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1957

COMMISSION ON LAW AND SOCIAL ACTION

AMERICAN JEWISH CONGRESS

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A N N U A L R E P O R T

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INTRODUCTION

In two of the three major areas of CLSA's activities, civil rights and civil liberties, significant forward steps were taken during the year 1957, although there were also a number of serious setbacks. In the third, church-state relations, whatever victories were won were primarily of a defensive nature. In the struggle for equality and for freedom of expression the trend of events manifested a forward progress towards greater realization of our goal of full equality in a free society. There appears to be an increasing awareness on the part of the public generally of the democratic issues involved in the problems of racial desegregation and integration, in the North as well as the South. There appears to be also a growing realization that the quest for absolute security which characterized the period in the early fifties, now popularly known as the McCarthy era, resulted in serious infringements upon constitutional liberties that call for rectification in these calmer years. In this area the United States Supreme Court has shown itself to be at the same time the mold of the American conscience and its voice.

In church-state relations, libertarian prospects are far less bright. The intense pressures towards conformity in recent years brought with them--whether as cause, effect or concomitant--a strong religious revival which has expressed itself largely in overt and public religiosity. This in turn

has led to increasing pressures to involve government in religious affairs with resulting inevitable infringements upon the principle of the separation of church and state. The year 1957 witnessed no appreciable lessening of demands for more religious involvements on the part of the public school system and other agencies of government.

In the other areas of CLSA's interest there could be discerned modest, though far from substantial, gains. A number of important decisions of the Supreme Court added to the procedural safeguards to which persons accused of wrongdoing are entitled under the Constitution. A minimal advance was made in the field of immigration. No progress at all was made toward strengthening international recognition and protection of human rights, such as by Senate ratification of the Human Rights and Genocide Conventions.

SUMMARY OF CLSA ACTIVITY

The work of CLSA during 1957 fell roughly into the areas of freedom of religion, civil liberties, civil rights, immigration and international affairs. A list of CLSA's principal 1957 publications appears in the Appendix. One of the items there mentioned, "The Work of CLSA, a Bibliography of Representative Publications," lists the more important works issued since the establishment of CLSA in 1945.

In the area of religious freedom, the chief concern was combatting the continuing effort to use the public schools for religious indoctrination. In particular, CLSA opposed the effort to introduce a "non-sectarian" version of the Ten Commandments in all school classrooms. In a brief submitted to the New York State Commissioner of Education, this practice was described as "bad theology, bad pedagogy and bad law." The Commissioner ruled against the

practice. In Ossining, N.Y., CLSA acted as attorney for a number of residents in initiating a law suit to prevent the placing of a Nativity Scene on the grounds of a public high school.

Largely as a result of a campaign initiated by CLSA, the United States Bureau of the Census dropped its proposal to include a question on religion in the 1960 census. This proposal would have abandoned a tradition going back to the founding of the Republic that regarded a person's relationship to his Maker as a matter that should not be probed by the government's census takers.

CLSA was also active in opposing the application of Sunday closing laws to those whose religious principles require them to close on days other than Sunday and in defending the right of religious groups to build and operate places of worship and religious schools despite zoning restrictions that would otherwise limit such activities.

The most important civil liberties issue dealt with by CLSA during the year was the attack on freedom of association implicit in the attempt by a number of Southern states to curb the activities of the NAACP or to halt them altogether. Wide publicity was given to CLSA's 47-page report "The Assault Upon Freedom of Association--A Study of the Southern Attack on the NAACP." Subsequently, CLSA drafted a brief that was submitted on behalf of 14 organizations in a proceeding in the United States Supreme Court to review an Alabama decision in which the NAACP had been directed to cease operations and had been fined \$100,000 for refusing to reveal its membership lists.

CLSA also prepared reports and testimony before Congressional bodies on the Federal employees security program, passport control and wiretapping.

The outstanding civil rights development during the year was the enactment of the Federal Civil Rights Act of 1957, the first such legislation since

1870. CLSA worked closely with other organizations in the Leadership Conference on Civil Rights in the struggle for this bill.

The most important local legislation passed during the year was the CLSA-drafted Sharkey-Brown-Isaacs Fair Housing Law, adopted in New York City just as the year ended. This was the first law dealing with discrimination in the general private housing market. Information was also distributed on existing and proposed anti-discrimination legislation in a number of states and cities. Perhaps more important, attention was centered upon the necessity of action to end de facto segregation in public schools in Northern states.

In immigration, particular attention was given to the plight of thousands of Jews who had been forced out of Egypt by oppressive measures taken by the Nasser regime. Some relief to this group was assured under the Kennedy Immigration Act which provided emergency refugee relief. No progress was made, however, in obtaining general revision of the inequities of the McCarran-Walter Immigration Act.

Finally, CLSA prepared a legal memorandum on possible uses of sanctions against Israel and participated in the preparation of a 41-page printed report, "The Black Record--Nasser's Persecution of Egyptian Jews."

I. FREEDOM OF RELIGION

A. The Public School

The most serious threat to religious liberty in America in 1957 has been the widespread trend toward the establishment of official norms of religious conduct. This appeared most clearly in the effort to introduce "non-sectarian" religious practices into public schools. This trend has reached the point of fostering a new body of religious doctrine that may be described as "public

school" religion. It is made up of the lowest common denominator of the principles assumed to be held by most Americans. Though theoretically non-sectarian, the new religion is actually dominated by Christianity. It commonly includes recitation of Christian prayers, celebration of Christmas and Easter (with occasional minor gestures to Chanukah) and the display of Holy Manger scenes and other religious symbols.

During 1957, CLSA challenged efforts to foster this public school religion in a number of situations.

1. Display of the Ten Commandments. In January, CLSA entered the New Hyde Park, N.Y., Ten Commandments case on behalf of AJCongress and the New York Board of Rabbis. Local officials had voted to post replicas of the Commandments on the walls in school classrooms. (In an effort to make the Commandments "non-sectarian", the fact that the three faiths number the Commandments differently was dealt with by not numbering them at all.) A number of parents objected to this proposal and petitioned for a ruling from the New York State Commissioner of Education. In oral argument by CLSA's director before the Commissioner and in a brief filed with him on behalf of AJCongress and the New York Board of Rabbis, it was urged that this practice was "bad theology, bad pedagogy and bad law." On June 12, the Commissioner forbade the New Hyde Park school authorities from proceeding with their plan. An appeal from his ruling was turned down by the Board of Regents in October.

Despite the decision in New York State, school authorities elsewhere continued to press for display of the Commandments. In Newark, N.J., and Youngstown, Ohio, proposals similar to the New Hyde Park plan were advanced. In March, a bill was introduced in the Wisconsin legislature requiring all schools in the state to post replicas of the Commandments. In April, a

nationally-syndicated columnist strongly urged schools to use the Commandments to fight juvenile delinquency. To combat this trend, CLSA prepared a 27-page general memorandum, based on its brief in the New Hyde Park case, summarizing the constitutional and practical arguments against use of the Ten Commandments and other religious symbols in public schools. Titled, "Memorandum of Law on the Ten Commandments on Public School Premises," the document was distributed to all state attorneys general and education officials, a number of local public school officials and to Jewish and other community leaders.

2. Ossining Creche. In December, CLSA agreed to prosecute a test case on the propriety of the practice of placing Nativity scenes on the grounds of public schools. Despite known objection in the community the Ossining school board had voted four to three in 1956 to place a Creche or Nativity scene on the grounds of the public high school prior to the recess of school for the Christmas vacation. In 1957, this action was repeated, again by a vote of four to three. With the CLSA director acting as attorney for ten (later 28) residents of the school district, and at their request, an action was initiated to put an end to this practice and the court was asked to issue a provisional order forbidding erection of the Nativity scene until the legal issues were decided. After the suit was started, the school officials agreed not to erect the Creche while the school was in session. Thereafter, the judge declined to issue a provisional order, holding that the issue should be decided only after a full trial. This case is regarded as important because the practice in question is quite widespread. It is manifestly not "non-sectarian" and involves a blatant use of public authority to foster one set of religious beliefs.

3. Studies of Religious Practices. In addition to participating in litigation, CLSA completed a number of studies of various aspects of the problem of religion in the schools and started a number of others. The 42-page document, "Public School Sectarianism and the Jewish Child," was published in May. Citing facts accumulated in years of church-state work, the study describes what happens when Jewish children are exposed to Christian indoctrination in the public schools. It has been widely distributed throughout the country.

Attention has also been given to the increasing tendency to give instruction in more or less non-sectarian religious doctrine under the guise of teaching "moral and spiritual values." During 1957, CLSA began a study of the religious content of 24 of the more important moral and spiritual values programs in use or proposed for use in public schools in the United States. The study, for which the research has been completed, is scheduled to appear in 1958.

CLSA has also been called upon frequently to advise communities on the practice of reciting the Lord's Prayer in public schools. In a large number of public school systems, this prayer is treated as being non-sectarian and all children are expected to participate in its recitation. During 1957, CLSA prepared a history and analysis of the Lord's Prayer tracing its traditional link with Jesus Christ and pointing out that it forms an important part of current Christian liturgy. This analysis was adopted by the New York Board of Rabbis. A general memorandum indicating why the Lord's Prayer is unsuitable for use in public schools is now being prepared.

Other pending CLSA studies of religion in the schools will deal with the use of public school buildings after school hours by religious groups and a

church-state manual combining in one document the constitutional and practical objections to the various types of public school religious training.

Finally, CLSA has also prepared a legal memorandum on a problem closely allied to public school religious instruction, display of religious symbols on public property. During the past year, for example, the Minnesota State Centennial Commission decided to include a cross on the Centennial symbol. A like proposal was made for the Los Angeles County Seal. In Hammond and Gary, Ind., crucifixes were erected in public parks. In Lake City, Ind., and in Youngstown, Ohio, plans were formulated to post replicas of the Ten Commandments on public property. At Fort Hamilton Army Base, Brooklyn, N.Y., a large cross overlooking New York harbor was erected as a symbol of faith to all Americans. (Through efforts initiated by CLSA, this cross was removed.) In December, CLSA published a 28-page "Memorandum on Display of Crosses, Crucifixes, Creches and Other Religious Symbols on Public Property."

B. Restraints on Worship

While the constitutional guarantee of religious freedom is relatively secure today, there are some restraints and proposed restraints that cause concern. Among the matters receiving attention by CLSA during 1957 were zoning restraints on the building of places of worship, Sunday laws and arrangements for absentee voting when elections fall on religious holy days.

1. Zoning Regulations. In two situations, CLSA intervened to prevent state interference with erection of houses of worship in residential areas. In Albuquerque, N.M., CLSA filed a brief amicus curiae on behalf of St. Matthew Episcopal Church and Mission School (Protestant) whose request for a permit to erect a church and school in an area zoned for homes had been

opposed by residents of the area. The request was finally granted. In Creve Couer, a suburb of St. Louis, CLSA was consulted by the congregation of Temple Israel which was appealing to the courts a ruling by city officials denying them a permit to construct a synagogue. After a lower court ruled in favor of the congregation and the city had announced its intention to appeal to the state's supreme court, CLSA was asked to prepare a brief for the Jewish community on the appeal. In both these cases, CLSA's argument was that denial of a permit unconstitutionally interfered with freedom of religion.

2. Sunday Laws. Laws prohibiting engaging in business on Sunday as the community's official day of rest have been a major concern of CLSA for many years. These laws discriminate against those who observe another day as their Sabbath by compelling them to close their businesses two days a week rather than one. During 1957, CLSA continued to serve as general counsel to the Ad Hoc Committee for a Fair Sabbath Law, which has been seeking an amendment to the New York State Sunday Law to protect the rights of Sab-batarians. In Illinois, partly through CLSA's efforts, a proposed Chicago Sunday ordinance and a statewide bill barring sale of automobiles on Sundays were defeated. In South Holland, Ill., CLSA took part in a lawsuit testing a local Sunday ordinance. In a host of other communities CLSA was consulted and advised on similar problems.

3. Absentee Voting. CLSA has long urged that states should permit absentee voting by persons whose religious principles prevent them from voting in an election that falls on a religious holiday. This year, the party primaries in New Jersey fell on Passover with the result that observant Jews who wished to vote could not do so. At the urging of CLSA, the New Jersey legislature corrected this situation for future years by enacting a

CLSA-drafted bill granting absentee voting rights to persons whose religious beliefs forbid voting on a religious holiday. A similar bill drafted by CLSA was approved by both houses of the Illinois General Assembly but was vetoed by the Governor on the ground that it would be subject to abuse.

4. Slaughter of Food Animals. The United States Congress has been considering for the past two years a bill to require humane slaughtering of live stock. There is a danger that such a bill would either prohibit Shechitah, the Jewish ritual method of slaughtering animals, or declare, in effect, that Shechitah is inhumane. Acting as general counsel to 20 Jewish organizations, constituting an ad hoc committee on humane slaughtering, the director of CLSA testified at hearings before the House Agriculture Committee to explain the position of the Jewish community. In a statement submitted at the hearing, it was shown that Shechitah is in fact a humane method of slaughter. Thereafter, CLSA drafted amendments to the bill for submission to Congress.

C. The 1960 Census

Early in 1957, the United States Bureau of the Census announced that it was considering inclusion in the 1960 Decennial Census of the question "What is your religion?" CLSA believed that this proposal would constitute a dangerous inroad on the constitutional guarantee of religious freedom, that it would violate the principle that the Federal Government has no proper concern with the religion of the people and that it would place improper governmental pressure upon citizens to compel them to answer a question about their religious beliefs.

In June, CLSA began a campaign against inclusion of this question. In a series of letters to newspapers, Dr. Israel Goldstein, AJCongress president, challenged the propriety of the proposed question pointing out that no Federal

census had ever included questions about the religious beliefs of individuals. Subsequently, CLSA's position was endorsed by the American Civil Liberties Union, the American Baptist Convention, The General Conference of Seventh Day Adventists, the Executive Committee of the National Community Relations Advisory Council, the Synagogue Council of America, the Joint Baptist Committee on Public Affairs, the Christian Science Church, the American Jewish Committee and the Anti-Defamation League of B'nai B'rith. The director of CLSA visited Robert W. Burgess, director of the Census, to explain the widespread opposition to the question in the Jewish community and to discuss the constitutional issues.

In December, the Census Bureau announced that it was dropping the question because of the objections from civic and religious groups.

II. CIVIL LIBERTIES

AJCongress has always believed that protection of our democratic institutions is a necessary condition to the creative survival of the Jewish community. CLSA has therefore been actively concerned with threats to freedom of expression even when they do not appear directly to affect the Jewish community.

A. Freedom of Association

1. Assault upon NAACP. The Southern state governments that have resisted compliance with the Supreme Court's anti-segregation decisions have also engaged in a large-scale effort to prevent effective action by civil rights organizations. Eleven states and a number of local governments have passed laws, initiated legal proceedings or launched investigations in an effort to harass anti-segregation organizations and, if possible, to put them out of

operation. The chief victim has been the National Association for the Advancement of Colored People which has been forced to suspend operations for substantial periods in Louisiana and Texas and has been forced to remain inactive in Alabama since June 1956.

The Southern attack on the NAACP challenges the concepts that underlie the Bill of Rights and poses a threat to all voluntary associations. More than a year ago, the AJCongress adopted a resolution charging that the constitutional right to freedom of association was being undermined by this attack and predicting that the circle of condemned organizations was sure to widen.

In June 1957, CLSA published a 46-page printed report, "Assault Upon Freedom of Association: - A Study of The Southern Attack on the NAACP." It described in detail the measures used against the NAACP in each state of the South and concluded with a discussion of what they meant for American democracy. The pamphlet was the first published analysis of this threat to freedom of association in the South. More than five thousand copies were distributed to individuals and civil rights organizations throughout the nation. Portions of the report were inserted in the "Congressional Record" by Senator Paul Douglas of Illinois during the debate on the Federal Civil Rights Bill.

Following publication of the report, its prediction that the attack on the NAACP would be broadened to include other organizations was borne out. Registration ordinances adopted by cities in Arkansas were applied against the Urban League and the American Civil Liberties Union and it was suggested that similar ordinances enacted in Texas were applicable to the Knights of Columbus, the B'nai B'rith and Lulac, a society of Americans of Latin American ancestry.

2. NAACP v. Alabama. One of the developments described in the report just mentioned was the lawsuit brought by the State of Alabama to halt the operations of NAACP for failing to register with the state government as an out-of-state corporation. The state court in which this action was started immediately issued an injunction, which is still in effect, forbidding all NAACP activity in the state. It then directed the organization to produce a large number of specified records, including its membership lists, for inspection by the state. The NAACP refused to produce its membership lists, urging that to do so would subject its members to economic reprisals and possible violence. The court imposed a fine of \$100,000. Following an unsuccessful appeal to the Alabama Supreme Court, the NAACP obtained review of the case by the U.S. Supreme Court.

In October, CLSA drafted a 41-page brief amicus curiae which underlined the significance of this case to all organized groups. The brief argued that freedom of association is protected by the Constitution and that that freedom includes a "right of anonymity" that was unduly impaired by the order requiring exposure of membership lists. Thirteen religious and civic organizations agreed to co-sponsor the brief with AJCongress because they felt the Alabama proceedings posed a threat to themselves as well as to the NAACP. These organizations were: American Baptist Convention, American Civil Liberties Union, American Friends Service Committee, American Jewish Committee, American Veterans Committee, Anti-Defamation League of B'nai B'rith, Board of Home Missions of the Congregational and Christian Churches, Council for Christian Social Action of the United Church of Christ, Japanese American Citizens League, Jewish Labor Committee, National Community Relations Advisory Council, United Synagogue of America and Workers Defense League.

CLSA submitted the brief to the Supreme Court together with a motion asking the Court to make the brief a part of the file in the case. Because

the Attorney General of Alabama declined to consent to the acceptance of the brief and filed a memorandum in opposition to the motion, the Supreme Court, following its usual practice, denied the motion.

B. Internal Security

1. Government Employees' Security Program. One respect in which the national security compulsion lingers on is in the continued existence of elaborate special programs, beyond the usual civil service screening, to assure the loyalty of government employees. Twice during 1957, CLSA submitted statements urging substantial modification of the Federal employee's security program. In March, a 32-page memorandum was submitted to the Commission on Government Security in which it was suggested that the Commission consider whether continuation of that program was still necessary. It was suggested that normal civil service and criminal laws could deal adequately with any security problems that actually exist. The Commission was also urged, if it decided that the program should continue, to recommend its confinement to truly sensitive positions and the addition of a number of specified safeguards against unjust decisions. The Commission's chairman, Loyd Wright, expressed appreciation for this memorandum, describing it as a "genuine patriotic contribution to our nation's welfare." Later in the year, the general counsel of AJCongress testified before the House Civil Service Committee opposing "stop-gap" legislation designed to nullify the 1956 decision of the Supreme Court confining the security program to sensitive positions.

Also during 1957, testimony was submitted in New York and Massachusetts urging termination of security programs for state employees. It was urged that, since states do not carry on foreign policy or conduct war and, therefore, have no military or diplomatic secrets to protect, continuation of such security programs is entirely unnecessary and in fact harmful.

2. Right to Travel. In April, the general counsel of AJCongress testified before the Senate Foreign Relations Committee urging an end to the arbitrary power of the State Department to control the foreign travel of American citizens. The testimony was prompted by the ban of the State Department on travel to Israel. During this period, CLSA started preparation of a court test of the State Department's power. The lifting of the Israeli travel ban in March obviated the necessity for the proposed lawsuit. In the testimony before the Senate Committee, the broad position was taken that all citizens have a right to travel under the Constitution and that no government official should have the power to impair that right arbitrarily.

3. Wiretapping. During 1957, CLSA submitted memoranda opposing wiretapping to the legislatures of New York, New Jersey and Massachusetts. Urging that wiretapping is not indispensable for either protection of national security or ordinary crime detection, CLSA favored repeal of laws permitting wiretapping as an unwarranted infringement on the constitutional right of privacy.

C. Studies

Other CLSA activities in civil liberties during 1957 included preparation of two legal studies dealing with cases before the U.S. Supreme Court. The first, "The Civil Rights and Civil Liberties Decisions of the U.S. Supreme Court for the 1956-57 Term," analyzed the Court's decisions in civil liberties cases and concluded that the Court's general outlook is now libertarian. The second, "Summary of Cases To Be Decided By The U.S. Supreme Court In Its 1957-58 Term," outlined the most important constitutional issues before the Court during the current session.

III. FULL EQUALITY

The struggle against discrimination because of race, religion or national origin has been a major aspect of CLSA's program since its establishment. Among the highlights of its civil rights activity during 1957 were its work on the bill that became the Federal Civil Rights Act of 1957, its efforts to end segregation in public schools, North and South, its preparation and support of local laws against discrimination in employment, education and public accommodations and its role in obtaining the first law in the United States prohibiting discrimination in private housing.

A. Civil Rights and the Federal Government

The outstanding civil rights advance of the year was the enactment of the Federal Civil Rights Act of 1957, the first such law approved by Congress since 1876. At the beginning of the year, AJCongress joined the other organizations comprising the Leadership Conference on Civil Rights in supporting the civil rights proposals sponsored by the Eisenhower Administration even while recognizing that they were extremely modest. In March, CLSA prepared a summary and analysis of the pending proposals which was given wide distribution. While the bill was pending before Congressional committees, CLSA led a successful protest against a proposed amendment that would have excluded discrimination because of religion from the area to be studied by the commission proposed in the bill. During the debate on whether jury trials should be given to persons charged with contempt of court for violations of civil rights, CLSA prepared and distributed a memorandum of law pointing out that there was no right to jury trial in such cases.

Immediately after the President signed the Civil Rights Act in September, CLSA published a 12-page digest and analysis of the bill. Thereafter, it

commenced work on the drafting of additional legislation for consideration in the 1958 session of Congress. It also began formulating a program of activities for the Federal Commission on Civil Rights established by the new law.

Throughout 1957, CLSA was active in work to end school segregation. It was active in the Consultative Conference on Desegregation. During the Little Rock integration crisis, AJCongress called upon President Eisenhower to end the "military dictatorship" established by Arkansas Governor Faubus. Thereafter, it pointed out in a public statement that Faubus' actions were the first practical application of the Southern doctrine of "interposition."

The value of CLSA's civil rights work in 1957 was underlined by Senator Paul Douglas who wrote CLSA in August commending it for its "contribution to the intellectual case" for the Federal Civil Rights Bill. Later in the year, Senator Douglas, on receiving the Sidney Hillman Award, turned over part of the \$1,000 grant to AJCongress in recognition of its work for civil rights.

B. State and Local Legislation

1. Discrimination Generally. CLSA's civil rights activities in 1957 included three projects covering the field of anti-discrimination legislation generally. Following adjournment of the 1957 sessions of the various state legislatures, CLSA published an 8-page "Summary of 1957 State Anti-Discrimination Laws." The summary described and evaluated the civil rights legislation passed during the year, noting that the new laws significantly enlarged the area in which discrimination is being effectively combatted by legislation.

Thereafter, CLSA prepared a draft Model State Comprehensive Civil Rights Law for use in states considering adoption of anti-discrimination legislation

in one or more of the areas of employment, education, places of public accommodation and publicly assisted housing. Copies of the draft were distributed to interested agencies for their comments and suggestions.

Finally, in December, CLSA completed a comprehensive 21-page study of the 15 state anti-discrimination agencies in the United States and the laws under which they operate. The study, titled, "State Anti-Discrimination Agencies and the Laws They Administer," indicates the growth of the idea that law may be used effectively to combat discrimination. Copies were distributed nationally and presented to Governors Averell Harriman of New York and G. Mennen Williams of Michigan for use at the recent Governors' Conference on Civil Rights held in New York for a discussion of civil rights legislation. At the conference, Governor Harriman described the CLSA document as "most valuable to all of us."

2. Housing. Discrimination in housing has received a constantly increasing amount of attention from CLSA in recent years because of the pervasive effect of segregated housing on all aspects of life. In recent years, some progress has been made under laws prohibiting discrimination in that part of the housing market that is either owned or assisted by the government. The past year saw the first legislative breakthrough into the general private housing market with the enactment at the end of the year of the Sharkey-Brown-Isaacs law in the New York City.

At the beginning of the year, AJCongress joined other civil rights groups in supporting the CLSA-drafted Metcalf-Baker Fair Housing bill in the New York State Legislature. While the bill was pending, CLSA prepared and distributed a 24-page legal memorandum supporting the constitutionality of the proposed legislation. The bill, however, died in committee.

Thereafter, the CLSA-drafted Sharkey-Brown-Isaacs bill was introduced in the New York City Council. The bill encountered vigorous opposition. While it was being considered by the Council, it was necessary to draft revisions of the bill and to oppose suggested amendments that would have limited its scope and weakened its enforcement provisions. In particular, CLSA joined in opposing a proposed exemption for cooperative apartments, the area in which discrimination against Jews is most commonly found. CLSA representatives appeared at hearings before the City Council and Board of Estimate and AJCongress was one of the sponsors of a mass meeting in City Hall Park at a crucial stage in the campaign. Following approval of the bill by the City Council, the Board of Estimate and the Mayor, CLSA distributed an analysis of its provisions. As the year ended, the Metcalf-Baker bill of 1957 was being revised for introduction in the 1958 session of the Legislature.

In Massachusetts and New Jersey, AJCongress similarly supported the successful campaigns for laws, based on CLSA-drafted legislation, barring discrimination in housing receiving FHA and VA mortgage insurance.

When a shocking outburst of animosity occurred in Levittown, Pa., after the first Negro family moved into that area, the local AJCongress chapter was among the first of the local organizations to organize opposition to the groups that were fomenting discord and to endorse in paid advertisements the right of the family to live in its new home.

3. Education. CLSA carried on an active program regarding the de facto segregation that exists in many Northern public schools as a result of ghetto housing patterns. In January, in cooperation with 25 other civic groups, it called upon the New York City Board of Education to combat segregation by instituting rezoning and teacher-assignment plans that had been recommended

earlier by committees established by the Board. When these plans were approved by the Board, AJCongress submitted detailed recommendations on how they might be carried out. Throughout the year, CLSA continued its support of these plans, cooperating with other groups in the Intergroup Committee on the Public Schools. It assisted the Commission on Community Interrelations of AJCongress in drafting the pamphlet, "Children Together," a study guide on means of achieving public school integration.

In Philadelphia, also, CLSA was active in an educational campaign on behalf of integration. In New Rochelle, N.Y., it assisted the Westchester Women's Division of AJCongress in the preparation of public statements against school construction plans that would have increased, rather than minimized, the de facto segregated character of the public schools. In Missouri, AJCongress participated in a state-wide campaign by civic groups that resulted in the repeal of the Missouri segregation law.

In Massachusetts, CLSA presented a series of recommendations to the Administrator of the Fair Education Practices Act, outlining ways of improving the enforcement of the provisions that bar inquiries about race and religion by college admission authorities. It also supervised a study of commercial schools subject to the state's anti-discrimination laws.

4. Employment. CLSA's major efforts for the enactment of fair employment legislation during the past year were concentrated in Illinois. In February, an "Equal Job Opportunity" bill drafted in part by CLSA was introduced in the Illinois General Assembly. For the next four months, AJCongress units throughout the state waged an intensive fight for the bill. CLSA's Chicago counsel served as secretary to the Federation of Agencies for Inter-

group Relations (FAIR), a civic coordinating agency sponsoring the bill. In April, the Chicago CLSA prepared the FAIR testimony presented at legislative hearings. In May, AJCongress testified in its own name and drafted a substitute bill permitting cities to establish local fair employment commissions, to be considered if the state-wide bill failed of enactment. During this period, the Chicago CLSA prepared and circulated a number of letters and brochures explaining the bill and calling for public support. Unfortunately, the proposed legislation was defeated in the state Senate after passing the House.

In Los Angeles, also, AJCongress was active in a local campaign for the passage of fair employment legislation. In November, AJCongress and other groups testified before the Los Angeles City Council in favor of an ordinance prohibiting discrimination in employment and establishing a municipal fair employment practices commission.

In Boston, AJCongress conducted a survey of public school vocational and placement counsellors to determine the extent of discrimination against members of minority groups. Also during 1957, a survey was made of discrimination by commercial employment agencies in New York City. The results will be announced in 1958.

During 1957, CLSA worked on four specific cases arising under the New York State law against discrimination in employment. Two of these were decided favorably by the State Commission Against Discrimination (SCAD) which administers that law. They involved discrimination against Jews by an insurance investigating firm and by a management consulting firm. Both companies agreed to discontinue their discriminatory practices after SCAD upheld the CLSA charges.

CLSA has called for a broad SCAD investigation of discrimination against Jews by insurance firms.

In another proceeding, in which AJCongress had complained against a religious quota system used for the selection of probation officers in the New York City Children's Court, the complaint was upheld in part and dismissed in part.

In the fourth case, CLSA charged that the Arabian-American Oil Company was violating the state law by refusing to hire Jews for work both in the Middle East and in New York. CLSA submitted a 31-page memorandum in this case urging that the refusal of some Arabian countries to admit American Jews did not justify discriminatory practices in this country. No decision has yet been issued in this case.

5. Places of Public Accommodation. In April, the Chicago Division of CLSA prepared a printed brochure, "Remedies For Racial And Religious Discrimination by Hospitals," outlining the citizen's recourses against refusal of treatment for racial or religious reasons. The pamphlet was distributed throughout the State of Illinois. At the request of the Jewish Community Council of Kansas City, Mo., CLSA prepared a memorandum of law upholding the city's right to outlaw discrimination in places of public accommodations. CLSA is now working on a memorandum of law analyzing the Federal Hospital Survey and Construction Act to determine whether the Federal government may give financial assistance to hospitals with discriminatory admission policies.

IV. IMMIGRATION

Efforts continued during 1957 to obtain revision of the McCarran-Walter Immigration and Nationality Act. Particular targets included abandonment of

the National Origins Quota System, an increase in the total number of immigrants to be admitted and relaxation of the present harsh deportation provisions.

In January, a 14-point immigration program prepared by CLSA was endorsed by the Legislative Committee of the American Immigration Conference and submitted to Congress for consideration. As a result of the Hungarian refugee crisis, there was a renewed national interest in immigration reform, expressed in the filing of a large number of immigration bills in both the Senate and the House. In February, CLSA prepared a 32-page analysis of the more important bills before Congress which was subsequently published as a Legislative Information Bulletin by the National Community Relations Advisory Council. Bills introduced later in the session were analyzed in a 16-page report published in June.

Despite strong support for broad revision of the existing law, the only proposal enacted by Congress was the Kennedy Bill whose principal feature was the restoring to active use of some 18,000 unused quotas left over from past emergency refugee-relief bills. The Kennedy Bill had some limited usefulness as a stopgap measure but it left untouched the basic inequities of the McCarran-Walter Immigration Act. CLSA prepared a summary and analysis of the bill and distributed it to members of Congress and to civic organizations.

Another CLSA project was revision of Federal departure bond regulations. Under the law, aliens who fail to leave the United States when their visas expire automatically forfeit their departure bonds. During the Summer, CLSA prepared Congressional testimony for AJCongress and five other groups urging that the bonds of aliens who are willing to leave but cannot for reasons beyond their personal control should not be subject to automatic forfeiture.

V. ISRAEL AND INTERNATIONAL AFFAIRS

The Middle East crisis of 1956-57 raised a number of domestic issues in the United States with which AJCongress was directly concerned. In this area, CLSA worked with the Commission on Israel and on International Affairs (CIAI) of AJCongress.

A. Sanctions Against Israel

At the beginning of 1957, there was a possibility that the General Assembly of the United Nations would recommend sanctions against Israel and that the United States would impose such sanctions. CLSA prepared a legal memorandum which pointed to the conclusion that the President could invoke sanctions if they were voted by the Security Council but not if they were recommended by the General Assembly. Thereafter, CLSA prepared a study analysing the question whether the President could block the transfer of UJA and other funds from the United States to Israel. This issue became dormant upon the Israeli withdrawal from Sinai and Gaza.

B. Persecution of Egyptian Jews

AJCongress has pointed out in the past few years that a number of Arab countries have been treating their Jewish citizens in effect as hostages in their cold war against Israel. CLSA has sought to obtain action by the United States government to end this persecution and it has also worked for measures to enable the victims to find haven in the United States.

In January, AJCongress published a 41-page printed report, "The Black Record - Nasser's Persecution of Egyptian Jews," which described the measures used by the government of Egypt against its Jewish community, including seizure of property, internment and expatriation. More than 30,000 copies of this

report were distributed. CLSA assisted in the preparation of the report.

Following publication of this document, CLSA undertook a program of activities designed to win asylum in the United States for Egyptian refugees. It prepared a memorandum on the parole provisions of the Immigration and Nationality Act, showing that Egyptian Jews had as much right to and need for asylum under these provisions as the large number of Hungarian refugees who had been admitted to the United States after the Soviet suppression of the Hungarian revolution.

In February, testimony on this subject was submitted to the U.S. Congress by AJCongress and ten other organizations. In March, representatives of AJCongress and other Jewish groups met with the State Department for discussion of the parole provisions. In April, CLSA served as counsel to the American Association of Egyptian Jewry in conferences with the State and Justice Departments on the same subject. In May, the CLSA position was outlined in a conference with Rep. Francis Walter, chairman of the House Permanent Subcommittee on Immigration.

An important point was won in the Spring when the U.S. Immigration and Naturalization Service announced that Egyptian Jews already in the United States for study, business or other personal reasons would not be forced to leave when their visas expired. Although this policy change provided no relief for the mass of Egyptian persecutees, it at least made certain that Egyptian Jews fortunate enough to be in the United States would not be compelled to return to sure persecution in Egypt.

Ultimately, as already noted, Congress passed the Kennedy Immigration Act which included a provision allocating more than 14,000 visas to "refugee-

escapees" who fled or will hereafter flee from their homes because of Communism or fear of racial or religious persecution. Egyptian-Jewish refugees of Nasserism were among those eligible for relief under this provision. This constituted the first specific and tangible immigration relief granted by this country to these victims of Nasser's repression.

APPENDIX

PRINCIPAL CLSA PUBLICATIONS DURING 1957

I. BRIEFS AND LEGAL MEMORANDA.

1. Memorandum on Constitutionality of the Metcalf-Baker Fair Housing Practices Bill (S. Int. 722, A. Int. 910, New York State Legislature). Legal study. March. Mimeo. 24 pp.
2. American Jewish Congress v. Arabian American Oil Co. Legal memorandum supporting charges that the Arabian American Oil Co. refuses to hire Jews for work in the Middle East. Submitted to New York State Commission Against Discrimination. April. Mimeo. 31 pp.
3. Memorandum of Law on Display of the Ten Commandments on Public Premises. Legal study. May. Mimeo. 26 pp.
4. Memorandum of Law on Jury Trial in Civil Rights Injunction Suits. Legal study. June. Mimeo. 22 pp.
5. Amicus Curiae Brief in Albuquerque Zoning Case. Submitted to the Albuquerque, N.M. Board of Adjustment, supporting right of Episcopal Church to build in residential area. September. Mimeo. 24 pp.
6. Amicus Curiae Brief in National Association for the Advancement of Colored People v. Alabama, challenging restrictions placed upon the NAACP by the State of Alabama. Submitted to the U.S. Supreme Court on behalf of 14 organizations. October. Printed 41 pp.
7. Memorandum on Display of Crosses, Crucifixes, Creches and Other Religious Symbols on Public Property. Legal study. December. Mimeo. 28 pp.

8. Memorandum of Law in Ossining Nativity Scene Case. Submitted for plaintiffs to the New York State Supreme Court on motion for temporary injunction. December. Mimeo. 45 pp.

II. CHURCH AND STATE

9. Statement On Bills To Require Humane Methods of Slaughter. Submitted to Committee on Agriculture of U.S. House of Representatives on behalf of 22 organizations. April. Mimeo. 21 pp.
10. "Public School Sectarianism And The Jewish Child, A Report of Experiences." CLSA study. May. Mimeo. 42 pp.
11. Statement On Proposed Amendments To The New York State Constitution. Submitted to the Temporary State Commission on the Constitutional Convention on behalf of AJCongress and the New York Board of Rabbis. June. Mimeo. 15 pp.
12. "Religious Census: An Alien Idea?" A letter from Dr. Israel Goldstein to the WASHINGTON POST. July. Printed. 1 p.
13. "Sunday Laws: A Violation of Religious Liberty." September. Printed. 12 pp.
14. "Is It The Government's Business?" Reprint of article by Leo Pfeffer in the CHRISTIAN CENTURY on the proposed religious question in the Census. October. Printed. 4 pp.
15. "Fact Sheet On Religious Question In The Census." November. Mimeo. 4 pp.

III. CIVIL RIGHTS.

16. "The Federal Civil Rights Bill." A summary and analysis. March. Mimeo. 11 pp.

17. "The Federal Civil Rights Act of 1957." A summary and analysis. September. Mimeo. 12 pp.
18. "Summary Of 1957 State Anti-Discrimination Laws." Description of state and local laws enacted in 1957. September. Mimeo. 8 pp.
19. Draft Model State Comprehensive Civil Rights Law. November. Mimeo. 22 pp.
20. "State Anti-Discrimination Agencies And The Laws They Administer." Study of agencies in 15 states. December. Mimeo. 21 pp.
21. "The Sharkey-Brown-Isaacs Bill - New York City's New Fair Housing Law." A summary and analysis, containing text of the law. December. Mimeo. 10 pp.

IV. CIVIL LIBERTIES.

22. Statement on the Federal Employee's Security Program. Submitted to the Commission on Government Security. March. Mimeo. 32 pp.
23. Statement on the Right of American Citizens to Travel Abroad. Submitted to the Foreign Relations Committee of the U.S. Senate. April. Mimeo. 9 pp.
24. "Assault Upon Freedom of Association - A Study of The Southern Attack on The NAACP." May. Printed. 47 pp.

V. IMMIGRATION, NATURALIZATION AND DEPORTATION.

25. Analysis of Major Proposals for Revision of the McCarran-Walter Act. Study of bills pending in U.S. Congress. April. Printed. 12 pp.
26. Recent Major Proposals for Immigration Legislation. Supplements above. June. Mimeo. 16. pp.
27. Kennedy Immigration Act. A summary and analysis. September. Mimeo. 11 pp.

VI. MISCELLANEOUS.

28. "The Black Record." Detailed study of Nasser's persecution of Egyptian Jewry. January. Printed. 41 pp.
29. "The Work of CLSA." Bibliography of representative publications from 1945 to 1957. July. Mimeo. 56 pp.
30. "The Civil Rights and Civil Liberties Decisions of the United States Supreme Court for the 1956-1957 Term." A summary and analysis. July. Mimeo. 35 pp.
31. "Summary of Cases to be Decided by the United States Supreme Court for its 1957-1958 Term." August. Mimeo. 22 pp.