago which compared the percentage of non-white placements in the State Employment Services of New York, New Jersey, and Illinois. These three states had roughly comparable percentages of non-white population. Unlike New York and New Jersey, however, Illinois had no state FEP.

For the six-month period from September, 1949, through February, 1950, the ratio of non-white placements to the total non-agricultural placements made by the Illinois State Employment Service varied from a high of 13.3 in December, 1949, to a low of 9.2 in February, 1950. The percentage of non-white placements in the New Jersey State Employment Service ranged from a high of 42.6 in September, 1949, to a low of 31.0 in February, 1950. The corresponding figures for the New York State Employment Service were 50.1 in December, 1949, and 42.8 in February, 1950. Over the same six-month period, Illinois non-white placements averaged only 10.4 of all non-agricultural placements, as compared with 37.3 in New Jersey and 46.8 in New York.

APPLICATIONS BLANKS

A second area in which marked gains were noted by all of the commissions was that of discriminatory questions on employment applications blanks and discriminatory specifications in help-wanted advertisements. Not only were overt questions regarding race or religion eliminated, but even more subtle questions, such as concerning the maiden name of the applicant's mother, apparently were virtually non-existent

UNION CONSTITUTIONS

Another area in which progress was marked was in the elimination of discriminatory provisions from union constitutions and by-laws and in the increased admission of Negro members to unions from which they had formerly been excluded (*see below*).

COMPLAINTS

The volume of cases processed was not an accurate index of the effectiveness of FEP, since many aggrieved persons were reluctant to register complaints. On the other hand, since the majority of citizens tend to be law-abiding it may be presumed that numerous employers voluntarily modified their policies to conform to the provisions of the law. Moreover, the satisfactory disposition of but a single instance of discrimination may have opened up job opportunities for literally thousands of workers. Nevertheless, the relative paucity of complaints in all the areas of FEP jurisdiction is rather striking. In New York, 1,597 certified complaints were processed during the period from the law's inception in 1945 to 1950;¹ in New Jersey, a total

¹ The New York State Commission Against Discrimination reported that 135 verified complaints were received during the first half of 1950.

of 423 formal complaints were handled; in Massachusetts, 562; in Connecticut, 125; in New Mexico, 8; in Oregon, 11; in Rhode Island, 7; and in Washington, 13.

In each of these states, the majority of complaints were brought against employers. In New York, 81 per cent of all certified complaints were directed against employers, 7 per cent against employment agencies, and 10 per cent against labor unions. The most common reason for complaint in each state—it was the occasion for grievance in 45 per cent of the cases in New York and 50 per cent of those in Connecticut—was refusal to hire. Complaints arising from dismissals accounted for 20 per cent of the New York caseload, and complaints regarding conditions of employment for 12 per cent. Discrimination because of race was by far the most important type of discrimination brought to the attention of the enforcement agencies, accounting for 95 per cent of all complaints in Connecticut and New Jersey, and 70 per cent of those in New York. Discrimination because of religion was the second most frequent type of complaint in all jurisdictions.

In the disposition of cases, there was apparently an unusually high proportion of verified complaints dismissed for "no evidence of discrimination." From July 1, 1945, through December 31, 1949, 41 per cent of the complaints filed with the New York State Commission Against Discrimination (SCAD) was dismissed on this account, and an additional 24 per cent was dismissed for lack of evidence of the specific discrimination charged, although some illegal discriminatory practice was found and eliminated. In only 25 per cent of the cases was the specific charge of the complainant sustained. The proportion in other states was roughly comparable. It is not possible to determine whether the explanation for the small proportion of complaints upheld is to be found in the weakness of the complaints filed or in the high standards of evidence of proof of discrimination demanded by the commissions.

ENFORCEMENT

Private agencies, as well as the regulatory bodies, showed increasing concern with problems of enforcement. On April 18, 1950, officials of a number of private and public intergroup relations agencies held a "Conference on Enforcement of Northern Civil Rights Law" in New York City. The conferees concluded that implementation of the laws was a responsibility of both private and public organizations and suggested that private agencies could best aid FEP enforcement by dissemination of information about the law to the special groups with which they were in contact, by careful preparation of complaints for commission investigation, and by intelligent criticism of commission procedures.

A few new developments which might presage more effective enforcement of FEP statutes should be noted. On June 8 and 9, 1950, the Connecticut Inter-racial Commission was host to the second annual conference of Eastern FEP Commissions. Progress was made in the development of uniform statistics and reporting terminology, in the formulation of regulations governing pre-employment inquiries, and in the establishment of methods of co-operation on cases involving employers or unions operating in more than

one of the states involved. In February, 1950, the Washington and Oregon Commissions met to consider similar problems.

INVESTIGATIONS

Large-scale investigations which might affect entire areas of employment were initiated in several states during 1949-50. In New York, an extensive investigation that included public hearings on the practices of private employment agencies was conducted; in Massachusetts, an industry-wide investigation was completed that involved fifty-five concerns and more than 10,000 employees; the New Jersey Division Against Discrimination published a survey of employment practices in hospitals in that state; and the Washington Commission initiated a survey of union constitutions and practices. As a result of the New York investigations, the Association of Private Office Personnel Agencies filed a suit in the New York State Supreme Court to restrict the practices of SCAD. The suit did not challenge the constitutionality of the law itself but sought to have declared unlawful certain regulations or interpretations of the Commission governing the posting of notices by employment agencies and pre-employment inquiries and advertisements.

ADJUSTMENT OF CASES

FEP agencies also appeared to show an increased awareness of the need to effect restitution that would be rewarding to the individual complainant and that would encourage the filing of other justified complaints. The Massachusetts Fair Employment Practices Commission² reported adjustment of its first case in which the complainant received compensatory damages for time lost as well as a job, and the Connecticut Commission instituted a new policy whereby a complainant who had experienced discrimination in hiring had to be offered the job which was refused him, even though some one else might in the meantime have been employed.

Perhaps the most significant developments in convincing hesitant complainants that they could obtain effective action through FEP stemmed from an announcement by New York's SCAD: on October 31, 1949, for the first time in the history of FEP administration, a public hearing would be held on a case of employment discrimination. Theretofore, every complaint had been settled by conciliation without resort to the compulsory powers or other formal proceedings which the laws granted to the administering agencies. The New York case arose from charges of anti-Negro discrimination filed against his employers by a "sand-hog" working in the East River tunnel. The complainant, Walter Tannis, asserted that he had been discharged by the George H. Flinn Corporation for seeking to obtain employment for Negro union members at a time when the company was employing non-union white workers. The case was settled immediately before the hearing when the company agreed to comply with terms proposed by SCAD (and previously rejected by the company), including the payment of \$3,000 to Tannis as compensation for wages lost because of the discriminatory dis-

² In accordance with the provisions of the Massachusetts Equal Opportunities Bill enacted into law on May 23, 1950, the authority of FEP was expanded to include discrimination in places of public accommodations, resorts, or amusements, and in public housing, and the name of the agency was changed to the Massachusetts Commission Against Discrimination.

charge. Shortly thereafter, the Connecticut Interracial Commission certified its first case for a public hearing. After three days of testimony, the hearing tribunal, on March 5, 1950, found that the Clark Dairy, Inc., had refused employment to the complainant, Oscar Draper, because of his race, in violation of the FEP law, and ordered that the complainant be hired. An appeal was taken on four counts, the first two being standard bases for appeals from decisions of administrative bodies; namely, that in issuing the order the hearing tribunal acted arbitrarily, unreasonably, and in abuse of its discretion, and that the order was contrary to facts and law. The third count attacked the legality of the order, charging that the omission of language in the statute specifically authorizing the commission to order hiring, reinstatement, etc., indicated a legislative intent to deny the commission authority to take such action. The last count, which was subsequently withdrawn, challenged the constitutionality of the act. The appeal was pending before the Superior Court in New Haven County in July, 1950.

Municipal FEP Legislation

Two cities, Cleveland and Youngstown, Ohio, adopted FEP ordinances, bringing to nine the number of cities with such statutes.³ In two others, Los Angeles and San Francisco, proposed ordinances were defeated by narrow margins after extensive campaigns, and in Tucson, Ariz., an initiative measure to establish a municipal FEP was to be submitted to the voters on September 26, 1950.

The Youngstown ordinance, adopted May 15, 1950, prohibited discrimination in hiring, upgrading, terms or conditions of employment and discharge, by employers, employment agencies, and labor unions. It provided for fines ranging from \$50 to \$500 for violators, with jail sentences up to thirty days for second offenders. However, the ordinance failed to provide any administrative machinery, and thus made every complaint a criminal case with responsibility for enforcement vested in the City Prosecutor.

On the other hand, the Cleveland Carr-Jaffe Ordinance, adopted on January 30, 1950, was a comprehensive measure patterned on existing state FEP laws and the Minneapolis and Philadelphia ordinances. Administration of the act was vested in a Community Relations Board of sixteen persons, which was authorized to carry on an educational and research program, to adjust complaints by conference and conciliation, and where such methods failed, to conduct public hearings and issue cease and desist orders which were enforceable in the courts. The passage of the Cleveland ordinance was of especial significance in that it marked a general civic recognition of the inadequacies of "voluntary" FEPC plans. A previous effort to enact a compulsory ordinance in Cleveland had been shelved during 1948-49 in favor of a program sponsored by the Cleveland Chamber of Commerce known as the Co-operative Employment Practices Plan. (See AMERICAN JEWISH YEAR BOOK, Volume 51, p. 108). Despite the expenditure of large

³ Other cities with FEP ordinances included: Chicago, Ill.; Milwaukee, Wis.; Minneapolis, Minn.; Philadelphia, Pa.; Cincinnati, Ohio; Phoenix, Ariz.; and Richmond, Cal.

sums of money by the Chamber of Commerce over a period of thirteen months in the development of an extensive educational and public relations program, the "Co-operative Plan," handicapped by the lack of enforcement powers, failed to effect any significant change in discriminatory patterns. As a result, the Chamber of Commerce, previously the most bitter opponent of compulsory legislation, joined in the request for passage of the Carr-Jaffe Ordinance.

The problems, progress and disposition of cases noted in the reports of the Minneapolis and Philadelphia FEP Commission paralleled those in the state FEP agencies. During slightly over two years of operation, June 1, 1947, to October 31, 1949, the Minneapolis FEPC received ninety-six complaints; the Philadelphia Commission, operating on a budget approximating that of Massachusetts, New Jersey and Connecticut state agencies, handled 204 cases in its first year of operation. Neither agency found it necessary to go beyond the conference stage in the adjustment of any complaint.

Court Decisions

Despite United States Supreme Court decisions in 1944 holding that railroad unions could not discriminate against Negroes in executing contracts with railroad companies, such discrimination continued and was the subject of extensive litigation. In a number of jurisdictions legal action was brought by Negro train porters and firemen against the Brotherhood of Railroad Trainmen and the Brotherhood of Locomotive Firemen and Engineers. The former had sought to reduce train porters to the status of chair car attendants at a lower wage by assigning duties previously performed by them to white brakemen. The latter sought to deny seniority rights to Negro firemen, an action which eventually would have led to their replacement by whites. Decisions favoring the plaintiffs were handed down by Federal judges in Alabama, Georgia, Illinois, and Missouri. A permanent injunction was issued against the displacement of Negro porters by white brakemen, the unions and railroads were ordered to grant Negroes full seniority, and, in addition, the plaintiffs were awarded damages amounting to what they would have earned "if they had been assigned to jobs they were entitled to."

Gains through Voluntary Action

The continued agitation for fair employment practices was reflected in the growing placement of Negroes in occupations and industries which previously had been barred to them. Among the many "firsts" noted during 1949-50 was the employment of a Negro reporter on the staff of the *St. Louis Post-Dispatch* for the first time in forty years; the registration by the New York Stock Exchange of the first Negro entitled to sell stocks and bonds, and the election of Channing Tobias, former Director of the Phelps-Stokes Fund, to the Board of Directors of the Modern Industrial Bank in New York

City, the first Negro to serve on the governing body of any major financial institution. The National Urban League reported that Negroes were increasingly obtaining jobs at skilled and professional levels and announced that for the first time representatives of the General Electric Co., the Radio Corporation of America and the General Cable Corporation had interviewed seniors at the Howard University School of Engineering and Architecture for engineering positions.

MEDICINE AND HEALTH

Notable gains were achieved in the medical and health field. The Rocky Mount Sanitarium in North Carolina, a municipal hospital, admitted two Negro doctors to its staff with full privileges. They were the first to be accepted in a Southern hospital, according to the *Pittsburgh Courier*. The Massachusetts FEP reported the appointment of the first Negro doctor to the staff of the Boston City Hospital. According to an announcement made by the Hospital Council of Greater New York, in September, 1949, 170 of the 225 registered Negro physicians in New York City held 258 staff appointments in thirty-two hospitals. The New Jersey Division Against Discrimination reported on December 29, 1949, that a survey of eighty-five private hospitals in the state showed that thirty-seven of the hospitals employed Negro nurses, some in supervisory positions. Prior to the enactment of the state FEP law, the report stated, only a few Negro nurses had been working in New Jersey hospitals. Twenty-three of the hospitals were reported to have Negro physicians on their staffs.

AMERICAN MEDICAL ASSOCIATION (AMA)

When the American Medical Association (AMA) assembled for its ninety-ninth annual meeting in June, 1950, Dr. Peter M. Murray of New York City was seated as a member of the House of Delegates, the first Negro to be elected to the AMA governing body in its 104-year history. Another Negro physician, Dr. Leonard Stovall of Los Angeles, was seated as a member of the California Medical Association's House of Delegates. The Baltimore Medical Society admitted Negroes to full membership, the first medical body south of the Mason-Dixon line to take this step. Shortly thereafter, the St. Louis Medical Society and the Florida Medical Association took similar action. However, a resolution which would have allowed direct membership in the AMA to Negro physicians who were denied admission to local, state, or county societies was defeated. The American Nurses Association reported that since its adoption of a similar resolution in 1946, eight state associations had removed prohibitions against the admission of Negro nurses, leaving only four states (Georgia, South Carolina, Texas, and Virginia) and the District of Columbia with racial restrictions against nurses. A formal complaint filed by the American Jewish Congress with the State Commission Against Discrimination in New York on May 19, 1950, protesting racial and religious identification in the situations-wanted advertisements of the *Journal* of the American Medical Association resulted in an agreement announced on June 5, 1950, to refuse such advertisements in

the future. References to race or religion in help-wanted advertisements had previously been discontinued.

Discrimination against Jewish Lawyers

Although Negroes were clearly the group most disadvantaged by discriminatory employment practices, discrimination against Jews was still evident. A survey conducted by the B'nai B'rith Vocational Service Bureau among 2,325 graduates of law school of 1946 and 1947⁴ revealed the following results:

Jewish law graduates of those two classes earned less than their non-Jewish classmates; proportionately twice as many Jews as non-Jews started their legal careers in the lowest category, that of law clerk; three times as many non-Jews as Jews began their legal careers as attorneys in private industry; the common belief that a higher percentage of Jews than non-Jews entered legal work in government was not true; proportionately more Jews than non-Jews failed to go into legal work following graduation from law school; of all Jewish lawyers in law firms 63 per cent was connected with firms in which all of the partners were Jewish, and another 21 per cent was connected with firms in which some of the partners were Jews; half of the non-Jewish lawyers earned under \$3,170 in 1948, whereas half of the Jewish lawyers received under \$2,950.

The B'nai B'rith Vocational Service Bureau conducted a similar study of college business administration graduates of 1946 and 1947. The findings were the same as those resulting from the law study. Jewish graduates were employed generally in Jewish-owned firms; in comparison with non-Jews, Jewish graduates earned less, had a harder time getting employment, and more of them had to take jobs unrelated to their college training.

ARNOLD ARONSON

EDUCATION

DURING the period from July, 1949, to July, 1950, there was continued progress in the enlargement of educational opportunity for minority groups in almost every section of the educational front. Segregation in education had been virtually declared unconstitutional by the Supreme Court; Fair Educational Practices legislation was in effect in three states; the New York State University was gradually becoming a reality and was expected to expand educational opportunities in a state with a heavy representation of minority groups in its population. Finally, among college students and faculty members there was growing awareness of the evil of discrimination both in admissions policies and in campus social life.

⁴ Shosteck, Robert, "A Report on the Professional Status of Jewish and Non-Jewish Law Graduates of 1946 and 1947," published by *The Career News*, official publication of the B'nai B'rith Vocational Service Bureau, Wash., D. C., May, 1950.

Fair Educational Practices

As of July, 1950, there were three states with laws against education discrimination. New York's law was passed in April, 1948, New Jersey's in April, 1949, and the Massachusetts law in August, 1949—all modelled, to a considerable extent, upon fair employment practices legislation.

ADMINISTRATION

In New York, the act was administered by the Educational Practices Administration, a division of the state Education Department; in New Jersey, by the Division Against Discrimination, the agency within the Department of Education empowered to administer the fair employment law and other public accommodations legislation as well; and in Massachusetts by the Office of Director for Fair Education Practices, which was within the Department of Education and subject to the direction of the Commissioner of Education.

The administration of fair educational practices legislation followed closely the pattern which had been established in the area of employment. Following the filing of complaints by aggrieved persons, the agencies were empowered to conduct thorough investigations. In each state, use of the methods of persuasion, conciliation, and mediation was emphasized. If these methods were unsuccessful, public hearings were to be held and cease and desist orders might be issued by the appropriate agencies. While provisions were made in each state for judicial review and the enforcement of orders issued by the Commission, in New Jersey alone were there specific penal sanctions.

During 1949-50 a limited number of complaints were received—one, involving a business school, in New York, a few in New Jersey, and none in Massachusetts. Administrators of Fair Educational Practices legislation emphasized the dissemination of information about the laws to the educational institutions concerned and the collection of facts about the present practices of the institutions.

STATE ACTION

In Massachusetts, where the law had been in effect since November, 1949, the Director had spoken before forty or more organizations and had held conferences with representatives of 124 of the 1,000 institutions affected by the act.

During 1949-50 the New Jersey Division Against Discrimination interpreted to school boards the constitutional provision against segregation in public schools. The Division reported in May, 1950, that thirty-five communities had gone on record as favoring the complete elimination of segregation; four had taken partial steps toward ending the separation of Negroes and whites in the schools; and four other communities which originally opposed "de-segregation" were initiating plans for the integration of students and teaching staffs.

In New York, information about the law had been distributed to all educational institutions, and many field visits had been made. Two studies were under way in July, 1950: one, a survey of admissions practices of under-

graduate colleges, the other, a study of the experience of pre-medical seniors in New York State colleges in their efforts to secure admission to New York State medical schools during 1950. Notwithstanding the fact that the law did not prohibit the asking of such questions, the administrator had been active in an effort to eliminate discriminatory questions from college application blanks. He reported in May, 1950, that only 2 of the 197 administrative units of the institutions of higher learning in the state continued to ask direct questions about religion on application blanks, and only one administrative unit inquired into the applicant's nationality. However, seventy units still requested a photograph or inquired into the applicant's place of birth.

MEDICAL SCHOOLS

Emphasizing the need for continued vigilance, the American Jewish Congress in a letter to Acting Commissioner of Education Lewis A. Wilson, dated May 25, 1950, submitted evidence of continuing discrimination against Jewish applicants by New York State medical schools and called for an investigation to determine whether the Quinn-Olliffe law was being violated. The basis of the Congress charge was a survey of the reception accorded the winners of New York State medical scholarships in 1949 by New York State medical schools. The results of the survey, in which sixty-one of the seventy-two scholarship winners filled out and returned questionnaires sent them by the Congress, revealed that only 19.7 per cent of Jewish applicants were accepted, as compared to 37.2 per cent of non-Jewish applicants. Moreover, while ten of the forty-three Jewish respondents were not admitted to the entering class of any medical school in or outside New York State in the fall of 1949, only three of the sixteen non-Jews failed to be accepted.

Segregation in Education

Unanimous decisions by the Supreme Court in the Sweatt and McLaurin cases (*Sweatt v. Painter*, and *McLaurin v. Oklahoma*) handed down on June 5, 1950, were of far-reaching importance in their effect upon the legality of segregated facilities.

The court did not expressly overrule the doctrine of the Plessy opinion of 1896 which held that the states could legally provide "separate" facilities for Negroes so long as these facilities were the "equal" of those provided for whites. It did, however, define "equal" facilities in such a way that most types of segregation in higher education would appear to be a violation of rights guaranteed by the Fourteenth Amendment of the United States Constitution.

SWEATT CASE

In the Sweatt case, the court directed the University of Texas law school to admit a Negro instead of assigning him to the hurriedly created State law school for Negroes. The Negro student claimed that the segregated school could not by its nature, under any circumstances, be said to provide him with the "equal" educational opportunity to which he was entitled under the Fourteenth Amendment and previous Supreme Court decisions. Chief Justice

Fred M. Vinson held that the law school for Negroes was inferior in several respects with regard to physical facilities; but, more significantly, the chief justice found it was inferior in "those qualities which are incapable of objective measurement but which make for greatness in a law school."

MC LAURIN CASE

In the McLaurin case, the court reviewed the action of the State of Oklahoma in admitting a Negro to the graduate division of the University of Oklahoma on a segregated basis, with the student required to sit apart. With regard to this separation, the Supreme Court decided that it handicapped the Negro student "in his pursuit of effective graduate instruction," and that "such restrictions impair and inhibit his ability to study and exchange views with other students, and, in general, to learn his profession." Therefore, the ruling continued, "the conditions under which this appellant is required to receive his education deprive him of his personal and present right to the equal protection of the laws. We hold that under these circumstances the Fourteenth Amendment precludes differences in treatment by the state based upon race."

MC CREADY CASE

Another important decision affecting segregation was handed down by the Maryland Court of Appeals in April, 1950. In ordering the University of Maryland to admit a Negro applicant, Esther McCready, to its School of Nursing, the Court maintained that the state could not insist that its offer of an out-of-state nursing education—to be arranged under the terms of the Regional Education Compact—was an adequate substitute for education within the state of Maryland. A significant sidelight was the intervention in the case by the Board of Control for Southern Regional Education, which categorically asserted that "it is not the purpose of the Board that the regional compact and the contracts for educational services thereunder shall serve any State as a legal defense for avoiding responsibilities established or defined under the existing State and Federal laws and court decisions."

EFFECT OF SUPREME COURT DECISIONS

These decisions did not automatically bring about the end of segregation. In fact, Southerners who were determined to keep white and Negro facilities separate were vocal in denouncing the rulings as contrary to the "way of life" in the South. A few days after the Supreme Court decisions were announced, the University of Texas admitted two Negroes to its graduate school on an unsegregated basis, but declined to admit two others on the ground that the state university for Negroes offered equivalent courses. On June 20, 1950, Texas petitioned the Supreme Court for a rehearing of the Sweatt case, asking that it be returned to the Texas courts so that the latter could determine whether or not the law school for Negroes, which was set up after the case had exhausted the state court system, offered or could in the future offer equal opportunity for legal education.¹ Meanwhile, the Texas

¹ This petition was denied on October 9, 1950.

petition stated, the Negro would be admitted to the University of Texas law school. On June 22, both houses of the Alabama legislature unanimously passed two resolutions condemning the Supreme Court decisions and affirming that the "way of life" in the South required segregation.

Despite the Supreme Court ruling, the Board of Supervisors of Louisiana State University on July 28, 1950, denied admission to twelve Negroes. The Florida Supreme Court on August 1 denied Negroes admission to white state universities except on a temporary basis and on loan from the state Negro college. Later that month, however, Negroes were admitted to the University of Delaware following a state court decision, while in Kentucky, following the repeal of the Day Law in March, all four colleges in the city of Louisville were opened to Negroes on an unsegregated basis.

In the wake of these court decisions the movement to combat segregation in primary and secondary education increased in tempo. This was apparent in certain southern school districts and in northern communities where there was a tendency to oppose the gerrymandering of some school districts.

PRIVATE ACTION

Acting on its own initiative, and under no legal compulsion, the Methodist Conference on Christian Education, meeting on November 21, 1949, began to take steps in the direction of eliminating segregation from Methodist educational institutions. A survey prepared for the Conference revealed that only twenty-seven Methodist colleges out of fifty-five which replied to a questionnaire on the subject accepted Negro students. The survey also revealed that a color line was drawn in three out of seven Methodist junior colleges, one out of four schools of theology, and three out of seventeen universities. No institution that replied to the questionnaire discriminated against Jewish students, although there were some which tried to maintain a "balanced" enrollment. The Methodist Conference hoped to overcome discrimination and segregation by personal interview, persuasion, and education.

Educational opportunities for American minority groups were further extended when the John Hay Whitney Foundation announced on November 28, 1949, that it would award fellowships annually to Americans whose racial or cultural backgrounds had hampered their opportunity for personal advancement. Specifically eligible, the foundation reported, were American Negroes, American Indians, and persons of Spanish-speaking ancestry.

Conferences on Educational Inequality

A national conference in which more than one hundred educators participated, dealt with the subject of "Discrimination in College Admissions." Sponsored by the American Council on Education in co-operation with the Anti-Defamation League of B'nai B'rith, the conference met in Chicago on November 4 and 5, 1949. The conference was agreed that both segregation and the quota system which were based on factors of race, religion, and national origin could not be justified on any grounds compatible with democratic principles. But it also recognized that in a heterogeneous society

such as the American, institutions of higher learning might express differing philosophies and principles of selection. Such principles the conferees considered acceptable, so long as they did not conflict with basic human rights.

The conference then recommended that discriminatory questions be eliminated from application blanks for college admission and that each institution publish a clear, concrete statement of the admissions procedures it followed. Additional recommendations were: that studies be made of the extent to which barriers to admission because of religion, race, and national origin impeded equality of educational opportunity; that government financial aid be increased to improve the number and quality of higher educational facilities so as to eliminate economic barriers; that present and future federal appropriations be given only to those professional and graduate schools which did not restrict admissions because of color, creed, or national origin; that continued study be made of the effectiveness of Fair Educational Practices laws in New York and Massachusetts to examine their value as models for similar legislation in other states; that the "separate but equal" system of education in graduate and professional schools be discontinued; that professional organizations take stands in opposition to discrimination; that the results of the conference be publicized.

The Anti-Defamation League also sponsored a regional conference of representatives from colleges in the District of Columbia, Maryland, Virginia, and Delaware who met in Washington on April 24, 1950. This conference also advocated repeal of all laws requiring segregation in colleges and universities and asked for "positive" laws forbidding schools to discriminate. Institutions in the region were asked to re-examine their admissions practices and policies.

Still another conference on discrimination in higher education was held by the Southern Conference Educational Fund, Inc., on April 8, 1950, in Atlanta, Ga. Attended by 300 educators and students representing more than 100 colleges and universities in southern and border states, the conference called for the abolition of segregation in education. It also condemned the southern regional educational program for graduate and professional training "as long as it extends or perpetuates segregation." Earlier, in November, 1949, the Southern Conference Educational Fund had reported that it had submitted questionnaires to 15,000 teachers in 181 southern universities and colleges and that, of the 3,375 replies, 70 per cent had favored the immediate admission of Negroes to higher education facilities on an unsegregated basis.

Fraternities

Under pressure from undergraduates in universities in the Northeast and the Middle West, the National Interfraternity Conference on November 26, 1949, adopted a resolution urging its constituent national fraternities to eliminate discriminatory provisions from their charters. This issue had been the subject of controversy at the Conference meeting in 1948 (*see AMERICAN JEWISH YEAR BOOK, 1950, Volume 51, pp. 93-94*) and the Conference sought to avoid any renewal of the discussion in 1949. However, meeting in a rump session, the undergraduates forced the Conference to take up the

problem, with the result that the resolution was passed by a vote of thirty-six to three, with nineteen national fraternities abstaining.

IMPLEMENTATION

The burden of implementing the Interfraternity Conference's resolution rested upon the individual national fraternities and their local chapters. On campuses throughout the country movements to end discrimination developed. Following a student appeal, on January 20, 1950, the Rutgers University Board of Trustees ordered all social fraternities, honor societies, and political organizations to abolish charter clauses and regulations prescribing racial or religious discrimination in membership. At Dartmouth, more than 80 per cent of the student body voted against racial and religious discriminatory clauses in fraternity charters on March 2, 1950. On February 15, 1950, the Columbia College interfraternity council in a policy statement, urged removal "as soon as possible" of all fraternity membership restrictions "based on considerations of race, creed, or color." The interfraternity council at New York University Washington Square College reported on February 21, 1950, that its eighteen member fraternities had no discriminatory clauses in their constitutions. At Toledo University, anti-bias regulations governing honorary and professional groups on the campus, were to a limited degree extended to the Greek-letter social fraternities and sororities after May 1, 1950. At Harvard, the Student Council on January 9, 1950, refused to lift a previously imposed ban on discrimination because of "race, color or nationality" in college organizations.

The Sigma Chi chapter at the University of Wisconsin voted on March 1, 1950, to seek elimination of a clause in its national constitution that barred Negroes from membership. Phi Sigma Delta, a national Jewish fraternity, adopted a resolution at its convention on December 29, 1949, that "no male undergraduate shall be denied membership in Phi Sigma Delta fraternity solely because of his race, color or creed." Finally at Cornell University plans were announced on February 20, 1950, for the formation of a national organization to promote inter-racial and interfaith activities on university campuses.

The Knickerbocker Case

The Knickerbocker case at the College of the City of New York was the subject of another investigation (*see* AMERICAN JEWISH YEAR BOOK, 1950. Volume 51, pp. 94-95); this investigation was by a special committee of the City College Alumni Association. The report of this committee published on July 15, 1950, concluded that "it cannot be said with any degree of certainty that Professor [William E.] Knickerbocker was anti-Semitic. By the same token it cannot be said he was not." In the companion case of Professor William C. Davis, who had segregated Negro students in a dormitory, the committee ruled Davis' action a mistake rather than an act of bias. The Committee also approved the handling of the Davis case by President Harry N. Wright.

The report of the alumni committee did not go unchallenged. Domestic Relations Court Judge Hubert T. Delaney, who had resigned from the alumni committee, denounced the findings as tending "to undermine the cause of democracy." The Non-Sectarian Anti-Nazi League, on the basis of the report, demanded that Lewis A. Wilson, Acting Commissioner of Education, open a state investigation of the charges of religious and social bias at City College. Meanwhile, Professor Knickerbocker announced on February 18, 1950, that he would not stand as a candidate for re-election to the chairmanship of the Romance Language department.

State University

The progress of New York State University during 1949-50 was enlivened by no such controversy as that which occurred during 1948-49 when the Regents and the Trustees engaged in a legislative struggle for control of this institution (*see AMERICAN JEWISH YEAR BOOK*, 1950, Volume 51, pp. 95-96). Instead, much of the effort of the Trustees was concentrated on perfecting the central administration of the state university system and on devising a master plan to serve as a preliminary basis for the establishment of two- and four-year colleges throughout New York State. This plan was unanimously approved by the State University Trustees at their meeting on February 7, 1949, and ten days later the State Board of Regents approved the plan to the extent necessary to authorize the establishment of community colleges in Orange County and at Jamestown. On May 19, 1950, the Regents approved most of the master plan for the two-year and four-year colleges "with reservations as to its long range implications and its estimate of student enrollments and as to the assumptions upon which these estimates are made, all of which require and are to receive further study."

MASTER PLAN

In general, the master plan divided the state into eleven economic areas as established by the Department of Commerce, with each of these areas to have at least one two-year institution, the number depending on the basis of size and population. The master plan assumed that 18 per cent of the eighteen- and nineteen-year old state population should have an opportunity to attend full-time two-year colleges of the community college type, and that 20 per cent of the total eighteen- through twenty-one year old population should have an opportunity to attend four-year college programs. The master plan extended for a period of years, from 1950 through 1966, and anticipated growth in both the general state and student population.

The State University expanded in another direction when the Long Island College of Medicine and Syracuse University College of Medicine were incorporated into the structure of the new institution. Plans for the development of both centers called for enlargement of the medical schools, establishment of schools of nursing, public health, dentistry, and related subjects, and for extensive research programs.

Brandeis University

In order to enlarge the sphere of educational opportunity, and because of the desire of part of the Jewish community to make a contribution to American higher education in the tradition of the great universities founded by religious denominations, Brandeis University was established at Waltham, Mass., under the presidency of Abram L. Sachar. June, 1950, marked the end of the second academic year of this Jewish-sponsored non-sectarian institution, at which approximately 150 freshmen and 100 sophomores were registered. The Brandeis faculty included about thirty regular staff members and guest lecturers who offered forty-six courses covering a wide variety of fields. Among the members of the regular faculty at Brandeis were: David Berkowitz, Professor of History and Political Science; Max Lerner, Professor of American Civilization and Institutions; Ludwig Lewisohn, Professor of Comparative Literature; Milton Hindus, Assistant Professor of English; and Shlomo Marenof, Assistant Professor of Near Eastern Languages and Civilizations. Members of the Board of Trustees included Dr. Paul Klapper, Dr. Isador Lubin, David K. Niles, Joseph M. Proskauer, Eleanor Roosevelt, and Adele Rosenwald Levy.

On February 26, 1950, George Alpert, president of the university's board of trustees, announced the adoption of a master plan for development of Brandeis' 100-acre campus, providing for construction of fifty new buildings in the next ten years at a total estimated cost of \$22,715,000. The plan was to be executed in two stages: The first stage called for erection of facilities for the Brandeis University Faculty of Arts and Sciences, and the second for the needs of the university's projected professional and graduate schools. On March 1, 1950, ground was broken for dormitories which would insure a 90 per cent resident student body, and on May 28 work was started on the Brandeis University athletic field. Brandeis University received a total of \$1,334,259 in contributions, grants, and other funds during the second academic year. On July 5, 1950, the Michael Tuch Chair of Hebrew Literature and Ethics was established. Early in June, 1949, the New York State Education Department announced that it would recognize Brandeis as an institution from which students might transfer to colleges and universities in New York State.

RELIGION AND THE PUBLIC SCHOOLS

Released Time

Two years after the Supreme Court's *McCullum* decision of March 8, 1948 (see *AMERICAN JEWISH YEAR BOOK*, 1950, Volume 51, p. 96), the controversy surrounding it had not abated. Defenders of released time either attacked the principle underlying the Supreme Court's decision, or attempted to prove that released-time practices in their communities differed from procedures found to be unconstitutional in the *McCullum* case. The opponents of re-

leased time, on the other hand, attempted to extend the McCollum decision to cover a great variety of religious education practices, and there was considerable diversity of opinion as to just what the court had declared illegal.

In certain states, interested groups demanded that state attorneys general rule on the constitutionality of specific released-time programs. Thus, in Colorado, Attorney General John W. Metzger ruled on August 23, 1949, that public school students could not be legally released for religious instruction, regardless of whether such instruction was offered on or off the school grounds. In Wisconsin, on August 29, 1949, Attorney General Thomas Fairchild ruled that released-time classes, whether held on or off the school premises, were illegal. In Rhode Island a special committee appointed in 1949 reported to Governor John O. Pastore on February 28, 1950, that there was no need for a state law expressly permitting released-time education, and that the communities of Bristol, Central Falls, East Greenwich, West Warwick, and Woonsocket had ample authority to either accept or reject released-time programs as a matter of local option.

In Fresno, California, the city board of education voted without dissent to discontinue the release of students to attend religious education classes. In New York City opponents of released time received a setback when on June 19, 1950, Supreme Court Justice Anthony J. DiGiovanna of Brooklyn dismissed a suit brought by Tessim Zorach and Mrs. Esta Gluck.

NEA SURVEY

The extent to which religion had entered into the public school curriculum was apparent from a survey carried out by the Research Division of the National Education Association (NEA), the results of which were released in June, 1949. In December, 1948, a brief questionnaire had been sent to 5,100 superintendents of public schools.

Of the 2,639 tabulated replies, the majority (61.4 per cent) reported that they had never had any formal plan of religious education; 11.8 per cent had given up their programs; and 26.8 per cent had some type of plan in operation. Thus, during the school year 1948-49, about three out of four of the school systems surveyed had no formal plan of religious education. However, nearly 46 per cent of the replies from the largest communities with populations of over 100,000 reported programs, while only 17 per cent of the replies from the communities with populations of less than 2,500 indicated programs under way. As cities declined in size, formal programs were found with less frequency.

Of the 708 school systems reporting programs of religious instruction, 15.3 per cent held formal classes in the public schools during regular school hours, despite the express prohibition in the McCollum decision; 4.1 per cent allowed the school buildings to be used after school hours but with no official school participation in the program; 35.0 per cent released individual pupils to attend religious-education classes outside of the school, with the school system assuming responsibility for attendance through records or otherwise; 33.1 per cent released individual pupils to attend religious education classes outside of the school, with the school system having no official responsibility; 4.2 per cent dismissed all pupils on a given

day, presumably for religious training outside of school; and 8.3 per cent reported programs which could not be classified under the preceding types.

In the school systems reporting religious education plans, while only 14 per cent of the students were involved, approximately 40 per cent of the school superintendents reported that regular school classes were maintained for non-attending pupils, and some of these indicated that teachers were forbidden to take up any new work during the released-time period.

According to the survey, the McCollum decision had played a major role in influencing school systems to abandon formal religious education programs. Over 300 school systems in 30 states had dropped their released-time programs since the decision.

PUBLIC OPINION

The NEA survey further attempted to estimate the public demand for religious education. The superintendents were asked to indicate the prevailing community point of view on two propositions: 1. "Formal religious instruction has no place in the public schools because the present public school emphasis on spiritual and normal values, integrated with all instruction, is sufficient for school purposes;" 2. "Some formal type of religious instruction should be worked out for public-school use because the present curriculum is not adequate." Of the 2,639 school superintendents who replied, 59.2 per cent thought that the first statement represented the community view, and 22.7 per cent, the second; 18.1 per cent did not vote.

Bible Reading

In scattered communities throughout the country, efforts were made to eliminate the practice of Bible reading in the public schools. In Augusta, Maine, on September 30, 1949, State Supreme Court Justice Robert B. Williamson dismissed a petition to ban Bible reading in the public schools. The Attorney General of Arkansas held on October 17, 1949, that hymn singing in public schools, credal instruction, or the memorization of Bible verses as a homework assignment were unconstitutional. At the same time, he upheld a state law passed in 1930 instructing teachers to "read the Bible without comment" and ruling "that some prayers or the Lord's Prayer may be recited." In addition, he ruled, pupils need not be required to attend the reading. On August 9, 1949, the Attorney General of Missouri declared illegal the offering of Bible and religious education courses by Southwest Missouri State College as part of the curriculum of the state-supported institution. Such teaching, the Attorney General contended, was in violation of the provisions of the United States Constitution.

In New Jersey, state legislation providing for recital of the Lord's Prayer and brief readings from the Old Testament in New Jersey public school classrooms or general assemblies was both attacked and defended in arguments before the State Supreme Court on September 18, 1949. Three days later, Supreme Court Judge Robert H. Davidson denied an injunction forbidding teachers in Hawthorne, N. J., from reading the Bible to their classes.

Judge Davidson ruled that a reading of the Lord's Prayer and passages from the Old Testament, presented without comment to students who were not required to be present, was constitutional, since it was "certainly not designed to inculcate any particular dogma, creed, or belief, or mode of worship."

Federal Aid to Education

The religious controversy over federal aid to education prevented much-needed federal assistance. The Barden Bill (*see* AMERICAN JEWISH YEAR BOOK, 1950, Volume 51, p. 98) was unable to make legislative headway and on March 14, 1950, the House Education and Labor Committee rejected the Senate-approved Thomas Bill by a vote of 13 to 12. This bill would have left up to the states the problem of whether federal funds should be granted to private and parochial schools for auxiliary services. Opponents of the bill included both ardent supporters of federal aid to parochial schools and those who were equally ardent in opposition, as well as a few representatives who thought the issue was too controversial to be considered during an election year.

Meanwhile, in Massachusetts on May 4, 1950, Governor Paul A. Dever signed a bill guaranteeing continued free bus transportation for parochial school children. Opponents of the measure announced their determination to test its constitutionality in the courts.

Holiday Observance

On September 13 and 14, 1949, a Joint Conference on Religious Holiday Observances in the Public Schools was sponsored by the Synagogue Council of America and the National Community Relations Advisory Council (NCRAC). Although the purpose of the Conference was to determine what the attitude of Jewish communities should be toward this problem, no formal statement of principles was adopted. Meanwhile, the following local developments occurred.

In Chelsea, Mass., the school committee of the community scheduled a public hearing on December 15, 1949, to act on a petition concerning problems resulting from the singing of Christmas carols and the staging of Christmas pageants in the public schools. It was claimed by the petitioners that these activities placed Jewish children in an embarrassing position. However, after considerable discussion in the general and Jewish community, the request for the hearing was withdrawn.

In Camden, N. J., the Jewish Community Relations Council won an agreement early in December, 1949, to place participation of Jewish children in Christmas festivals in the schools on a voluntary basis. This agreement had the approval of the superintendent of schools, and was supported by the NCRAC, the president of the Camden Parent-Teachers Associations, and the Board of Education. There was, however, some dissent from it by at least part of the Jewish community.

The Essex County (N.J.) Jewish Community Council at its general assembly meeting in March, 1950, recommended that the course of action regarding holiday observances be made to fit the situation in each community and school. In Philadelphia, a public seminar conducted in October, 1949, by the Jewish Community Relations Council on the subject of religious holiday observances elicited sharp attacks on the proposal to eliminate them from the schools.

In Cleveland, too, there was division in the Jewish community over the decision of the Cleveland Jewish Community Council at its meeting early in February, 1950, to end a four-year program of joint Hanukkah-Christmas celebrations in the Cleveland public schools. Cleveland was a pioneer in the movement toward these joint celebrations, but the community council was persuaded that the program was an unwarranted intrusion of religion into the public schools.

In St. Louis, Mo., the Rabbinical Association also went on record early in December, 1949, in opposition to celebration of Hanukkah festivals in the public schools on the ground that it was a breach of the principle of separation of church and state. But in Omaha, Christmas and Hanukkah were celebrated together at a ceremony in the Dundee school.

EDWARD N. SAVETH

HOUSING

THE PERIOD July 1, 1949, to June 30, 1950, was a dynamic one in relation to discrimination in housing. Privately financed construction expanded at an unprecedented rate, and the postwar public housing program got under way. This twelve months' period saw the passage of the Housing Act of 1949¹ and initiation of the slum clearance program under the urban redevelopment provisions of Title I of the Act. At the same time the effects of the Supreme Court's decisions barring judicial enforcement of race restrictive housing covenants were beginning to become apparent as colored families moved into new neighborhoods at an accelerated rate. The higher economic status of non-whites resulting from World War II persisted, forming a sustaining demand for decent housing on the part of a large segment of this market. Slowly but surely the efforts for anti-segregation and anti-discrimination laws covering publicly aided housing were bearing fruit. In addition, significant research on patterns of inter-racial living appeared.

Residential Segregation

The great expansion in construction affected discrimination in housing and brought mixed results. In Atlanta, Georgia, for example, privately

¹ The Housing Act of 1949 became law on July 15, 1949. Title I authorized \$1,000,000,000 in loans and \$500,000,000 in capital grants over a five-year period to localities to assist slum clearance and community development and redevelopment programs. Title III authorized Federal loans and contributions for 810,000 additional units of low-rent public housing over a six-year period.

financed, Federal Housing Authority (FHA)-insured, modern garden apartments were announced early in 1950. Similar projects were either under construction or about to be built in Washington, D. C., Chicago, and other cities. The largest Negro life insurance company in the nation, the North Carolina Mutual Life Insurance Company, announced in the summer of 1950 a large-scale Negro housing development in Memphis, and throughout the nation new construction in Negro areas and for Negro occupancy was under way. In each instance these developments reflected new appreciation for the extent and composition of the non-white market; in each instance, however, they were segregated. This meant that the new projects would serve to continue the ghetto pattern.

Similar institutionalization of residential segregation resulted from the general housing boom. As more units were added to the existing supply, most of them were located in sections of cities where the concept of exclusiveness was most pronounced. Consequently, through social pressures, "gentleman's agreements," discrimination on the part of financial institutions, and similar devices, the vast majority of the new dwelling units were for white occupancy only. Some were not available to Jews. This, too, solidified and strengthened the ghetto pattern, since an even larger proportion of the total supply of housing was for restricted occupancy.

PUBLIC OPINION

These developments and the actual and proposed expansion of public housing served to bring the issue of residential segregation out into the open. Failure of much publicized large-scale projects, such as Levittown, located in Long Island, N. Y., to accept qualified non-white purchasers, challenged as it was in the courts and by federal housing agencies during the first half of 1950, centered public attention upon the operation of residential segregation. Meanwhile, many public housing officials were forced to face the issue, especially in the North. They were confronted with general shortages of low-rent shelter, extreme need for space and dwelling units on the part of non-whites, and resistances to the expansion of the non-white areas on the part of white individuals and business, as well as of charitable and even religious institutions which had come to feel a vested interest in residential segregation. As local housing authorities wrestled with this problem, some of them came to the conclusion that there was no permanent solution within ghetto patterns; others were forced, by municipal or state laws, to abandon segregation in public housing. Many refused to depart from past practices.

Administrative Rulings

As the Slum Clearance and Urban Redevelopment Division of the Housing and Home Finance Agency, established under Title I of the Housing Act of 1949, began to plan its operations, two basic problems were encountered. The first was that of assuring maximum participation of private enterprise, and the second was that of relocating families living in project areas. Since a large proportion of the latter families would be non-whites, the

racial aspects of relocation presented themselves. When the House Committee on Banking and Currency reported on the Housing Act of 1949, it declared: "The primary justification for Federal assistance for this purpose [slum clearance and urban redevelopment] is the improvement of housing conditions for urban families. . . . Any slum clearance which fails to assure adequate housing for the families who presently live in slums would be merely forcing them into worse conditions. This applies with particular force to families of minority races for whom the problems of relocation are particularly difficult." This concern was reflected in the following provisions contained in Section 105 (C) Title I of the Act.

Contracts for financial aid . . . shall require that . . . there be a feasible method for the temporary relocation of families displaced from the project area, and that there are or are being provided, in the project area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families displaced from the project area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and reasonably accessible to their places of employment.

The requirement that relocation housing be available to displaced families would, in many instances, challenge ghetto patterns if faithfully observed. These requirements and the restrictive covenant decision occasioned certain administrative rulings. In the regulations for the operation of Title I of the Housing Act of 1949, there was a requirement prohibiting the placing of any covenant on land sold or leased by local public agencies for redevelopment purposes which restricted the sale or occupancy of the property on the basis of race, color, or creed. More important, the Housing and Home Finance Agency announced:

Proposals submitted by Local Housing Authorities for low-rent projects on slum sites which involve substantial displacement, will, of necessity, be subject to very careful review by the P.H.A. [Public Housing Authority]. This will be particularly true of projects where Negro or other minority groups would be displaced. . . . In certain cases, the problems of relocating displaced persons may be so grave that without the use of some vacant sites, no feasible relocation plan can be presented, thus incurring an insurmountable barrier in developing the proposed public housing programs.

In specific cases for such first year programs, P.H.A. will approve costs of land plus site improvements running up to 25 per cent of total development cost. This will be done, however, only where suitable vacant sites are not available in a locality or where the Local Authority is publicly committed to a balanced program of vacant and slum sites, and only if the excess site costs are not being incurred in order to avoid increasing the land areas in the community which are available for occupancy by Negroes or other minority groups.

Thus, during 1949-50, the Federal Housing agencies began to face the space problem which, under a system of residential segregation, harassed minority groups. As of July, 1950, the Federal Government had said only that the problem must be met in publicly aided shelter. It had left to local agencies

the determination of whether a solution within the pattern of residential segregation would be attempted or whether a solution which repudiated residential segregation would be adopted.

FHA ACTION

During 1949-50, there was some slight indication that FHA would insure mortgages on racially mixed housing projects. A development of that type was accepted by FHA in Philadelphia, and a co-operative middle-class subdivision in Norwalk, Conn., had no difficulty in securing FHA insurance of loans on houses for both white and Negro occupancy. On May 30, 1950, FHA announced the appointment of an Administrative Officer for Minority Group Housing. Earlier, in December, 1949, the administrative rules of FHA had been amended to require the mortgagor to certify that as long as FHA insurance was in force he would not file or record any racially restrictive covenant on the property.

State and Local Action

It was at the state and local levels that the greatest advances were made in attacking discrimination and segregation in housing. In July, 1950, state laws prohibiting discrimination in public housing projects had been enacted in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania (in state-wide programs only), and Wisconsin. Segregation was specifically defined as discrimination in the New York (Wicks-Austin) Statute and was so designated in an amendment to the Massachusetts Law adopted on May 23, 1950. Thus, by July, 1950, some two hundred local housing authorities were operating in states with anti-discrimination laws. Three of the twenty states having urban redevelopment laws forbade discrimination in the selection of tenants. They were Indiana, Pennsylvania and Wisconsin. New York was amply covered by the Wicks-Austin Law, and New Jersey, in an amendment to its housing laws enacted in 1950, prohibited discrimination in all public and publicly-assisted housing.²

In December, 1949, the City Council of Cleveland unanimously passed an anti-discrimination amendment to its housing ordinance which provided that there should be "no discrimination or segregation in the selection of tenants, the fixing of rentals, or in the construction, maintenance and operation of any . . . project." Philadelphia passed a similar provision on May 19, 1950. After a year of delayed opposition, the San Francisco Housing Authority indicated its willingness to comply with a non-segregation resolution passed by the San Francisco Board of Supervisors in the spring of 1950. Boston's City Council approved a resolution requesting the local authority to include a non-discrimination clause in contracts for its state public housing projects, and the Hartford Court of Common Council adopted a resolution forbidding discrimination in public or publicly assisted housing. In

² One of the earliest consequences of this amendment was the announcement by the Newark Housing Authority in September, 1950, that "dwelling accommodations [under its program] shall be allocated on the basis of need without regard to race, religious principles, color, national origin, and ancestry of applicants."

Milwaukee, Seattle and Los Angeles, local housing authorities announced policies of non-discrimination and non-segregation.

EFFECTIVENESS OF LEGISLATION

These laws had not been on the statute books long enough to afford a definitive evaluation of their effectiveness. There was, however, sufficient evidence to indicate the possible significance and the limitations of such legislation. The oft-mentioned Wicks-Austin law was being enforced by the New York State Division of Housing *in instances where complaints had been filed*. This meant that the law had been effective only where the New York State Committee on Discrimination in Housing, the National Association for the Advancement of Colored People, and their affiliates had initiated action at the local level.

On the other hand, the Philadelphia ordinance had occasioned preliminary action on the part of the local authority. Results have been forthcoming largely because the agencies which put the ordinance on the books had continued to work together to see that its spirit was reflected in public housing projects. As a result, the authority had re-evaluated its plans, calling in consultants to assist it in development of programs.

Perhaps more significant were less heralded developments. The Los Angeles Housing Authority had during 1948-50 not only established non-segregated patterns in new projects but had also converted segregated projects into ones of inter-racial occupancy. It had succeeded in placing Negroes in projects formerly all-white, without trouble or protest. However, expansion of the program of the local authority was threatened. (*See* article Intergroup and Interfaith Relations, *below*.) Denver, which had 770 segregated low-rent public housing units, announced a 4,000-unit program in 1950, including for the most part vacant sites in areas where minorities had not previously lived. The new program would be unsegregated.

In contrast to what Los Angeles, Seattle, New York, and Cleveland had done and what Denver, Hartford, and Philadelphia planned to do, was the record of Detroit and Chicago. Detroit had always established and maintained segregation in public housing. In Chicago, the local Housing Authority had attempted to secure racially integrated housing in vacant areas removed from the black ghettos. During the twelve-month period ending June 30, 1950, the Chicago City Council blocked its efforts at every turn.

PRIVATE HOUSING

Even in private housing there were some favorable developments during 1949-50. Since the outlawing of judicial enforcement of racial covenants by the Supreme Court in May, 1948, some 15,000 Negroes had escaped from the ghetto in Chicago. More important, the first project of the Chicago Land Clearance Commission was to provide for the selection of tenants without discrimination or segregation based on race, creed, color, or national origin. The New York Life Insurance Company entered into a contract with the City of Chicago on July 1, 1950, for the construction of a \$15,000,000 development of 1,400 apartments at the border of Negro-occupied South Side. This was one of a series of redevelopment projects in the district. The total

redevelopment program was a result of several years of planning initiated by the Michael Reese Hospital Planning Staff, the Illinois Institute of Technology, the South Side Planning Board, and the Chicago Land Housing Authority.³ While the original contract between the Chicago Land Clearance Commission and the New York Life Insurance Company would have permitted all-Negro occupancy, after FHA changed its regulations affecting racial policy in accordance with the Supreme Court decision on racial housing covenants in May, 1948, a new, non-discriminatory and non-segregation contract was effected.⁴ Here, as in the case of New York City, was evidence that private capital would undertake large-scale redevelopment housing even when local government required non-segregated occupancy patterns.

In Detroit, too, despite official sanction of residential segregation, the pressure of higher family incomes and increasing population among Negroes effected repeated break-throughs of the confines of Jim Crow areas. In Los Angeles, thousands of colored families had moved into what were, until most recently, "white" areas. New living areas had also been opened to Negroes in Washington, D. C., and to a lesser degree, in scores of other cities.

These advances in inter-racial housing were not an answer to the problem of space. Relatively few in number, these projects could not begin to cope with the rapid expansion of segregated areas resulting from the migration of non-whites to the cities. From the long-range point of view, however, they might serve as guides for the establishment of new patterns in group living.

Judicial Developments

During 1949-50 there were attempts to circumvent the decision of the Supreme Court prohibiting judicial enforcement of a restrictive covenant (see AMERICAN JEWISH YEAR BOOK, volume 50, p. 210). In one case decided on December 12, 1949 (*Weiss v. Leaton*), the Supreme Court of Missouri held that damages might be collected for a breach of a restrictive covenant. Other litigation was pending in Omaha and Los Angeles.⁵

Refusal of the Supreme Court in June, 1950, to review the decision by New York courts that racial discrimination in the state-assisted Stuyvesant Town housing development was legal, represented a setback for democratic housing, although the introduction of remedial legislation in the New York City Council in the summer of 1950 was sufficient to effect the acceptance of a "few Negro families" in Stuyvesant Town. The legal status of segregation in publicly assisted housing was further confused by a court decision in Pennsylvania which held that segregation was not discrimination.

California's alien land law, forbidding aliens (mainly Japanese) who

³ For a description of the early planning activities affecting the area, see "A Hospital Plans," *Architectural Forum*, September, 1946, p. 87-104.

⁴ For a brief description of the New York Life Insurance Company's redevelopment, see "Unique 'Redevelopment Project No. 1' of Chicago Land Clearance Commission," *The American City*, August, 1950, p. 118-20.

⁵ On September 7, 1950, the Minneapolis District Court ruled that non-disclosure of the fact that the buyer was a Negro did not entitle the seller to rescind a contract. On October 5, 1950, the Federal District Court in Washington held that damages were not collectable for a breach of a restrictive covenant.

were ineligible for United States citizenship to acquire, hold or sell land, received further setbacks. The California Court of Appeal invalidated the law as conflicting with the provisions of the United Nations Charter, which it said was now the "supreme law of the land," prevailing over conflicting state laws. On June 5, 1950, the California Supreme Court agreed to review this decision, the first in United States courts to apply United Nations agreements to a discrimination case.

Significant Research

In the midst of this somewhat muddled situation, some significant research was emerging. Financed largely by the Marshall Field Foundation, Morton Deutsch and Mary E. Collins of New York University had completed a study of *Intergroup Relations in Inter-racial Housing*.⁶ This research seemed to confirm the growing body of evidence that racially integrated housing was feasible and preferable to segregated housing from the point of view of sound administration and tenant relations.⁷ On the basis of detailed analysis of four public housing projects in two eastern cities, Deutsch and Collins found that once a bi-racial policy was established by local authorities, tenants generally accepted it and inter-racial strife was not engendered thereby.

ROBERT C. WEAVER

PUBLIC ACCOMMODATIONS AND ARMED FORCES

EFFORTS to abolish segregation and discrimination in public accommodations made some gains in the courts, on state and local legislative levels, and in some instances through the voluntary actions of government and private agencies.

PUBLIC ACCOMMODATIONS

The most important development of the year was the Supreme Court decision of June 5, 1950, in the case of *Henderson v. ICC*, which dealt with segregation in the dining cars of railroads in interstate travel. In this case a Negro challenged the Southern Railway Company's assignment of one table for Negroes and the rest for whites. The Interstate Commerce Commission (ICC) had ruled that this practice did not violate its non-discrimination regulation, and a Federal Court had upheld this ruling. The Supreme Court, however, held that the practice did violate the non-discrimination regulation, but it declined to rule on whether or not the Company's method of segregation also violated rights guaranteed by the Fifth and Fourteenth Amendments. By July, 1950, Southern railroads appeared not to have elimi-

⁶ A resume of the study appeared in the January, March, and April, 1950, issues of the *Journal of Housing*.

⁷ This experience was summarized in Robert Weaver's *The Negro Ghetto*, and "Ten Years of Interracial Housing," by Thomas F. Farrell, *New York Times Magazine*, February 12, 1950.

nated segregation in dining cars. Reports were made that, pending receipt of new instructions from the ICC, the Southern Railway was seating Negroes and whites beginning at opposite ends of the dining car, and that the Louisville and Nashville had directed a Negro to sit at a special table for Negroes which was screened from the rest of the tables in the car.

One other court victory of special importance was the decision by the United States Circuit Court of Appeals for the Sixth Circuit. This court in November, 1949, reversed a lower Federal court in Kentucky and held that the Southern Bus lines could not legally segregate passengers in interstate travel by its own regulations. The court followed the 1946 *Morgan* case, in which the United States Supreme Court had outlawed a Virginia statute imposing segregation in interstate transportation, as a burden on interstate commerce. The Circuit Court of Appeals held that segregation imposed by the private carrier's own regulation was equally a burden and hence likewise illegal. This was the first ruling of its kind in a Circuit Court of Appeals. In April, 1950, the Negro plaintiff in this case was awarded \$1,500 damages.

Other instances of litigation brought mixed results. Negroes resorted to the courts in Washington, D. C., Texas, Illinois, Kansas, California and Pennsylvania, charging local government authorities and private operators of places of public resort with illegal discrimination of various degrees. They won cases against a Cleveland, Ohio, golf club, an amusement park in Pennsylvania, and a restaurant in the State of Washington. They lost cases against a Southern railroad, the City of Baltimore (public parks), and a restaurant in Washington, D. C. Senator Glen H. Taylor (Dem., Idaho), early in 1950 failed twice in the Alabama Court of Appeals, where he sought a reversal of his conviction for disorderly conduct on the charge of violating the segregation laws of Birmingham during his campaign for the Vice-Presidency on the Progressive party ticket in 1948. On March 9, 1950, the Alabama Supreme Court denied his petition for review, and on June 5, 1950, he appealed to the United States Supreme Court.

New Legislation

Two new local laws prohibiting discrimination and segregation in public accommodations were passed and one took effect during 1949-50. A Connecticut statute, enacted in June, 1949, became effective in October, 1949. Including not only public accommodations but public housing as well, the law lodged jurisdiction in a state agency empowered to settle complaints of discrimination by conciliation and, this failing, by a public hearing and a cease-and-desist order enforceable in the courts. On May 17, 1950, the Massachusetts legislature converted its Fair Employment Practice Commission into a State Commission Against Discrimination, and, effective in August, 1950, broadened the agency's power to cover discrimination in public accommodations and public housing. On February 21, 1950, Portland, Ore., enacted an ordinance of the same general type dealing with public accommodations; however, a successful move to secure a referendum on the measure prevented the law's taking effect pending the result of the voting in November, 1950.

Enforcement of Legislation

The New Jersey Freeman Law, the first to apply the new enforcement technique to public accommodations legislation, ended a year of operation in March, 1950. The enforcing agency had received fifty-six complaints, most of them charging discrimination because of race or color in hotels, restaurants, and amusement places. Thirty of these cases were settled by conciliation (with the respondent writing a letter of apology to the complainant and inviting his patronage), five were dismissed for lack of evidence, and the remainder were pending at the end of the law's first year of operation.

The Pennsylvania Railroad Company and the New York State Commission Against Discrimination announced on October 19, 1949, that Negro passengers would no longer be segregated on trips from New York City to points south of Washington, D. C. Officials of the railroad pointed out that Negroes had never been segregated on trips to Washington, but that on journeys to cities south of the District of Columbia the railroad had assigned them to segregated cars, unless they requested seats elsewhere. The Southern Railway Company, it was reported, would co-operate by not compelling any Negro to change his seat or car.

Swimming Pools

Segregation in publicly owned swimming pools was again an issue during the year under review but the 1949 pattern of violence and insufficient preparation and police protection at nonsegregated pools was not repeated. In St. Louis, Mo., in June, 1949, violence near a swimming pool just opened on a nonsegregated basis led to an order reimposing segregation in nine swimming pools and thirty-five playgrounds. In June, 1950, Negroes asked a Federal court to prevent the city from continuing to exclude Negroes from certain pools. In July the court ruled in their favor, and on July 19, 1950, the pools were opened to Negroes without segregation. Minor "incidents" occurred at two pools on the first day, but adequate police protection prevented further outbreaks.

Similar success in eliminating segregation was registered in Washington, D. C., pools, at one of which violence broke out on June 28-29, 1949. The Department of the Interior closed that pool for the entire summer, but continued its nonsegregation policy at five other pools which it operated. On June 7, 1950, these pools reopened under the same policy and no "incidents" took place.

Restaurants

In other aspects of public accommodation, the nation's capital, known for its racial exclusion, made minor gains. One law suit to eliminate restau-

rant discrimination against Negroes failed in July, 1949, and another test was planned. Earlier, the Committee for Enforcement of District of Columbia Anti-Discrimination Laws had reported that of those restaurants tested, twenty-six served Negroes, the practices of six were in doubt, and twenty-six refused service to Negroes.

Theatres

In March, 1949, the legitimate theatre returned to Washington, D. C., after eighteen months, when the Gayety announced its conversion to a playhouse with a nonsegregation policy. The city had been without an active playhouse since 1948, when the National Theatre was converted into a movie house in order to avoid an Actors' Equity Association ruling forbidding members to perform in theatres which excluded or segregated Negroes. In March, 1949, Equity set up a committee to devise methods for countering anti-Negro discrimination in places of public accommodation. Although conditions for Negro actors on the road had improved in the last ten years, the chairman of the new committee asserted, Negroes still encountered much discrimination.

Vacation Resorts

In several areas special drives were started during the year to eliminate discrimination by vacation resorts. In the spring four Michigan tourist associations were warned that they might lose their right to avail themselves of state-supported facilities if they continued to discourage Jewish patronage in their advertising. In March, 1949, forty New York City travel agents set up a committee to combat discrimination and agreed not to recommend resorts which discriminated on the basis of religion. In the same month delegates to a meeting of the New York section of the American Camping Association were urged by several speakers not to discriminate against children on the basis of race, color or religion; and the Wisconsin Governor's Commission on Human Rights made public an educational program to increase resorts' compliance with the state civil rights laws. Representatives of this Commission met with others from similar commissions in Illinois and Minnesota; in May, 1950, it was announced that a committee had been formed to combat resort discrimination in the three states.

ARMED FORCES

More progress in the elimination of discrimination in the armed forces appears to have been made during 1949-50 than in complete decades previous to that period. The results of the work of President Harry S. Truman's Committee on Equality of Treatment and Opportunity in the Armed Services were made public on May 22, 1950, nearly two years after the Committee's establishment, in a report entitled, *Freedom to Serve*. The report showed considerable advancement in the elimination of discrimination in the Navy and Air Force, but less in the Army; on the whole, the Committee esti-

mated that in the "reasonably near future" there would be genuine equality of opportunity for all men and women.

Navy

In the Navy, the Committee reported, segregation and discrimination had been completely eliminated. Whereas 95 per cent of the Navy's Negroes were in the steward's branch in 1945, over 40 per cent of the Negroes were in general service in 1950. Moreover, they were fully integrated with whites in training, jobs, messes, and sleeping arrangements, both at sea and ashore. In the Marine Corps, training was said to be nonsegregated, but some Negroes were still assigned to segregated units after training.

Air Force

In the Air Force, too, all assignments and schools were available to Negroes without restriction as to work, messes, and barracks. About 75 per cent of the 25,000 Negroes in this branch were serving in nonsegregated units, and integration was still going on.

Army

In the Army, whose plan for eliminating discrimination was the last to be accepted by the Secretary of Defense in 1949, progress was slower. Racial quotas for schools were abandoned in 1949, and in January, 1950, an Army directive stated that all men and women would be assigned to units without regard to race or color. In March, 1950, the Army dropped its long-standing 10 per cent Negro enlistment quota.

The director of the Selective Service System announced in June, 1950, that new registrants under the draft law would not be asked to state their race.

In the National Guard discrimination and segregation were likewise abandoned in several states. California, Connecticut, Illinois, Massachusetts and Wisconsin had taken such action during 1949, and these states were joined by Michigan, Oregon and Washington, by July, 1950.

MORROE BERGER

ANTI-JEWISH AGITATION

THE ORGANIZED anti-Semitic movement, though it had been on the decline since the end of World War II, was far from dormant during 1949-50. During the period from July 1, 1949, to July 31, 1950, there were approximately fifty anti-Semitic groups and fifty periodicals in existence in the United States. Anti-Jewish agitation, however, was not confined to the "old line" anti-Semitic groups. It also appeared within certain types of ultra-conservative groups, couched in subtler and more sophisticated terms, and in public disorders directed primarily at Communists and Negroes.

Peekskill

Peekskill, N. Y. (pop. 18,000, including 1,000 Jews), a summer-resort section forty miles from New York City, was the scene of two riots on August 27 and September 4, 1949. These disorders arose out of the scheduled open-air concert appearance of Paul Robeson, Negro singer whose pro-Soviet sympathies were well-known, at functions sponsored by the Civil Rights Congress, an organization listed by the United States Attorney General as a Communist front.

The concert was not held as scheduled on August 27, largely because a protest parade of veterans' groups (and townspeople attracted to it) blocked entry into the picnic grounds, site of the function, where some 200 people had assembled before the scheduled time. After the parade disbanded, fights ensued as those on the grounds began to leave. The violence included stone-throwing and the overturning of automobiles; order was restored by the arrival of a detachment of state troopers to augment the few local police on the scene. Robeson, apprised of the disorders, did not appear.

The sponsoring organization, declaring that it would not be deprived of the right of assembly, set the next concert for Labor Day (September 4). On the day of the concert, 15,000 visitors, most of whom came from New York City, arrived in cars and chartered buses at the abandoned golf-course near Peekskill where the event was to be held. Accompanying them was an organized uniformed group of 2,500 "guards" recruited from left-wing unions. Approximately 900 police (including 250 state troopers) were on hand. A protest parade of veterans' groups had again been organized. The concert was held and the veterans counter-demonstrated, without serious incident. However, when both parade and concert were over fights again ensued, and cars and buses were again stoned and overturned amid shouted anti-racial slurs. Approximately 150 persons sustained injuries during the course of the disorders.

On the day of the second riot (Labor Day), several anti-Semitic activists had arrived in Peekskill. Anti-Semitic stickers were found pasted on cars and leaflets were distributed, among them Einar Aberg's anti-Semitic tracts imported from Sweden.

INVESTIGATIONS

Amid widespread public concern over the civil liberty and other law-and-order aspects of the disturbances, Governor Thomas E. Dewey on September 14, 1949, ordered an exhaustive grand jury enquiry. Meanwhile, the American Civil Liberties Union conducted its own investigation, the results of which were made public in May, 1950. The report stated:

Behind the anti-Communist sentiment marshalled by organized veterans in a misguided expression of patriotism, lay prejudice against Negroes and Jews . . .

The authorities too, share responsibility for the outbreak. They did not respond with any but token police protection at the first concert on August 27 . . . At the second [concert] on September 4, which its sponsors said was

held to vindicate their right of assembly on private property, the authorities, though present with large police forces, permitted a provocative parade of veterans . . . which resulted in an assault on the concert-goers . . . as they left in small groups.

Joining in the ACLU report were the American Veterans' Committee, Americans for Democratic Action, National Association for the Advancement of Colored People, American Jewish Congress, and Council Against Intolerance.

On June 12, 1950, the Grand Jury presented its findings which came to different conclusions from those reached by the ACLU. The Grand Jury stated that it was

. . . convinced that the violence which developed on both occasions . . . was basically neither anti-Semitic nor anti-Negro in character. Despite the surface indications of racial and religious prejudice in some of the epithets hurled at the concert-goers, it is clear from the evidence that the fundamental cause of resentment and the focus of hostility was Communism.

While condemning the acts of violence in unequivocal terms, the Grand Jury nevertheless placed the major part of the blame upon the Communists, describing the second concert as the Communist party's

. . . proving ground to test its machinery for mobilizing its forces, manipulating public opinion, and, more important, for rehearsing its strong-arm forces.

The Grand Jury criticized the ACLU report as being based, in part, on "gossip, rumors and unverified stories of prejudiced persons . . . accepted as evidence . . ."

BACKGROUND

The difficulty in determining the causes of the disorders appeared to lie in the complexity of the background. Factors not previously mentioned included the following: the population of the Peekskill area almost triples with the influx of summer residents, generating xenophobic attitudes on the part of the townspeople; the summer season, nearing its end, had been an unusually oppressive one, further taxing the strained relationships between permanent and summer residents; the area contained many Communist and radical camps and colonies; the disorders took place against a general background of increasing hostility toward Communism and Communists; Robeson had made widely publicized statements to the effect that it was "unthinkable" that American Negroes would take up arms against the Soviet Union; the town itself at the time of the disorders was suffering from an industrial slack; before the first concert a local newspaper had used language considered by some (including ACLU) to be provocative; and the presence of young hoodlum elements was an additional factor.

While the origins of the Peekskill disorders promised to remain a controversial subject, Peekskill's civic, trade, social, church, veterans', and other groups began a positive program to improve the intergroup relationships within the community.

Chicago Incident

Another serious incident with racist overtones occurred in Chicago between November 9 and 12, 1949. The number of participants swelled from 200 to an estimated 2,000. The vicinity of Fifty-sixth Street and Peoria Avenue was predominantly non-Jewish. Its residents had for some time previous to the disturbances heard rumors that Negroes were planning to move into the neighborhood. On November 9, Aaron Bindman, an official of the Congress of Industrial Organizations (CIO), entertained a group of delegates and shop-stewards, some of whom were nonwhite, at his recently purchased home in that section. Some of his neighbors immediately spread the word that Bindman had bought his house for resale to Negroes. A disorderly crowd soon gathered shouting anti-Negro and anti-Semitic threats which continued throughout the disturbances. Bindman came out to remonstrate, after which stones were thrown, followed by general violence. Young hoodlums soon grouped together and ranged the neighborhood, demanding that passers-by identify themselves; mobs degenerated into free-for-alls among their own members; cars were stoned, and in some instances their occupants were assaulted; police were attacked; and a half-mile area was eventually closed off to traffic. More than fifty persons were arrested, most of whom were almost immediately released.

In the wake of these disorders, the Chicago Police Department formulated a new set of procedural regulations to cope with incidents of this type, which were effectively applied.

Areas of Respectability

Illustrative of the extension of anti-Semitism into areas of respectability were the activities of Merwin K. Hart, director of the National Economic Council, which derived most of its support from firms and individuals interested in the propagation of the "free economy" concept. Hart, however, had converted NEC, especially its semi-monthly *Economic Council Letter*, into a medium for the expression of his violent prejudice not only against the New Deal but also against the United Nations, Zionism, socialized medicine, and Fair Employment Practices legislation. In addition to the frequent mention of Jews in unfavorable contexts, Hart often resorted to the equation of Zionism with Communism. Thus, the *Economic Council Letter* of June 15, 1949, asserted

The fact is that Zionist and Communist influence (at times the one is stronger, at times the other—frequently they work together) has dictated and controlled practically all moves of American foreign policy since 1933.

The same publication on December 1, 1949, warned Christians against supporting the United Jewish Appeal, charging that part of the money collected "would be used to help wipe out what remains of Christianity in Palestine."

During the first half of 1950, Hart's activities were investigated by the

House Select Committee on Lobbying Activities, whose proceedings were widely reported. Several contributors, claiming they were unaware of Hart's activities, announced withdrawal of further support.

Also under inquiry by the same Congressional committee during 1949-50 were the activities of Joseph P. Kamp, who directed the Constitutional Educational League. Kamp was a prolific pamphleteer whose output was designed to appeal to ultra-conservative elements in business and industrial circles. Repetitive uncomplimentary mention of Jews in attacks on Communism and liberal legislation or movements (usually characterized as "red") was a prominent theme in his propaganda. Among those who advertised and distributed Kamp's works were Gerald L. K. Smith and Gerald Winrod.

After exhausting all avenues of appeal, on June 9, 1950, Kamp began a four-month sentence for contempt of Congress arising out of his refusal in 1944 to furnish the Campaign Expenditures Committee with a list of contributors to the Constitutional Educational League.¹

Chicago Daily Tribune

The *Chicago Daily Tribune* of May 29, 1950, contained a front-page article by its Washington correspondent, Walter Trohan, which quoted an unnamed source to the effect that three prominent Americans of Jewish faith (all named) constituted "a secret government of the United States." The article contained other material highly susceptible of invidious interpretation. A committee of local Jewish community leaders, representing major national Jewish organizations, sharply protested. Conferences with the *Tribune's* management resulted in an exchange of letters in which the *Tribune* disavowed any anti-Semitic intent, stating that it "did not foresee the interpretations which . . . have been put upon it [the article] in Jewish circles." The *Tribune* gave further assurance that it would enforce its copy-right in order to prevent the reprinting of this article. Nevertheless, shortly after its publication two anti-Semites reprinted the article without permission.

General Propaganda Line

Experience has shown that anti-Semitic agitators, in order to make an impression on the public, must tie in their propaganda with general exploitation of the hardships and discontent resulting from war, economic dislocations, and social tensions. Some burning public issue must be exploited. Before Pearl Harbor, one of the most effective vehicles of the movement was the issue of American neutrality.

The outstanding propaganda theme employed by the anti-Semites during 1949-50 was the identification of Jews with Communism and the Soviet Union. The exploitation of this theme kept pace with world events. Thus, the United Nations was depicted as a form of world-government controlled by Jews, who, in turn were charged with being the tools of Stalin; all Jews

¹ On August 31, 1950, Kamp was again cited by Congress for contempt for a similar reason, in connection with his appearance before the House Select Committee on Lobbying Activities.

prominent in public life, in the United States and abroad, were similarly classified by anti-Semitic agitators as collaborators or compliant dupes of the Comintern; Zionism and the state of Israel were painted as products of the plan for world-domination by the Communists. Civil rights legislative campaigns and laws, notably those associated with Fair Employment Practices, were also interpreted in this way; nor was the issue of socialized medicine overlooked. In thus converting current public issues into anti-Semitic themes present-day anti-Semites differed from their predecessors of the thirties who had exploited what may be called "classical" themes of anti-Semitic propaganda, e.g., the infamous *Protocols of Zion* libel, the "international banker" canards, spurious "Talmud exposes," and the Franklin forgery.

Types of Anti-Semitic Organizations and Activities

Although organized along special-interest lines, each group appealing to a certain section of the population, the various anti-Semitic groups showed an increasing tendency to collaborate in order to broaden their appeal. Thus, W. Henry McFarland, Jr.'s, Nationalist Action League worked closely with Catherine V. Brown's National Blue Star Mothers. Wesley Swift's Anglo-Saxon Christian Congregation collaborated with Gerald L. K. Smith's Christian Nationalist party. However, the merger of Conde McGinley's Loyal American Group with the Nationalist Action League in 1949 was short-lived. For several years McGinley had been one of the few agitators who had worked to secure concerted programs of action among anti-Semitic leaders.

GERMAN-LANGUAGE GROUPS

Keeping pace with events German groups in the United States replaced their appeals for a "soft peace" for the Fatherland with bolder demands for the rehabilitation and autonomy of the Federal Republic of Germany. The German language anti-Semitic groups centering in the Yorkville section of New York City met desultorily, their meetings poorly attended. During the early part of 1950, left-wing elements instituted a semi-weekly picket-line of a Yorkville store which sold *The Broom*, vitriolic anti-Semitic sheet published by Leon De Aryan in San Diego, Cal. With the abandonment of the picketing, sales of this periodical at the store dropped materially.

MOTHERS' GROUPS

"Mothers'" groups, except for the National Blue Star Mothers of Pennsylvania and We, The Mothers, Inc. of Chicago, were generally inactive. Agnes Waters of Washington, D. C. continued her agitation single-handed, mailing out vicious mimeographed screeds.

FUNDAMENTALIST GROUPS

Anti-Semites continued their exploitation of religious themes, concentrating primarily on Fundamentalism and, secondarily, on the Anglo-Saxon movement which holds that the "Aryan" English-speaking peoples alone are true Israelites. Among the leading Fundamentalist agitators were Gerald Winrod, publisher of *The Defender* (Wichita, Kans.), William D. Herrstrom,

publisher of *Bible News Flashes* (Faribault, Minn.), and Lawrence Reilly, who operated the Lutheran Research Society (unaffiliated with the Lutheran church). The most virulent Anglo-Saxon anti-Semitic agitator was Wesley T. Swift, the movement's West Coast leader, who had considerable following in the Los Angeles area. Smith's meetings in that city owed whatever success they may have had to Swift's co-operation.

"NEWSLETTER" APPROACH

The "confidential newsletter" approach was used by Robert H. Williams, (Santa Ana, Cal.), publisher of the anti-Semitic newsletter, *Williams Intelligence Summary*. Allen Zoll of New York City, the pre-Pearl Harbor leader of the American Patriots (an organization listed as subversive by the United States Attorney General in 1947), started the American Intelligence Agency toward the end of 1949, issuing a periodic bulletin. Zoll continued his activities as one of the guiding spirits of the National Council on American Education, formed with the stated objective of purging schools and colleges of Communism. Another new venture of Zoll's was the American Liberty Press, which distributed reprints of a *Chicago Daily Tribune* article containing highly biased matter (see above).

VETERANS' GROUPS

In the veterans' area Gerald L. K. Smith reactivated his Nationalist Veterans of America (St. Louis), which was headed by Chris Schlather. In Arcadia, Cal., A. Hoepfel continued publication of *National Defense*, a monthly stressing veterans' problems which often contained anti-Semitic references.

GERALD L. K. SMITH

During 1949-50, Gerald L. K. Smith continued to lead the organized anti-Semitic movement both in the number of meetings held and in the output of anti-Semitic literature. Though Smith lived at Tulsa, Okla., the headquarters of his organization were housed in a small building in St. Louis, reportedly leased to him by one of his employees, Opal M. Tanner. The principal Smith front was the Christian Nationalist party (CNP) (or Crusade), which was officially declared to be a political party in Missouri on May 19, 1950. The CNP commanded few followers and posed no threat politically. CNP's regular meetings at St. Louis were sparsely attended by audiences ranging from thirty to seventy-five. Smith's perennial "national convention" was held twice during 1949-50: at St. Louis on September 28 to 30, 1949, and at Los Angeles on July 20 to 23, 1950.

Publication activity at Smith's headquarters in St. Louis was considerable. Circulation of *The Cross and The Flag*, CNP monthly, continued at an estimated 20,000 copies per issue, while a brisk mail-order trade in anti-Semitic literature was conducted. However, only a single trial issue of a new publication, *Attack*, had appeared by July, 1950. In addition to CNP, fronts used by Smith included the World News Service, the Anti-Communist League, the Nationalist Veterans of America, and the Patriotic Tract Society. Smith reported the receipt of \$90,000 in contributions during 1949.

F. C. SAMMONS

A new arrival upon the anti-Semitic scene was Forrest C. Sammons, well-to-do contractor of Huntington, W. Va., who early in 1950 formed the West Virginia Anti-Soviet League. Long an admirer of Gerald L. K. Smith, Sammons had previously confined his activities to writing letters to the local press. By the summer of 1950 Sammons was devoting much time to conferring with fellow agitators in various parts of the country. He had also branched out into the widespread distribution of their publications.

GEORGE W. ARMSTRONG

George W. Armstrong, octogenarian millionaire and pamphleteer of Fort Worth, Tex., and Natchez, Miss., received nationwide notoriety in October and November, 1949, when he offered a gift of oil-rights (reported as having a potential value of \$50,000,000) to a small school, Jefferson Military College in Mississippi. The condition of the gift was that the school devote itself to teaching Anglo-Saxon supremacy and other forms of racism, and exclude Jews and colored races from its student body. In the midst of the storm of publicity that ensued, the school rejected the gift, one of its officials declaring that "all the money in the world" could not induce the institution to accept Armstrong's conditions.

The following month, the United States Internal Revenue Bureau revoked the tax-exemption status of the Judge Armstrong Foundation. The foundation had been incorporated for charitable purposes, but by Armstrong's own public admissions, it was being used by him to subsidize and publish anti-Semitic literature. Armstrong's literary output during the period included four pamphlets, the last one of which was entitled "The Zionists."

Looked upon by other activists in 1947 as a potential Maecenas, Armstrong largely disappointed their expectations, preferring to spend his money on his own publications. He derived his chief assistance from General George Van Horne Moseley, one of the trustees of his foundation, who in 1937 had been regarded by anti-Semitic leaders as the man most likely to unify the movement.

Publications

The style, tone, and make-up of the anti-Semitic press ranged from the intellectual to the frenetic, from good printing and format to poorly mimeographed pages, from publications whose total content was anti-Semitic to those containing only a page or two of such material per issue. Gerald Winrod's *Defender* (estimated circulation 100,000) devoted the major portion of each issue to religion, while G. L. K. Smith's *The Cross and the Flag* (20,000), was almost entirely devoted to anti-Semitism. Conde McGinley's *Common Sense* occasionally included pro-German and pro-Arab material as well as reprints of articles, including some by Merwin K. Hart. Among those periodicals consistently replete with messages of hatred were Court Asher's poorly printed *X-Ray*, the better-printed *The Broom*, published by Leon De Aryan, and Lyril Van Hyning's *Women's Voice*. Arthur Koegel's German-

language *Buergerzeitung*, published in Chicago, was one of the most bigoted of the German-language publications.

Legal Proceedings

William Dudley Pelley, quondam leader of the Silver Shirt Storm Troops, was paroled on February 14, 1950, after having served half of a fifteen-year sentence for sedition imposed by a Federal Court in 1942.

After long appellate delays, on April 26, 1950, Emory Burke, former leader of the Columbians, the Atlanta, Ga., storm-troop, began serving a prison sentence he had received because of his organization's activities. In July, 1950, Homer Loomis, Jr., co-leader of the group, was still at large pending appeal procedure.²

Ku Klux Klan

Beset by schisms, tax-troubles, a Congressional committee investigation, vigorous opposition by Federal and state government authorities, the press, and public sentiment generally, the Klan appeared to have suffered a setback during 1949-50. Cross-burnings, parades, and incidents of violence characteristic of the Klan continued, but in the main they inspired public indignation and opposition, rather than fear. Anti-mask ordinances, coupled with Klan leaders' directives to their members to parade unhooded, dampened the enthusiasm of many would-be Klansmen. On March 18, 1950, an all-white Federal jury at Rome, Ga., reportedly for the first time in the history of the South, convicted a sheriff and his deputy for their part in a Klan flogging of seven Negroes. Others indicted were acquitted, however. On the negative side, there were instances of failure to prosecute admitted Klansmen for acts of violence, and instances of their acquittal.

The largest Klan group continued to be the Associated Klans of Georgia, headed by Sam Roper, former Atlanta policeman, who succeeded the late Dr. Samuel Green as Imperial Wizard in August, 1949. Despite public claims of membership in excess of 20,000, a reliable estimate of the Associated Klans' strength assessed the figure as nearer to 9,000. Early in 1950, in a complete upset of Roper's plans for unification, three Klans consolidated as an independent organization. These were the Federated Klans of Alabama, led by Hugh Morris, the Southern Knights of the Ku Klux Klan, directed by Bill Hendrix of Tallahassee, Fla., and the Association of Carolina Klans, of which Thomas L. Hamilton of Leesville, S. C., was the Grand Dragon. A lesser figure was Lycurgus Spinks, whose faction had an insignificant membership. Spinks threw in his lot with Roper.

Significantly, both divisions of the Klan embarked early in 1950 upon revised propaganda approaches, including greater emphasis on anti-Semitism and opposition to liberalism and civil rights. The anti-Negro aspects of the movement were de-emphasized or omitted. Thus, the July, 1950, issue of

² Loomis began serving his term on September 7, 1950.

The American Klansman, Roper's new monthly publication, prominently equated Communists with "international Zionists."

GEORGE KELLMAN

INTERGROUP AND INTERFAITH RELATIONS

THE PERIOD under review (July 1, 1949, to July 1, 1950) was marked by three significant developments in the area of intergroup relations. First, the sizeable network of mayor's committees, civic unity councils, neighborhood councils, and field offices of national group relations organizations (see AMERICAN JEWISH YEAR BOOK, 1950, volume 51, p. 116-19) which had come into existence since 1943, was put to its first major test of strength in the postwar period, as equality of opportunity in education, employment, housing and public accommodations emerged as major issues in American communities. The problem of equal opportunity to decent non-segregated housing had a particularly important impact on group relations. Second, college campuses became centers for human relations training. Third, church groups, both Catholic and Protestant, embarked on action programs against segregation and discrimination, and racial barriers in voluntary associations were challenged with increasing success.

Essentially, the emphasis was placed on increased inter-racial understanding. Among religious groups, an increase in tension was observable. Issues such as federal aid to parochial education, released time practices, and religious holiday celebrations in the public schools, and church-state relations generally, as well as splits along religious lines on issues of civil liberties, contributed to this tension.

Community Planning for Intergroup Relations

In general, local agencies, both public and private, concerned themselves increasingly with problems of civil rights, equalization of opportunity and the impact of these problems on intergroup relations. Continuing the trend of postwar years, several additional communities created human relations commissions.¹ By authorization of state statute, civil rights and human relations commissions were established in Camden, Montclair, Newark, and Paterson, N. J. The city council of Portland, Ore., created a permanent commission on intergroup relations, giving official recognition to the advisory committee appointed by Mayor Dorothy M. Lee in August, 1949. Committees appointed by direct action of the mayor without benefit of local ordinance were set up in Bloomington, Ind., St. Louis, Mo., Passaic, N. J., Akron, Ohio, and Kenosha, Oshkosh, and Racine, Wis. The Akron and Wisconsin committees were created on the basis of facts revealed by community surveys. Governor Frank Carlson of Kansas appointed a five-member commission authorized by the legislature to survey the status of minorities in employment.

¹ AMERICAN JEWISH YEAR BOOK, volume 51, p. 116-17, enumerates communities with such commissions as of July, 1949.

TOLEDO

Typical of efforts to equalize opportunity for members of minority groups were those reported by the Board of Community Relations of Toledo, Ohio, in its 1949 Annual Report. Negro veterans were accepted and integrated into the Hillcrest Veterans Project. An inter-racial program was introduced at the East Toledo Neighborhood House. Segregation was abolished by the Nebraska Bus Lines, and a local ordinance was enacted calling for the revocation of franchises of discriminatory public accommodations. The application blanks of the Civil Service Commission were cleared of questions on race and religion. Negroes were hired for the first time as operators by the Bell Telephone Company, and as drivers by the Red Cab Company. In the education field, five nurse training schools accepted Negro applicants and the University of Toledo denied recognition to a professional fraternity which maintained a discriminatory admissions policy.

The Toledo Board of Education co-operated with the Board of Community Relations in developing a program of intercultural education for the schools. Adult education on human relations was conducted through church groups and through a radio program, *Bedtime Stories for Adults Only*. Car cards urging intergroup amity were approved for public transports. In co-operation with the Toledo Jewish Community Council, the Board of Community Relations instituted an advisory service on demagogic literature.

MINNEAPOLIS

The November, 1949, issue of *Progress*, monthly newsletter of the Minneapolis Mayor's Council on Human Relations, reported successes. On October 4, 1949, a meeting was held with the Board of Directors of the Minneapolis Board of Realtors to discuss plans for a co-operative effort to eliminate discrimination based on race and creed in real estate transactions. Standing committees were appointed to work toward the formulation of an action program to deal with this problem. On November 22, 1949, Governor Luther W. Youngdahl issued an executive order abolishing segregation in the Minnesota National Guard. In March, 1950, the Automobile Club of Minneapolis, an affiliate of the American Automobile Association (AAA), indicated that it had dropped its restrictive barriers against Jewish membership. The Minneapolis Mayor's Council conducted an intensive program of public education and undertook additional activities in behalf of equalizing opportunity in employment, housing, and access to public accommodations. The educational program included scheduling of neighborhood meetings throughout the city to encourage sound attitudes and practices in human relations, co-operation with other human relations agencies and with the personnel of the public schools in the interests of intergroup education, the offering of awards to school children for essays on human relations and to local citizens for distinguished contributions to human relations, and the stimulation of church groups to offer human relations programs based on their own denominational materials. The Council also instituted a continuing police training program, stressing the role of police officers in dealing with intergroup conflicts.

Similar achievements were recorded by Mayors' Committees in many communities, particularly Chicago, Detroit, Buffalo, Cleveland, Cincinnati, and New York.

NAIRO

On November 3-5, 1949, the National Association of Intergroup Relations Officials (NAIRO), made up of the executives of private and public group relations agencies throughout the country, held its third annual national conference in Chicago. In addition to mapping out the respective roles of state and local public and private agencies, the conference discussed the major internal needs of agencies: financing, organizational structure, and professional personnel. As part of the effort to assess the status of human relations, round tables were conducted on employment, community organization, inequalities of educational opportunity, intercultural education, housing, and civil rights legislation and litigation. Over-all strategy and specific techniques were analyzed on the basis of case material drawn from community experiences.

The Housing Problem and Group Relations²

The passage of the National Housing Act of 1949 created an immediate problem for most urban communities in America. The act represented a stimulus to urban redevelopment, providing for grants-in-aid in the total sum of more than \$1,500,000,000 to local communities for slum clearance and the building of public and publicly assisted housing. The act contained no provision against segregation, thereby creating the likelihood that lines of segregation in communities would become even more pronounced as a result of the expanded housing program. Most American communities were unprepared to cope with the problem of integrated versus segregated housing, with the result that this issue, where it emerged, became the single most important factor in the deterioration of race relations.

DETROIT

The housing problem had its most serious repercussions in Detroit, whose Negro population doubled during the decade 1940-1950. The critical race relations situation was brought to a head in connection with Mayor Albert E. Cobo's slum clearance program. Since no assurances were given that residents of the slums, primarily Negroes, would be adequately rehoused or subsequently given equal opportunity to move into the new housing, Negro groups, church groups, private group relations agencies and the official Interracial Committee opposed the program. On the other hand, the Mayor, under pressure from civic associations, neighborhood improvement groups and real estate interests in March, 1950, vetoed the Schoolcraft Gardens Project, a mixed co-operative venture which had been approved by the city council. Ensuing tension in the community spread to the public schools, parks and sports arenas, and resulted in an upsurge of 'teen-age gang wars and inter-racial violence among Detroit youth. The split in policy between

² See also Housing, p. 51.

the Mayor and his Interracial Committee inspired a movement to establish the Committee by local ordinance as a city department with its staff protected by civil service.

LOS ANGELES

In Los Angeles, a splendid record in mixed public housing stood threatened. The County Housing Authority, bowing to pressure from real estate groups, on March 14, 1950, rejected participation in the federal urban redevelopment program. The Authority, in refusing \$300,000 in federal public housing funds, announced that it would leave slum clearance and the development of low-to-middle income housing completely to private enterprise. The announcement of this policy was greeted with bitterness and resentment among the city's Negro, Mexican and Oriental people.

It was nevertheless regarded as probable that the city authorities (as distinguished from county authorities) would seek to qualify for benefits. On April 21, 1950, however, the Los Angeles City Council voted against holding a public hearing on the question whether an anti-discrimination law should be applied to publicly assisted housing projects to be built under the auspices of the Community Redevelopment Agency. Councilman Ernest E. Debs, chairman of the planning committee, in leading the fight for an ordinance, warned that the public would not approve bond issues necessary to the projects and that he personally would be against them unless the resultant housing was to be opened to all races.

CHICAGO

In Chicago, slum clearance and urban redevelopment were likewise threatened as the local housing authority continued to press for a policy of administration of public housing on a non-segregation and non-discrimination basis. Failure of the city administration to give its unequivocal support to the Authority's policy in 1947 and 1948 led to race incidents in those years approaching riots in connection with the opening of mixed veterans housing projects. While Negroes were eventually successfully integrated into these projects, there developed powerful interests in Chicago who were prepared to scrap the housing program rather than accept mixed housing as the rule.

Thomas N. Wright, Director of Chicago's Mayor's Commission on Human Relations, pointed out that the larger problem in Chicago was the migration of fifteen to twenty thousand Negro families from the traditional Negro ghetto, thereby introducing a substantial element of change into Chicago's neighborhood patterns. While Dr. Wright indicated increasingly successful adjustment in Chicago's mixed neighborhoods,³ the Peoria Street incident of November, 1949, typified the intergroup tension for which the housing problem was largely responsible.⁴

SOUTHERN COMMUNITIES

The impact of the housing problem was also felt in the South, as projects for Negro occupancy were planned in Dallas, Tex., and Atlanta, Ga. Opposi-

³ See Housing, p. 51.

⁴ See Anti-Jewish Agitation, p. 64.

tion stemmed chiefly from neighborhoods which felt themselves threatened by the proximity of the proposed sites. Newspaper opinion and church leadership in both communities strongly supported an action program for slum clearance and better housing for Negroes within the limitations of "separate but equal" facilities. A bi-racial Intergroup Relations Council was formed in Dallas in June, 1950, in the wake of two bombings of Negro homes in a mixed neighborhood.

CITIZENS' COMMITTEES

In some communities, highly vocal citizens' committees, representing labor, veterans', and church groups as well as the local branches of group relations agencies, helped to formulate a program for slum clearance and urban redevelopment based on a policy of integrated housing. This took place in Cleveland and Philadelphia where ordinances forbidding discrimination in public housing were enacted in March and May, 1950, respectively.

The Civic Unity Council of San Francisco supported the Board of Supervisors in its year-long struggle with the Housing Authority to get acceptance for a policy of non-segregation and non-discrimination in urban redevelopment. Buffalo organized a Citizens' Committee on Discrimination in Housing which supported the New York State Committee on Discrimination in Housing in its successful campaign for passage of the Austin-Wicks law outlawing discrimination and segregation in publicly assisted housing. Similar legislation was passed in New Jersey as a result of a state-wide campaign launched by the Joint Council on Civil Rights of Newark and Essex County, and in Massachusetts through the efforts of the Boston-led Committee against Segregation in Public Housing.

NEW YORK CITY

New York City continued to lead the nation in the effective handling of the housing problem. Committed since its inception to a policy of non-discrimination and non-segregation in public housing projects, the City Housing Authority, in its sixteenth annual report released in January, 1950, pointed to the success of mixed housing in the more than forty projects then in existence. Contributing to this success were: the policy against segregation enunciated by the LaGuardia and O'Dwyer administrations; an objective and non-discriminatory machinery for tenant selection; a program of community organization; and activities for housing projects and their surrounding communities, involving the resources of the New York City Board of Education, Welfare Department, and private welfare, recreation, and group relations agencies.

Scientific validation for the New York City policy and pattern was forthcoming from the Research Center for Human Relations at New York University which published the results of its study in a work entitled *Interracial Housing*.⁵ Based on interviews and correspondence with housing authorities throughout the country, the study found that the policy makers, management, and the tenants themselves were the three focal forces in devel-

⁵ See p. 57.

oping a successful inter-racial pattern and community acceptance of it. The findings indicated that the best site for inter-racial housing was either one within an inter-racial neighborhood or one whose location provided a bridge between surrounding homogeneous areas. Tenant selection, administered through a central office, was rated superior to tenant selection locally administered at individual housing projects.

In a second study which contrasted integrated inter-racial housing where all buildings within the project had a mixed occupancy pattern, e.g., New York City with segregated bi-racial housing where whites and Negroes were housed in separate buildings, e.g., Newark, the findings were that "from the point of view of reducing prejudice and of creating harmonious democratic intergroup relations, the net gain resulting from the integrated projects is considerable; from the same point of view, the gain created by the segregated bi-racial projects is slight."⁶

SERVICE TO COMMUNITIES

Among the professional resources available to communities to help them deal with the problem of segregation and discrimination in housing were the reports and publications of the New York State Committee on Discrimination in Housing, a pilot organization; the field advisory and community organization services of the American Jewish Committee; model legislation, both local and state, drafted by the American Jewish Congress; outlines for community programs, contained in publications by the Congregational, Presbyterian and Methodist churches; and reports on local situations and activities prepared by the American Council on Race Relations. A move to create a national organization to function in the area of discrimination and segregation in housing was endorsed by intergroup relations officials at a meeting on June 15, 1950, convened by the New York State Committee and the Philadelphia Fellowship Commission.

Intergroup Education

During 1949-50, specialized work in intercultural education underwent a reorganization as the Pacific Coast Council on Intercultural Education merged its operations with the western division of the National Conference of Christians and Jews (NCCJ), and two NCCJ-sponsored projects, *Intergroup Education in Cooperating Schools* and *The College Study in Intergroup Relations*, were brought to a conclusion.⁷ These projects had involved the co-operation of the American Council on Education, the American Association of School Administrators, the National Council for the Social Studies and the National Council of Teachers of English.

COLLEGES AND SCHOOLS

The most promising new development to emerge from this reorganization was the establishment of intergroup relations centers on an experimental

⁶ See p. 57.

⁷ For an analysis of these projects see *A Brief Survey of the Major Agencies in the Field of Intercultural Education*, American Jewish Committee, 1950.

basis at several colleges.⁸ With assistance from the Commission on Educational Organizations of the NCCJ, a center for Intergroup Education was established at the University of Chicago. The purposes of this center were threefold: to provide competent training for field workers in intergroup relations; to bridge the gap between research and its practical application through publication of materials and provision of a consultation service to communities; and to undertake research in crucial areas to diagnose intergroup tension and develop effective programs for dealing with its manifestations. Field projects, directed principally at school systems, were conducted in Denver, Hinsdale, Ill., South Bend, Ind., St. Louis, Wilmington, Del., and several communities in Wisconsin.

At the time of writing (July, 1950) additional centers were being developed in Philadelphia among fifteen local colleges, in North Carolina among five colleges, in Cleveland at Western Reserve University, and in El Paso at Texas Western College. The Commission was also instrumental in the establishment at Teachers College, Columbia University, of the first training program for intergroup relations on an advanced graduate level, and for the establishment at Miami University of the first professorship in human relations at any American university or college. During the summer of 1949, more than fifty workshops at some twenty leading universities were conducted in co-operation with the NCCJ, approximately 2,000 teachers and community workers receiving specialized training.

The New York University Center for Human Relations studies, established in 1947 by the Bureau for Intercultural Education, became the complete administrative responsibility of the university in September, 1949. Performing the two major functions of research and training of professionals, the center conducted its program on a project basis, initiating, among others, the following studies: a study for the Public Education Association of New York on *Released Time for Religious Education in the New York City Public Schools*; a study of the effect of the state program of the National Association for the Advancement of Colored People (NAACP) on twelve New York State cities; sociometric studies of the effects of school segregation; studies evaluating the validity of projective techniques in measuring attitudes of human relations workers; a study on techniques for adult intergroup education; a study on the effects of child care center experience on personality; a study on the Urban League as a social force.

Significant college-centered group relations programming continued at Fisk University in Nashville, Tenn., which conducted its Seventh Annual Race Relations Institute in June, 1950; at Howard University in Washington, D. C.; and at the College of the City of New York, Cornell University, the University of Michigan, Earlham College in Richmond, Ind., and the New School for Social Research in New York City. The Institute for Research in Human Relations in Philadelphia, although not affiliated with any single university, offered to students from colleges in the Philadelphia area opportunities for participation and training in action-research projects.

A comprehensive analysis of human relations courses and curriculum

⁸ See also Education, p. 39.

materials at American colleges and universities was provided by the American Council on Race Relations in co-operation with the Committee on Education, Training and Research in Race Relations of the University of Chicago in a 1950 mimeographed study entitled, *Instruction in Race Relations in American Colleges and Universities*. The study contained a table outlining the scope of workshops in human relations scheduled for 75 college campuses during the summer of 1950, eight non-academic citizens' workshops and four in-service training programs for teachers in Oakland and Pasadena, Cal., Portland, Ore., and Pueblo, Colo.

TEXTBOOK REVISION

Another aspect of work in intercultural education was the continued emphasis on the need for textbook revision to assure a more positive presentation of the diverse racial, religious, and ethnic groups in American society. Initially indicated in *Intergroup Relations in Teaching Materials*, a 1949 survey of textbooks made possible through a grant from the NCCJ, this need was underscored in a popular pamphlet, *Prejudice in Textbooks*, published in 1950 by the NCCJ in co-operation with the Public Affairs Committee, and in local surveys prepared by the United Parents Association of New York and the New York Chapter of the American Jewish Committee.

The role of the parent and citizen in the building of democratic schools was emphasized in the work of the National Citizens' Commission on Education, an organization established in the fall of 1949. This emphasis also marked the programs of the Community Activities Division of the New York Board of Education, the United Parents Association, the Public Education Association of New York, and the Public School Affairs Committee of the New York Chapter of the American Jewish Committee.

Community councils, developed as a result of an active program of school-community relations, were created in school districts in the Bronx, Manhattan, and Brooklyn in New York City. As of June, 1950, twenty-seven school-community co-ordinators, provided by the New York City Board of Education, were at work in tension areas, helping to organize community movements and to interpret the schools to their surrounding neighborhoods.

CHURCH GROUPS

Protestant church groups, in particular the seventeen member churches of the Federal Council of Churches of Christ in America (FCCCA), made substantial progress in eliminating inter-racial barriers among their followings. Their primary emphasis was on broad educational programs designed to bring Negro and white together through local clinics on Church and Race, inter-racial workshops, rural-urban vacation exchanges, youth work camps, and vacation church schools.

A significant development was the establishment in August, 1949, of the Interdenominational Institute on Racial and Cultural Relations. Eleven denominations and six councils of churches participated in this project for the training of regional, state, and local church leaders. Clinics on Church and Race were conducted in Washington, D. C., and Akron, Ohio. Surveys were made of the racial policies, practices, and programs of the local churches,

and action programs for the race relations committees of the local church councils were set up on the basis of the findings of the surveys.

The Vermont Plan, sponsored by the Vermont Churches and the Abyssinian Baptist Church of New York City, offered an opportunity for Negro youth of New York to spend two weeks as guests in the homes of white rural church folk in Vermont and for the Vermont adults to visit in New York City with the parents of their summer guests. Similar projects were sponsored by the Minnesota Council of Churches and by the Interracial Fellowship of Greater New York.

INTER-RACIAL CHURCHES

A second trend was the movement of local churches toward the achievement of racially inclusive congregations. Particularly in transition areas, church boards confronted with the alternatives of relocating, of remaining open only to the narrowing white community, or of becoming inter-racial churches, increasingly chose the latter course. St. John's Lutheran Church in the Bronx, N. Y., Park Chapel in Brooklyn, N. Y., and the South Congregational Church and First Baptist Church in Chicago were outstanding examples of churches which became inter-racial as part of their adjustment to serving in mixed neighborhoods.

Inter-racial churches established on a city-wide basis with the expressed purpose of challenging segregation were the non-denominational Churches of All Peoples in San Francisco, Cleveland and Detroit. More closely tied to specific denominations were churches established as inter-racial to serve a mixed constituency, e.g., All Peoples Christian Church and Community Center, Disciples of Christ, in Los Angeles. Inter-racial fellowships, a creative and conscious attempt to bring people of different races together in worship and related church and cultural activities, were in existence in New York, Philadelphia, Baltimore, Washington and Columbus, Ohio.

CHURCH AND CIVIL RIGHTS

The third aspect of church programming was the increased participation of church groups in the expanding struggle for civil rights. *Amicus curiae* briefs were filed by the Board of Home Missions of the Congregational Churches in the Stuyvesant Town case and by the FCCCA in the Sweatt case. Presbyterian, Episcopal, Methodist, Congregational and Northern Baptist church councils, as well as the Friends, participated in campaigns for fair employment practices legislation and for legislation to eliminate segregation in housing. Two excellent pamphlets outlining the role of the church and the church member in civil rights work were: *The Christian Citizen and Civil Rights*, jointly published in 1949 by the Young Women's Christian Association and the FCCCA, and *Here's the Way to Secure These Rights*, published in 1949 by the Women's Division of Christian Service of the Methodist Church. *Social Action*, monthly publication of the Congregational Church, and *Social Progress*, monthly publication of the Presbyterian Church, were frequently devoted to considerations of prejudice, discrimination, and segregation from the standpoint of church interest and action.

Catholic effort, less organized than that of the Protestant churches, and

always a matter for determination by the local bishops, had the same objective—the elimination of segregation from church life. Outstanding developments included adoption of an inter-racial policy at Catholic colleges throughout the country and the pronouncement by Archbishop Ritter of St. Louis in September, 1949, that exclusion of Negroes from parochial schools would result in excommunication. Catholic Inter-racial Councils in New York and Detroit concerned themselves with the development of inter-racial centers and study groups and provided inclusive community services to mixed tension areas. In March, 1950 a new policy was announced from the Vatican, permitting Catholics somewhat wider latitude in co-operating in movements with groups and members of other Christian faiths.

INTER-CHURCH RELATIONS

While substantial improvement marked race relations within the Protestant and Catholic church groups, there was an observable deterioration in the relations among the religious faiths. Issues implicit in the problem of church-state relations were largely responsible for this condition. Catholics, in general, resented the position shared by the majority of Protestant and Jewish spokesmen that parochial schools ought not to share in the benefits of contemplated federal aid to education. The heated exchange between Francis Cardinal Spellman and Eleanor Roosevelt during the summer of 1949⁹ served to dramatize the serious inter-religious controversy which the problem of public aid to parochial schools and to parochial school children created.

The opposition of professional educators, the Synagogue Council of America, the major Jewish group relations agencies, and the American Ethical Union to relaxed time systems in the public schools was challenged by many Protestant church leaders and by the Catholic Church. Religious holiday observances in the public schools were the subject of sharp criticism on the part of Jewish organizations and religious groups. Catholic churchmen attacked baccalaureate services in public schools as a violation of the separation of church and state. The result of this interplay of stresses and interests was a substantial lessening of co-operation within the interfaith movement.

On the other side of the picture, the year was not without its tangible manifestations of interfaith good will. The creation of the National Christian Committee of the United Jewish Appeal was evidence of support by Americans of all faiths for humanitarian work in Israel and for aid to the victims of oppression in Europe and other parts of the world. The eighth annual interfaith observance of National Family Week, during the week of May 7, 1950, united leaders representative of the three faiths in efforts to stimulate the strengthening of the American family. At Boston University, a million dollar chapel to serve as a house of prayer for all people was dedicated on March 14, 1950. Brotherhood Week was celebrated during the week of February 19, 1950, with community observances throughout the country. At its international conference held from June 9 to 11, 1950, the NCCJ

⁹ See AMERICAN JEWISH YEAR BOOK, 1950, Volume 51, p. 98.

established a World Organization for Brotherhood to study problems stemming from religious, national, and community hostilities.

LABOR AND BUSINESS

The Department of Education and Research of the Congress of Industrial Organizations (CIO) and the Workers Education Bureau of the American Federation of Labor (AF of L), as well as the education departments of the larger independent labor unions, allocated increased budgets for educational programs in intergroup relations and civil rights. The National Labor Service and the Jewish Labor Committee continued to provide a consultative and informational service to organized labor designed to stimulate labor interest in human relations.

Workers education programs were conducted at labor-management and industrial relations schools at leading universities, at specially staffed and equipped labor schools and at summer workshops and institutes. Civil rights conferences sponsored by labor unions, and extensive discussions culminating in resolutions at state conventions, were additional aspects of labor programming in civil rights education.

A Statewide Conference on Civil Rights was held in Connecticut in March, 1950, under the joint auspices of the Interracial Commission, the AF of L and the CIO. As a result of the conference, civil rights materials were requested by the State Federation of Labor for its Institute at the University of Connecticut, by the American Federation of Teachers local in New Haven, and by the New Britain Central Labor Union. In March, 1950, the United Automobile Workers of America (UAW) sponsored an Oakland-San Francisco civil rights conference, while several summer institute programs were offered at the University of California at Los Angeles (UCLA) on a union-university cooperative basis. Techniques in worker education for group relations were discussed in special sessions at the University of Wisconsin School for Workers. The CIO National Committee to Abolish Discrimination devoted its third annual meeting in May, 1950, to a consideration of civil rights.

An outstanding example of local labor programming in human relations was the Human Relations Commission of the CIO Council of Chicago. This commission distributed a human rights film as part of the discussion program, provided group relations training for shop stewards, and developed a program for integrating local union people into neighborhood community activity, particularly in transition areas.

A significant development was the beginning of union-management sponsored seminars in human relations at industrial plants. In Los Angeles, the Textile Workers Union was able to arrange joint supervisory-employee courses with two employers, and the International Association of Machinists introduced plant programming in human relations in co-operation with the Lockheed management.

The NCCJ, in cooperation with the General Cable Corporation of New Jersey, arranged for a management-sponsored nine-week seminar among plant workers. Under the guidance of skilled discussion leaders, the employees analyzed the roots and economic costs of prejudice, its role in their

own lives and the techniques and knowledge necessary to assure better understanding and improved intergroup living. Dwight R. G. Palmer, president of the Corporation, agreed to help in the organization of a labor-management organizations commission to sponsor similar projects elsewhere in the country.

Sachs Quality Furniture Stores continued its unique community service designed to strengthen democratic neighborhood movements. A *Welcome Neighbor* campaign was sponsored among tenants at newly opened public housing in New York's East Bronx. The purpose of this campaign was to inform the newcomers of schools, churches, services, organizations, and stores available to them. Sachs Stores continued their canteen and auditorium for the benefit of PTA's, 'teen-age groups, and other local civic organizations. Radio programs and newspaper advertisements emphasized group relations and pro-democratic themes.

Voluntary Associations

In May, 1950, the American Bowling Congress (ABC) deleted from its by-laws the requirement that membership be limited to "Causasians only." This move, which left to local affiliates the right to admit or exclude colored bowlers, was the result of intensive community and legal pressure. Prosecutions of the ABC in Illinois, New York, Michigan, and Wisconsin in March and April, 1950 threatened the organization with heavy fines and denial of public arenas. The community campaign against ABC's discriminatory policy, launched by the CIO, had the support of leading newspapers throughout the country, including the *New York Evening Journal*, the *Milwaukee Journal*, the *Toledo Blade*, the *Seattle Post-Intelligencer*, and the *Portland Oregonian*, and of citizens groups, church clubs, and national group relations agencies. The Women's National Bowling Congress, in no way affiliated with the ABC, after consideration, voted to retain its exclusionary policy. The Contract Bridge League, after having polled its membership, likewise decided to maintain its bars against Negro membership.

During 1949-50, several national professional groups discarded color barriers. For the first time since its founding in 1846, the American Medical Association in June, 1950, seated a Negro physician in the House of Delegates, its policy-making body. In October, 1949, the North Carolina State Nurses Association voted to admit Negro nurses to membership. Admission to state associations qualified Negro nurses for admission to the American Nurses Association, the national body.

Other major organizations which acted to eliminate discrimination were the Young Women's Christian Association (YWCA), the National Education Association (NEA) and the American Association of University Women. The Southeastern Business and Professional and Industrial Conference of the YWCA elected a Negro woman as a chairman. The NEA, in choosing St. Louis as the site for its 1950 convention, did so with the provision that there be no segregation of the Negro members present at the annual meeting. The Arkansas Education Association voted in October, 1949 to admit Negro public school teachers to membership.

Mass Media

Radio, television, motion pictures, newspapers, magazines, and house organs of national special interest groups continued to furnish channels through which intergroup relations and civil rights were popularized and dramatized. The Institute for American Democracy, the Institute for Democratic Education and the Department of Public Information and Education of the American Jewish Committee provided scripts, materials, and human interest items. The emphasis was largely on specific topics such as civil rights, genocide and prejudice among children.

The Protestant Council of New York, in co-operation with the Anti-Defamation League of B'nai B'rith, produced a film entitled *Prejudice. Make Way for Youth*, produced in 1948 by the American Jewish Committee for the National Social Welfare Assembly, was again booked by Skouras for commercial showing at its theaters. *One God*, an outstanding book interpreting the spirit and beauty of the Protestant, Catholic and Jewish faiths, was made into a film. *Lost Boundaries*, *Pinky*, *Home of the Brave*, *Intruder in the Dust* and *The Lawless* were among the significant Hollywood vehicles treating the problem of race relations which were presented during 1949-50.

On radio and television, special feature programs, town halls, and forums frequently dealt directly with problems of prejudice and civil rights. An outstanding special feature was the dramatization of *Punishment Without Crime*, by S. Andhil Fineberg of the American Jewish Committee, a handbook discussing methods of dealing with the problem of prejudice on a personal level. An increasing number of family programs, e.g., *Mama* and *The Goldbergs*, presented wholesome pictures of the family life in average American homes of diverse religious, racial and ethnic groups. The trend away from stereotyping of minority group characters in radio and television programs continued.

Newspapers and magazines, through feature stories and editorials, furnished increasing coverage for civil rights and intergroup relations. Outstanding was the role of the newspapers in the American Bowling Congress controversy.¹⁰ *Look* magazine on April 11, 1950, gave a substantial spread in pictures and text to *A Measure of Freedom* by Arnold Foster of the Anti-Defamation League. Labor, veteran's, women's and youth publications consistently played up the theme of intergroup understanding.

Jewish Community Relations

In the total pictures of group relations activities described in this article, the role of Jewish community relations agencies was crucial. The American Jewish Committee, American Jewish Congress, Anti-Defamation League of B'nai B'rith, Jewish Labor Committee, and Jewish War Veterans were the national Jewish agencies chiefly engaged in this work. Locally, the work was carried on by twenty-eight local and regional community and community

¹⁰ See above, p. 81.

relations councils, all affiliated with the National Community Relations Advisory Council (NCRAC). The NCRAC acted for the sixth consecutive year as the co-ordinating agency in the field of community relations among both the national and local Jewish agencies.

The activity of these bodies was centered around educational campaigns in support of civil rights, the development of and participation in citizens committees to cope with discrimination in employment, education, housing, and public accommodations, investigation and exposure of demagogic movements, and action-research projects designed to explore the complex of group prejudice and the dynamics of intergroup living. A significant development was the initiation of an evaluative study by Professor Robert M. MacIver under the joint auspices of NCRAC and the Large City Budgeting Conference, a group of eleven Jewish federations and welfare funds affiliated with the Council of Jewish Federations and Welfare Funds.

In addition to its emphasis on securing and extending civil rights and the promotion of intergroup education and community organization, Jewish community relations concerned itself with three major problems: the problem of the impact of the "cold war" on democracy at home and on the security of minority groups; the problem of the apparent resurgence of Nazism in Western Germany; the problem of church-state relationships, and the implications for Jewish community relations of current inter-religious tensions.

Within the Jewish community itself, an event of major significance was the denunciation, through the NCRAC, of the American Council for Judaism, anti-Zionist organization.¹¹

INTERNAL SECURITY AND CIVIL LIBERTIES

The agencies gave increased attention to the problem of combatting the Communist threat to internal security, whose existence was demonstrated by the public disclosures of Communist espionage. At the same time, they were concerned about the threat to civil liberties resulting from some of the campaigns against Communism. The agencies also feared that, as a result of the attempts of both Fascists and Communists to identify minority groups with Communist interests, there was the possibility that the minority racial and religious groups would be made scapegoats. The Peekskill riots of September, 1949, and the Chicago Peoria Street incident of November, 1949, both marked by overtones of anti-Semitism and anti-Negro feeling, reinforced the sense of danger.¹²

The agencies attempted to meet the problem by intensifying their efforts both to combat the threat of Communism and other subversive forces in American life and to protect civil liberties. Thus, in a resolution adopted by the NCRAC on May 28, 1950, the agencies, expressing both their "abhorrence of communism, fascism, and all forms of totalitarianism" and their "devotion to the principles of individual freedom and civil liberties . . .," pledged themselves "to continue, by every democratic means, to oppose those who seek to subvert and destroy our democratic system, and to press with

¹¹ See *Zionist and Pro-Israel Activities*, p. 123-24.

¹² See *Anti-Jewish Agitation*, p. 62-64.

equal vigilance for the protection of those civil liberties upon which the security and welfare of the United States rest."

The American Jewish Committee and the Jewish War Veterans participated in the All-American Conference Against Communism sponsored by the American Legion. They sought to have this conference articulate an affirmative position against Communism, without engaging in witchhunts and without becoming a spokesman for anti-minority group sentiment. Both the American Jewish Committee and the Jewish Labor Committee continued their programs of educating both the Jewish community and the general public to the fact of the maltreatment of religious and cultural groups prevalent in the Soviet Union and Soviet-dominated countries. The American Jewish Congress on June 7, 1949, expelled from its ranks two Communist-front organizations—the Jewish People's Fraternal Order and the American Jewish Labor Council. The Anti-Defamation League reprinted and circulated materials exposing Communist tactics designed to win support among Jews.

On March 31, 1950, the agencies joined twelve other organizations, representing liberal, labor, and religious groups, in opposing the passage of the Mundt-Ferguson-Johnston and Nixon bills in Congress (S 2311 and HR 7595), which sought to compel the registration of Communists and Communist-front organizations. These organizations later also condemned the McCarran bill (the Internal Security Act of 1950), which was passed on October 22, 1950, over President Truman's veto. In October, 1949, the American Jewish Congress also announced its opposition to state loyalty legislation designed to impose special tests on public school teachers, and filed a brief in the New York State courts alleging the unconstitutionality of the Feinberg Law.

GERMANY

The problem of the democratization of Western Germany had been a concern of the Jewish agencies since the end of World War II. An effort to cope with this problem was launched during 1949-50 through the creation in July, 1949, of the Citizens Council for a Democratic Germany, an organization embracing representatives of labor, church, and liberal groups, as well as of the major Jewish agencies, and individual spokesmen. As a result of the Citizens Council's demands for a congressional and presidential review of the execution of American policy in Germany and for the strengthening of democratic forces there, resolutions to this effect were introduced in both houses of Congress in April and May, 1950.

It was in connection with this problem that one of the widely publicized events in the community relations field arose. The Anti-Defamation League of B'nai B'rith (ADL) invited Benjamin Bутtenwieser, aide to General Lucius Clay in Western Germany, to address its meeting in Chicago on May 14, 1950. Upon receiving a copy of Mr. Bутtenwieser's proposed remarks, the ADL informed him that it could not permit the meeting of its commission to serve as a forum for the enunciation of viewpoints that in the ADL's opinion were an apology for the return of high Nazis to official positions in Germany, and cancelled his scheduled appearance. In the ensuing public discussion, opinion was divided as to the wisdom of the ADL's action.

CHURCH-STATE PROBLEMS

Reference has already been made to evidence of inter-religious tensions during 1949-50. In large measure, these were due to differences on several problems of church-state relationship.¹³

The problem of joint religious holiday observances in the public schools developed differences among the national Jewish agencies themselves. The American Jewish Congress maintained that such observances violated the tradition of separation of church and state, and therefore should be eliminated from school programs. The ADL adhered to the position that joint celebrations of Christmas and Hanukkah, or of Easter and Passover, for the purpose of providing information *about* religion, was a necessary phase of effective intercultural education. The American Jewish Committee stated that it was opposed to the introduction of programs which were sectarian in character, but that the religious holiday observances issue must be considered in the context of the church-state controversy in the field of education, and that it was essential to determine priorities in dealing with this area. In general, local Jewish communities seemed to be reluctant to disturb the status quo, recognizing that local intergroup relations might be adversely affected.

FUTURE PROGRAM

Emphases in program for the year ahead were indicated by the resolutions passed at the Eighth Plenary Session of the NCRAC held in May, 1950. In addition to the resolution on civil liberties already referred to, various resolutions called for a Congressional review of the execution of American policy in Germany, urged United States' ratification of the United Nations Genocide Convention, and a campaign of public education on the McCarran Omnibus [immigration] Bill, called for continued educational activity in the areas of fair employment practices, fair housing, and state anti-discrimination legislation, and urged the Women's International Bowling Congress to follow the lead of the American Bowling Congress in repudiating its discriminatory membership policy.

EDWIN S. NEWMAN

¹³ See above, p. 47-51