A new dimension and a new impetus were given to the struggle for civil rights and equality in the United States during the period under review (October 1, 1959, to September 30, 1960) by the “sit-in” movement at lunch counters in southern drug, variety, and department stores. Other major developments included further progress in the desegregation of public elementary and secondary schools in the 17 southern and border states which had maintained racial segregation in their public schools before May 17, 1954; the enactment by Congress of the Civil Rights Act of 1960, the second piece of national civil-rights legislation since 1875,1 and the inclusion of liberal civil-rights planks in the election platforms of both major political parties.

**Sit-in Demonstrations**

On February 1, 1960, four Negro students from North Carolina Agricultural and Technical College entered the F. W. Woolworth variety store in Greensboro, N. C., and sat down at the lunch counter reserved for white patrons. They remained peaceful and quiet, though unserved, from 4:30 P.M. to closing time. A group of about 75 Negro students returned on the following day to repeat the demonstration. Within a week similar demonstrations had been staged in Durham, Raleigh, Winston-Salem, Elizabeth City, Fayetteville, Charlotte, and High Point, N. C., and by the end of February had spread to Virginia, South Carolina, Florida, Tennessee, Alabama, Maryland, and Kentucky. On February 4, 1960, the Negro demonstrators were joined by white students from the women’s college of the University of North Carolina in Greensboro and from Guilford and Greensboro colleges.

The demonstrations occurred principally at chain variety, drug, and department stores and occasionally at public libraries. At first there was a silent refusal to recognize or serve the Negro patrons. Later the store managers attempted to defeat the protests by closing the lunch counters or entire stores. Some storekeepers called for police assistance to remove the Negro students and many demonstrators were arrested on charges of trespassing or loitering. In communities where whites attempted to organize opposing demonstrations or to compete with the Negro students for the seats at the lunch counters, there was some violence.

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* Civil rights refer to those rights and privileges which are guaranteed by law to each person, regardless of race, religion, color, ancestry, national origin, or place of birth: the right to work, to education, to housing, to the use of public accommodations, health and welfare services, and facilities; and the right to live in peace and dignity without discrimination or segregation. They are the rights which government has the duty to defend and expand.

1 The first such law was enacted on September 9, 1957: AJYB, 1958 (Vol. 59), pp. 40-44.
On February 10, 1960, the first wave of sit-in demonstrations hit Virginia when students from Hampton Institute occupied seats at the lunch counter of a variety store in Hampton and refused to move until the counter was closed. Similar demonstrations were conducted at Portsmouth, Norfolk, Suffolk, Petersburg, and Richmond. At Petersburg the Negroes directed their efforts toward desegregating the public library. Violence occurred at Portsmouth, where 27 youths were arrested. Thirty-four Negroes were arrested in Richmond when they refused to leave a department store after being ordered to do so by the manager.

Rock Hill was the scene of the first demonstrations in South Carolina on February 12, 1960, when a number of Negroes entered the local branches of the Woolworth and McCrory stores and two drug stores, sat down at the food counters, and asked for service on the same basis as white customers. The variety stores posted signs that the lunch counters were temporarily closed, while the drug stores closed their doors to clear the premises, reopening after a brief interval. Demonstrations continued in Rock Hill during February and a number of white youths attempted to thwart the sit-ins by occupying all seats at the lunch counters, yielding them only to white patrons. Demonstrations, violent reactions, and police intervention spread during the following month to Columbia, Orangeburg, Greenville, Sumter, Denmark, and Florence.

Also on February 12, 1960, a group of high-school-age Negroes entered a downtown variety store in Deland, Fla., and occupied all the seats at the lunch counter. They departed after the manager closed the counter. Nine Negroes, including seven students from Florida A. and M., sat at the food counter of a Tallahassee store. Here, too, the counter was shut down and the Negroes left. Eleven Negroes were arrested and charged with disturbing the peace during a similar protest demonstration one week later.

Governor LeRoy Collins of Florida, on a statewide radio and television network in March 1960, charged that it was "morally wrong" for businessmen to invite the patronage of Negroes at the variety stores and then refuse to serve them at the lunch counters. Governor Collins' statement received nationwide publicity. He followed his pronouncement with the appointment of a biracial committee for the state to take up racial grievances and make a determined effort to find just solutions. He called upon local communities to appoint similar committees.

In Chattanooga, Tenn., where the sit-in demonstrations occurred simultaneously with efforts to desegregate the public schools, physical clashes erupted in the downtown section between Negro and white youths. On February 24, 1960, the fourth day of the demonstrations, the Chattanooga police and firemen used water from fire hoses to break up the crowds and end the first racial rioting in that city in more than 30 years. Sit-in demonstrations in Nashville led to the arrest of 74 Negro college students because they refused to leave seats at lunch counters.

On February 25, 1960, about 25 Negro students from Alabama State College appeared at the basement snack bar of the county courthouse in Montgomery, Ala., and requested service notwithstanding the custom of serving whites only. The room was closed and the Negroes ordered out. Governor John Patterson
called upon the college president, H. Council Trenholm, to expel the students who had participated in the demonstration, on penalty of loss of all state funds to the college. Nine of the students were expelled and the other participants were placed on probation. Thirty-five students and a member of the faculty were arrested on March 7, 1960, for participating in a protest demonstration against the disciplinary action taken by the college president.

During the last week of February about 35 students of Johns Hopkins University, including five Negroes, entered a small restaurant near the school campus in Baltimore, Md., and requested service, which was refused.

Sit-in demonstrations occurred in Lexington and Frankfort, Ky., and the (Negro) Kentucky State College in the latter city received national publicity in April 1960 when an NBC telecast showed workshops emphasizing the non-violent techniques to be employed at demonstrations at segregated lunch counters. After a series of meetings among Negroes, Frankfort Mayor Paul Judd, other city officials, and community leaders, several Frankfort establishments commenced serving both races.

Sympathy demonstrations and meetings quickly spread to the campuses of many colleges and universities outside of the southern and border states. Both organized and spontaneous picketing and boycott movements arose against northern branches of the variety and department stores whose southern branches maintained segregation.

On June 6, 1960, the Southern Regional Council, the major intergroup-relations agency in the South, announced that eating facilities in 18 southern cities had been desegregated since February 1. About the same time, United States Attorney General William P. Rogers quietly invited a group of chain-store executives to Washington, D. C., to discuss possible steps for desegregating lunch counters in their southern branches. Assurances were given to the chain-store executives that the Department of Justice would intervene to challenge the constitutionality of any local segregation laws which might be invoked against those merchants who opened their eating facilities to Negroes on the same basis as whites. Off-the-record discussions continued in the communities, where the local managers of national chain stores talked to local merchants and city officials in efforts to reach agreement on united action to desegregate their facilities. On August 10, 1960, Attorney General Rogers and a group of executives of national chain variety stores announced that racial segregation had been ended at lunch counters in their branches in 69 cities. By the end of the reporting period a joint statement, issued by the Woolworth, Kress, Grant, and McCrory-McLellan companies, announced that lunch-counter facilities in their stores in 112 cities in southern and border states had been desegregated since the first sit-in demonstration in Greensboro, N. C., on February 1, 1960.

While the chain-store executives did not list the cities and towns in which the change had taken place, racial discrimination in at least some eating facilities had been eliminated in communities in Arkansas, Florida, Kentucky, Maryland, Missouri, North Carolina, Oklahoma, Tennessee, Texas, Virginia, and West Virginia.

Many of the communities which desegregated their lunch counters had
not actually been involved in sit-in demonstrations. Afterward, none reported violence, demonstrations, boycott, or loss of patronage by whites. All these cities were outside the deep South, where rigid patterns of racial segregation continued.

Desegregation

In the fall of 1960 when public schools reopened, the 17 southern and border states, which had required racial segregation in their public schools before May 17, 1954, presented substantially the same varied picture as the year before—from West Virginia and Missouri, where desegregation was virtually completed, to Alabama, Georgia, Mississippi, and South Carolina, where it had not yet begun. Louisiana continued its elementary and secondary schools on a completely segregated basis, despite the breach in its armor at the New Orleans branch of the state university, where 229 Negroes were in attendance with 2,291 whites. In all, 1960 was a year in which very few all-white schools were opened to Negro children for the first time.

In September 1960, there were 2,834 biracial school districts in the 17 southern states and the District of Columbia, a decrease of 46 from the year before. Seven hundred and sixty-eight of these biracial districts had completed or made a start toward desegregation. *Southern School News*, published by the Southern Educational Reporting Service in Nashville, Tenn., reported that 2,925,129 white pupils and 621,968 Negroes were in “desegregated situations”—meaning white and Negro students residing in school districts which had completed or made a start toward desegregation. There was an increase over 1959 of 14,605 in the number of Negroes who actually attended schools with white pupils.

**Status of Desegregation in the 17 Southern and Border States in September 1960**

<table>
<thead>
<tr>
<th>State</th>
<th>Status of Desegregation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>No desegregation</td>
</tr>
<tr>
<td>Arkansas</td>
<td>First peaceful September opening since 1956. The Dollarway school district at Pine Bluff joined the 9 other districts which had previously desegregated their public schools.</td>
</tr>
<tr>
<td>Delaware</td>
<td>Little progress since 1959. Desegregation was extended to the southernmost point in the state when 3 Negroes entered the Seaford Central elementary school. The state educational authorities were preparing a plan under which all of Delaware’s public schools would be desegregated.</td>
</tr>
<tr>
<td>Florida</td>
<td>Four public schools in Dade county opened Florida’s second year of desegregation without incident. Desegregation was extended to the junior-high-school level with the admission of a Negro student to the North Miami Beach junior high school. A total of 27 Negro children were attending formerly all-white schools. The third Negro student was admitted to the University of Florida.</td>
</tr>
</tbody>
</table>

2 In New Orleans two elementary schools were desegregated in November 1960, after the close of the period under review.
<table>
<thead>
<tr>
<th>State</th>
<th>Status of Desegregation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>No desegregation.</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Scant progress, with 124 school districts desegregated of a total of 173 biracial districts—1 more than a year earlier.</td>
</tr>
<tr>
<td>Louisiana</td>
<td>No desegregation.</td>
</tr>
<tr>
<td>Maryland</td>
<td>All 23 of Maryland's biracial school districts were deemed by school authorities to be desegregated &quot;in principle.&quot; Negro pupils were actually attending formerly all-white schools in 15 school districts, containing 90 per cent of the Negro pupils and 75 per cent of the white pupils in the state. There were 10,000 more Negroes in formerly all-white schools than in September 1958.</td>
</tr>
<tr>
<td>Mississippi</td>
<td>No desegregation.</td>
</tr>
<tr>
<td>Missouri</td>
<td>Little progress since 1958. No disorders. Counties in the south-eastern corner of the state continued to hold out against desegregation. The St. Louis board of education introduced a program for transporting some 3,200 elementary-school children from overcrowded to underused schools, which resulted in introducing Negro children into 6 formerly all-white schools.</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Token desegregation continued in Charlotte, Greensboro, Winston-Salem, Durham, High Point, Raleigh, Chapel Hill, Wayne county, and Craven county, making a total of 9 districts which had begun desegregation out of 173 biracial districts. Unofficial estimates placed 77 Negro children in 12 public schools in 9 communities.</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Desegregation in effect in 189 of the state's 241 biracial districts. Of the state's estimated 40,000 Negro students, 30,000 were considered to be in &quot;integrated situations.&quot;</td>
</tr>
<tr>
<td>South Carolina</td>
<td>No desegregation.</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Nashville began its fourth year under the grade-a-year desegregation plan with 159 Negroes enrolled in 10 predominantly white schools. Knoxville, under a similar plan, quietly admitted 28 Negro children to 8 formerly all-white schools. The Knox county board of education voluntarily desegregated its first-grade classes, but no Negro children applied for admission to white schools. Desegregation also continued in Rutherford county, Oak Ridge, and Clinton, making 6 school districts desegregated in principle out of a total of 143 biracial districts in the state. Davidson county was under court order to file a desegregation plan by October 19, 1960. Twenty-three Negro freshmen joined the 5 sophomores in attendance at Memphis State University as that institution began its second year of desegregation.</td>
</tr>
</tbody>
</table>
| Texas      | One hundred and thirty out of 722 biracial school districts were considered desegregated, only 5 more than in September 1959. One of those newly desegregated districts was Houston, where 11 Negro children were admitted to formerly all-white schools, thus ending segregation in principle in what had been the
### State Status of Desegregation

- Nation's largest segregated school system. Negroes continued unsuccessfully to seek admission to white schools in Dallas, Fort Worth, and Galveston.

- **Virginia**
  - Eleven of a total of 128 biracial school districts, 6 more than a year ago, had made a start toward desegregation. Two hundred and five Negro children were attending public schools with white students in the cities of Alexandria, Charlottesville, Norfolk, Richmond, and Roanoke and in the counties of Arlington, Fairfax, Floyd, Grayson, Pulaski, and Warren. Prince Edward county began its second year without public schools, with nearly 1,400 white students enrolled in segregated, privately financed schools, while about 150 of the county's 1,700 Negro children were attending schools outside of the county. The remaining Negro children had no schools to attend.

- **West Virginia**
  - Desegregation completed at all levels. No official records were kept of the number of white or Negro children in "desegregated situations." No incidents.

### United States Supreme Court Decisions

One of the original school-desegregation cases was again before the United States Supreme Court in October 1959. Prince Edward county, Va., had been permitted by a Federal district court to defer compliance with the Supreme Court's mandate to desegregate its public schools until 1965. On appeal to the United States Court of Appeals for the fourth circuit, the district-court decision was reversed and the lower court was reminded that the constitutional rights of the Negro children were not to be delayed or sacrificed because of the threat of violence or deterioration in race relations which might follow the implementation of those rights. The Court of Appeals noted that the school board had neither taken nor planned action during the four-year period since the original Supreme Court decision ordering implementation "with all deliberate speed." The district court was directed to issue an order enjoining the school board from regulating the admission, enrollment, or education of Negro children in the public schools of Prince Edward county on the basis of race or color and to make plans to desegregate the elementary schools "at the earliest practical day."

In response to this decision of the United States Court of Appeals, all of the public schools of Prince Edward county were closed, and an appeal was taken by the school board to the United States Supreme Court. On October 12, 1959, the Supreme Court refused to review the decision of the Court of Appeals. By refusing, as well, to review either of two other lower-court decisions, the Supreme Court again deferred a determination of the constitutionality of pupil-placement laws alleged to be so administered as to perpetuate racial segregation. Both cases arose under a North Carolina statute,

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4 *Allen v. County School Board*, 266 F. 2d 507 (1959).
and the records indicated that the Negro petitioners had failed to comply fully with the requirements of the state law.

A direct attack was made on the pupil-placement law in the first case, when NAACP attorneys asked the court to order Montgomery county public-school officials to draw up a general desegregation plan instead of forcing Negro students to make individual applications and to file individual lawsuits challenging the action of the public-school authorities as arbitrary and capricious. They argued that the duty was upon the state, rather than upon the individual Negro pupil, to bring to an end the unconstitutional system it had established. On October 12, 1959, the Supreme Court refused to review the dismissal of the complaint by the Federal district court.7

The second North Carolina case, from Raleigh, involved an application by a pupil to transfer from a Negro school three miles from his home to a white school a mile away. The Federal district court construed the refusal of the parents to appear before the local school board to answer questions concerning the application for reassignment as a failure to exhaust the administrative remedies required by the statute, and dismissed the lawsuit. On October 12, 1959, the Supreme Court refused to review the case.8

On December 14, 1959, the Supreme Court, by refusing a Negro appeal for review, put into effect a lower court's approval of Nashville's grade-a-year plan to desegregate its public schools. This was the first opportunity that the court had had to pass upon a gradual plan of that type. One aspect of the Nashville plan gave three of the justices trouble. Chief Justice Earl Warren and Associate Justices William O. Douglas and William J. Brennan would have granted the petition for review to determine the constitutionality of that part of the Nashville plan which permitted any student to apply for a transfer where he was assigned to a school in which a majority of the pupils were of a different race. If one other justice had joined them, that aspect of the case would have been reviewed.9

By a brief order granting "the motion to affirm" the judgment of the court below, the Supreme Court, on December 14, 1959, ruled that a state may not close some schools to avoid compliance with racial desegregation while others are left open.10 The decision upheld the action of a Federal district court in Arkansas voiding two state laws under which Little Rock's high schools were closed in 1958 by order of Governor Orval E. Faubus, and under which state funds were withheld from any public school ordered desegregated.11 This Supreme Court decision was viewed as probably strengthening the trend of the hard-core states toward reliance on pupil-placement laws, thus far sustained as not unconstitutional on their face, as the best stratagem for frustrating desegregation.

SIGNIFICANT LOWER-COURT DECISIONS

Federal District Judge J. Skelly Wright, on May 16, 1960, became the first judge to draw up his own plan for the desegregation of public schools after

11 AJYB, 1959 (Vol. 60), pp. 16-17.
repeated failure of a local school board to submit a plan to the court. The judge ordered the New Orleans public-school system, at the opening of schools in September 1960 (later deferred to November), to permit all children entering the first grade to attend "either the formerly all-white public school nearest their homes, or the formerly all-Negro public school nearest their homes, at their option." In addition, his plan specified that "children may be transferred from one school to another, provided such transfers are not based on consideration of race." 

In a 2-to-1 decision, the United States Court of Appeals for the third circuit, on July 19, 1960, rejected Delaware's state-wide grade-a-year plan to desegregate its public schools. Instead, the state was ordered to desegregate all public schools at all levels in the fall of 1961, while continuing to function under the grade-a-year program until that time. Furthermore, the court ordered the admission of some 20 Negro plaintiffs to various grades in formerly white schools, to take effect in September 1960. It was significant that the Court of Appeals refused to approve the grade-a-year plan for the border state of Delaware, notwithstanding the refusal of the United States Supreme Court in Kelley v. Board of Education of Nashville (see p. 73) to review the decision of the Court of Appeals for the sixth circuit approving a similar plan for the southern city of Nashville.

Federal district judges in May 1960 refused to grant Houston, Tex., any extension of time beyond September 1960 to begin desegregation and granted Atlanta, Ga., an additional year, until September 1961, to put its grade-a-year plan into operation. The time extension allowed Atlanta was characterized as the "last chance" to enable the state legislature to repeal or amend conflicting statutes. The judge ruled, however, that both the 11th and 12th grades would have to be desegregated when the plan went into effect in September 1961, regardless of any action or inaction by the state legislature.

On September 14, 1960, Federal District Judge John Paul refused to direct the superintendent of schools of Floyd County, Va., to end the segregation of 11 Negro pupils who charged that they had been assigned to a home room in a building separate from the rest of the student body. Apparently, Negro sophomores, juniors, and seniors were segregated from the other students for purposes of taking attendance, reading school announcements, and other official school business, before being permitted to mingle with the white students in the rooms where they were actually taught. The judge held that the petitioners had not established discrimination and dismissed their complaint.

Another interesting situation developed in Galax, Va., where the high school had had a contract with Grayson county since 1952 to provide education for students residing in a section of the county adjacent to Galax. Some 285 white students of the county had attended the Galax high school under that arrangement. On September 6, 1960, Federal District Judge John Paul ordered the admission of eight Grayson Negroes to the Galax high school on the same basis as the white pupils attending under the contract with the

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county. On September 9, the school board terminated the contract and closed its doors to all students, white and Negro, residing outside the city limits. Of the total of 598 white students in the high school, all but 8 signed a petition asking the school board to reverse itself and admit the eight Negro pupils. When United States Circuit Court Judge Simon E. Sobeloff, on September 12, refused to grant the school board a stay and indicated that he would vote to affirm Judge Paul’s order, the board reversed itself and agreed to the entry of an order in the Court of Appeals which required the Galax high school to admit the 8 Negro children and to continue to provide education for the 285 excluded white students from Grayson county, while a new contract was to be negotiated between the board and the county officials.

**IMPROVING RACIAL BALANCE IN NEW YORK CITY SCHOOLS**

In an attempt to improve the racial balance in some of the elementary and junior high schools in New York City, the board of education announced in August 1960 that an open-enrollment policy would begin in certain junior high schools in September 1960 and would be extended to the elementary schools in January 1961. Under the new policy, overcrowded schools with a student body more than 90 per cent Negro or Puerto Rican were designated as “sending” schools, while schools with more than 75 per cent white students and less than 90 per cent occupied were designated as “receiving” schools. Under these standards, 16 schools were classified as “sending” and 31 as “receiving.” Transfers were made only at the request of parents or guardians, with free bus transportation to schools more than a mile from home, under the same rules as for all other children. Only 393 pupils actually requested transfer to “receiving” schools under the pilot program introduced at the junior high-school level. The board had estimated that 3,000 would take advantage of its new policy.

**Civil Rights Act of 1960**

On February 15, 1960, Senate Majority Leader Lyndon B. Johnson called up civil rights in the Senate as the pending order of business. On February 27, the southern Democrats opened a filibuster which delayed final action by the Senate until April 8, 1960. On that date, 42 Democratic and 29 Republican senators combined to give the bill 71 affirmative votes against the 18 Democrats from the southern states of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia. On April 21, the House of Representatives concurred in the Senate version of the bill and sent it to President Dwight D. Eisenhower, who signed it on May 6, 1960.

The act that was finally passed had six parts, besides the usual provision for severability. Title I made it a crime, punishable by a fine of $1,000, a year in jail, or both, for any person to obstruct, by threats or force, “the due exercise of rights or the performance of duties under any order, judgment, or decree of a court of the United States. . . .” This provision had originally been proposed by the administration to prevent interference with court-ordered
desegregation in school cases, but the Senate broadened the section to include interference with Federal court orders in all types of cases.

Title II was intended to bring the power and weight of Federal investigation and prosecution to bear in cases of bombing and arson. It contained two sections. The first made it a crime, punishable by a fine of $5,000, five years in jail, or both, for any person to cross state lines to avoid prosecution or confinement after conviction for willfully damaging any public or private building by fire or explosives, and also made it a crime for any person to cross state lines to avoid testifying in any criminal proceeding relating to such acts. The second section made it a crime to engage in interstate transportation of explosives, with the knowledge or intent that they would be used to damage or destroy any building. Penalties for violation varied according to whether or not any person was injured or killed in a resulting bombing, with a provision for the death penalty if a person died as a result of such bombing. A significant provision in this section created a rebuttable presumption that any one in possession of explosives with the intent to use them illegally to damage or destroy a public or private building had transported them or caused them to be transported across state lines. This presumption, although insufficient to sustain a conviction unless buttressed by independent evidence, was sufficient to bring the Federal Bureau of Investigation into bombing cases from the very beginning. Another part of the second section made it a crime to use the mail, telephone, or telegraph to transmit any threat or false information concerning the damage or destruction of a public or private building. This was intended for bomb threats, which had plagued some areas of the country. Finally, the section provided for independent legislative action by the states with respect to bombing and arson, to forestall the danger that congressional action might be deemed to have "preempted" the field.

Title III required state election officials to retain all registration and voting records concerning elections to Federal offices for a period of 22 months after any election, available for inspection by the attorney general or his representative. Destruction or theft of the records was made punishable by a fine of $1,000, a year in jail, or both.

Title IV authorized "each member" of the United States Civil Rights Commission to administer oaths and take testimony from witnesses. Under the Civil Rights Act of 1957, only the chairman of the commission was empowered to swear witnesses.

Title V authorized the Department of Health, Education, and Welfare to make arrangements for the free education of the children of military personnel when the public schools normally available to such children were closed by the action of the state or local authority. This provision was intended to protect the "children of members of the armed forces on active duty," whether or not living on Federal installations, against the eventuality that local officials might close public schools to avoid desegregation.

Title VI was the major part of the new law and covered voting rights. The Civil Rights Act of 1957 14 had authorized the attorney general to bring

14 AJYB, 1958 (Vol. 59), pp. 40-44.
an injunction action against state authorities who interfered with the right of individuals to vote on the ground of race or color. Where the attorney general brought and won such a lawsuit, he might, under the Civil Rights Act of 1960, ask the judge to make a further finding that the discrimination against the Negroes had been pursuant to a "pattern or practice." Such a finding would open the door to other Negroes "in the affected area" to apply to the court, or to voting referees appointed by the court, for an order declaring the additional petitioners also qualified to vote. To be enrolled by the court or referee, each petitioner would have to establish that he was qualified to vote under state law, that he had tried to register since the court's finding of a "pattern or practice," and that he had been denied the right to register by some official "acting under color of law." Only the petitioner would be heard by the referee, and his testimony under oath as to his age, residence, and earlier efforts to register would be prima facie evidence of those facts. Where proof of literacy or an understanding of other subjects was required by state law, the written answers of the petitioner or a stenographic record of his oral responses were to be made part of the record transmitted to the court and were to be the only evidence accepted by the court on the issue of literacy or understanding. The state attorney general was to be given an opportunity to attack the report of the referee, but he was required to submit proof disclosing "the existence of a genuine issue of material fact." The court, or its voting referee, if so instructed, was authorized to issue a certificate to each petitioner found qualified to vote and a refusal by a state election official to permit such a qualified petitioner to register and vote would be punishable as a contempt of court. Under the act, the court, if it saw fit, could order its referees to accompany the petitioner to the polling place to assure the casting and counting of his vote.

Attorney General William P. Rogers announced on May 9, 1960, three days after President Eisenhower had signed the Civil Rights Act of 1960 into law, that he was invoking the new act against election officials in McCormick county, S.C.; East Carroll parish, La.; Webster county, Ga., and Wilcox county, Ala. These were the four counties where Negroes outnumbered whites in the population, but not a single Negro was registered to vote. Demands were served on state election officials to make their voting and registration records available for inspection by agents of the Department of Justice. A month later, on June 6, similar demands were served on the election officials of Clarendon and Hampton counties, S.C.; Sumter county, Ala., and Fayette county, Ga.

On September 13, 1960, Attorney General Rogers announced a significant action under the Civil Rights Act of 1957. He caused a complaint to be filed in the Federal district court at Memphis, Tenn., charging a group of 29 defendants, including two banks, with organizing and conducting economic reprisals and other acts of intimidation against Negroes who had registered or attempted to register to vote in Haywood county, Tenn.

According to the complaint, during the summer of 1959 the defendants began to apply coercive acts and practices to potential Negro registrants,
Negro registrants, and other persons believed to be in sympathy with Negro registration and voting, all for the purpose of depriving the Negroes of their right to register and vote. It was charged that certain of the defendants circulated among the white businessmen in Haywood county lists of Negroes active in the registration movement and that those lists were used to identify the persons against whom economic pressure would be applied. The acts of economic pressure listed in the complaint included termination of share-crop and tenant-farming relationships; termination of employment; refusal to sell goods and services even for cash to certain Negroes; refusal to lend money to some of the Negroes although they were otherwise qualified for the loans; refusal to deal with merchants suspected of selling goods to Negroes; inducing merchants and landowners to penalize certain Negroes economically, and inducing wholesale suppliers of Negro merchants not to deal with them.

The complaint asked the court to enjoin the defendants and all persons acting with them from engaging in such actions.

1960 National Conventions and Civil Rights

Civil rights were of major concern at the conventions of both political parties in 1960. The platform committees of the Democratic and Republican parties solicited the views and recommendations of spokesmen for racial, religious, and nationality groups and of labor and civic organizations concerning statements on civil rights to be included in the party platforms. The Democratic platform committee held ten public hearings in various cities throughout the country before the convention.

Democratic Convention

The opening of the Democratic convention in Los Angeles on July 11, 1960, was preceded by several days of public hearings and executive sessions of the 108-man platform committee under the chairmanship of Congressman Chester Bowles of Connecticut. Spokesmen for Negro, religious, labor, and civic groups urged a strong and explicit stand against all forms of discrimination, an express endorsement of the Supreme Court's desegregation decision and the sit-in demonstrations, improvements in the rules of the upper and lower houses of the Congress to assure majority rule, and increased powers for the Federal government to deal with local action curtailing the equal right to vote and to enjoy the benefits of citizenship in a free society. Southerners cautioned the committee against "extremism" on civil rights and urged that the platform be drafted in "generalities" rather than "specifics." The civil-rights plank finally drafted by the platform committee received the strong approval of the civic groups and the vigorous disapproval of the southerners. A minority report, supported by the delegates from ten of the eleven once-Confederate states (Texas being excepted), offered upon the floor of the convention on July 12, 1960, specifically singled out for criticism the support for sit-in demonstrations, voting guarantees, and desegregation in the public schools. The convention rejected the minority report by voice vote and adopted the platform proposed by the platform committee.
The platform acknowledged that different sections of the country faced different civil-rights issues; that the wave of "peaceful" sit-in demonstrations were "a signal" to take the necessary steps to make constitutional guarantees a reality, and that the time had come to assure all people access to "all areas of community life." It promised the full use of the powers granted to the Federal government by the Civil Rights Acts of 1957 and 1960 to secure the right to vote; seeking necessary additional powers; support for the elimination of literacy tests and poll taxes as voting requirements; the use of legal and moral sanctions and technical and financial assistance to end racial discrimination in public education, with a target date of 1963—the 100th anniversary of the Emancipation Proclamation—for the submission by every school district affected by the Supreme Court's desegregation decision of a plan for bona fide compliance; Federal legislation for extending the attorney general's power to bring injunction actions to protect civil rights, for establishing a fair-employment-practice commission, and for making the United States Commission on Civil Rights a permanent agency with broadened functions, and full use of executive power to assure equal employment opportunities in Federal services and on government contracts and to end discrimination in Federal housing programs. Executive orders, legal action by the attorney general, legislation, and reform of congressional procedures to enable both houses to be subject to majority rule were mentioned as means to those ends. (The text of the civil-rights planks of the Democratic platform appears in Appendix A.)

REPUBLICAN CONVENTION

Two weeks later, civil rights also became a controversial issue at the Republican convention in Chicago. That convention was preceded by a meeting in New York, on July 22, between Vice President Richard M. Nixon, the likely nominee, and Governor Nelson Rockefeller of New York, the spokesman for a group of liberal Republicans. The two agreed upon 14 planks, including a strong civil-rights statement, as a condition for Rockefeller's support of Nixon's candidacy. When the convention opened, on July 25, the platform committee was reported to be ready to reject the strong civil-rights proposal of the Nixon-Rockefeller coalition and resentful of the attempt of the two leaders to "dictate" the platform. The Nixon-Rockefeller forces were girding themselves for a floor fight to win a strong civil-rights plank when, on July 26, Vice President Nixon forced the platform committee to reverse its earlier decision and by a 56-to-28 vote to adopt a liberal civil-rights plank acceptable to him.

The civil-rights promises of the Republican platform were but slightly less specific than those of the Democratic platform, and were characterized as "far ahead of those chosen four years ago." The platform declared that discrimination "has no place" in a nation created to give expression to "the supreme worth of the individual" and was not the problem of any one part of the country "but rather a problem that must be faced by North and South

16 Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, ibid., July 28, 1960.
"After citing the Republican record on civil rights—ending discrimination in the nation's capital, support of the Negro petitioners in the desegregation cases in the Supreme Court, enactment of the Civil Rights Acts of 1957 and 1960 and the actions of the attorney general's office under those laws, executive orders creating committees for the elimination of discrimination in employment in the Federal establishment and in work on government contracts, the creation of a civil-rights division in the Department of Justice and of the bipartisan United States Civil Rights Commission—the platform made pledges for the future: continued vigorous enforcement of the civil-rights laws to guarantee the right to vote; legislation for the completion of six grades of primary school to be conclusive evidence of literacy for voting purposes; continued vigorous support of court-ordered desegregation of public schools; legislation to authorize the attorney general to bring actions in the name of the United States for the desegregation of public schools where economic threats or coercion were used to deter Negroes from asserting their own rights; extension of Federal aid and technical assistance to schools desegregating in good faith; legislation to establish a commission on equal job opportunity and to make the Committee on Government Contracts permanent; action to prohibit discrimination in housing constructed with Federal subsidies; removal of all vestiges of discrimination from the operation of Federal facilities; opposition to the use of Federal funds for the construction of segregated community facilities, and efforts to reform hampering congressional rules. While the platform did not expressly refer to the sit-in demonstrations, it did "reaffirm the constitutional right to peaceable assembly to protest discrimination in private business establishments," besides commending "the action of the businessmen who have abandoned discriminatory practices in retail establishments" and urging "others to follow their example." The Republican platform, like the Democratic, endorsed the Supreme Court decision requiring desegregation of the public schools. Significantly, both party platforms had omitted such endorsements four years earlier. (The text of the civil-rights planks of the Republican platform appears in Appendix B.)

Miscellaneous

Legislation

Massachusetts became the first state to strengthen its civil-rights statutes in 1960 when, on March 7, Governor Foster Furcolo signed into law a bill prohibiting any person engaged in granting mortgage loans from discriminating against applicants for such loans on the ground of race, color, religious creed, national origin, or ancestry. Jurisdiction over the enforcement of the law was vested in the Massachusetts Commission Against Discrimination, which also administered the commonwealth's other civil-rights laws.

The 1960 session of the New York legislature ended without enactment of any major civil-rights bill. A bill to prohibit discrimination in a significant segment of the private-housing market passed the Assembly by a vote of 131 to 17 on March 31, 1960, one day before adjournment, but the Republican
leadership of the Senate refused to allow the companion bill to come to the floor of the upper chamber for a vote. The legislature passed, and Governor Nelson Rockefeller signed, three minor bills relating to civil rights. One expressly conferred on the attorney general the power to subpoena witnesses in proceedings to determine whether he had grounds to file a complaint with the State Commission Against Discrimination. Another required the attorney general's office to be notified of the institution of any civil or criminal suit based on a violation of the civil-rights law. Finally, the legislature amended the law against discrimination to list specifically the places of public accommodation previously incorporated into the law by reference to another statute and to make it clear that the listing was not intended to be inclusive.

On July 21, 1960, Governor Robert B. Meyner of New Jersey signed into law a bill which amended the state law against discrimination in three aspects. One provision changed the name of the division of the state department of education, which had jurisdiction over the state's antidiscrimination law, from the Division Against Discrimination to the Division on Civil Rights. A second provision authorized the commissioner of education to file complaints of violation of the law against discrimination on his own initiative. The third provision required the commissioner of education to appoint a panel of five hearing examiners, any one of whom the commissioner could designate to act in his place to conduct hearings and make findings of fact. These amendments to the New Jersey statute had been recommended by an evaluation committee, appointed in 1957 to survey the compliance operations of the New Jersey Division Against Discrimination, and consisting of Milton R. Konvitz of Cornell University, Theodore Leskes of the American Jewish Committee, Mrs. Mildred H. Mahoney of the Massachusetts Commission Against Discrimination, and Milo Manley of the Pennsylvania Fair Employment Practice Commission.

On July 9, 1960, Governor J. Caleb Boggs of Delaware signed into law a bill prohibiting discrimination in employment because of race, creed, color, national origin, or age. Delaware thus became the 17th state, and the first border state, to pass an enforceable fair-employment-practice law. When introduced, Senate Bill No. 397 would have prohibited job discrimination against individuals on the basis of age. The bill passed the Senate and was sent to the lower house for concurrence. There Representative Paul S. Livingston, the only Negro legislator, offered an amendment to add discrimination based on race, creed, color, or national origin to discrimination based on age. By a 24-to-3 vote, the House passed the Senate bill with Representative Livingston's amendment. The Senate concurred in the broadened version of the bill on July 1, 1960, by a vote of 11 to 1.

The act prohibited discrimination by employers, employment agencies, and labor organizations. Employers and employment agencies were also prohibited from publishing discriminatory advertisements or asking discriminatory questions on application forms or in other inquiries in connection with prospective employment, except to fulfill bona fide occupational requirements.

The act established a Division Against Discrimination in the Labor Commission of Delaware as the agency for its administration. The measure did
not set forth the procedure to be followed by the new agency in combating discrimination and handling complaints, but it authorized the Division Against Discrimination to "make such rules and regulations as may be necessary to effectuate the purposes of this act."

A first offense was punishable by a fine up to $200, and a second offense by $500 and prison for a term not exceeding 90 days.

**Litigation**

On February 9, 1960, the Supreme Court of New Jersey unanimously affirmed the authority of the Division Against Discrimination to hear and decide charges of racial discrimination against Levitt & Sons, Inc., and Green Fields Farm, Inc., with respect to their housing projects in the state of New Jersey.

The court's opinion described in detail the extensive Federal assistance received by the housing projects and held that they came within the term "publicly-assisted housing accommodations" as used in the statute, giving the Division Against Discrimination jurisdiction over complaints. The court cited "the clear and positive policy of our State against discrimination as embodied in the New Jersey Constitution . . . Effectuation of that mandate calls for liberal interpretation of any legislative enactment designed to implement it." 17 On June 13, 1960, the United States Supreme Court dismissed an appeal "for want of a substantial Federal question." 18

A human-relations committee was established in Levittown, N.J., to help make the community ready for the entry of Negro homeowners and Levitt & Sons retained the services of two intergroup-relations specialists, Theron A. Johnson and Harold A. Lett, to assist in the development of a program of community education and information.

On March 4, 1960, the Federal district court for the northern district of Illinois dismissed an action brought by Progress Development Corporation, a wholly-owned subsidiary of Modern Community Developers, Inc., against the village of Deerfield, its board of trustees and the Deerfield park district. No Negroes resided in Deerfield, a suburb of Chicago. The complaint charged that the public officials had conspired to prevent Progress Development from building a 51-house racially integrated project. It charged that the city authorities were using inconsequential violations of the building code and "stop orders" as devices to harass construction and disrupt building schedules. Finally, it claimed that the action of the park district in holding a referendum to authorize the condemnation of the land for a public park was motivated by a desire to prevent the builders from bringing Negroes into the community. The court, after a trial without a jury, found that the plaintiffs had failed to prove any conspiracy among the defendants to interfere with the builder's civil rights. The court found that the builder and its employees had actually violated the building code and hence that the stop orders were justified. The court also found that there was a *bona fide* need in the com-

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munity for more park land and that the Park District had had a long-standing interest in acquiring land owned by the plaintiff for park purposes.

Although not necessary for the decision, the court dealt with the "controlled occupancy" plan of the builder, designed to keep the project interracial. Judge Joseph S. Perry concluded his comments on that aspect of the case by stating that "if a quota of 80 to 20, founded upon unrecorded restrictive agreements, is constitutional, then a quota of 50 to 50 or 99 to 1, or even 100 to 0, would be constitutional, and Shelley v. Kraemer [striking down enforcement of restrictive covenants] would be circumvented." The Progress Development Corporation announced its intention to appeal the decision.

On April 1, 1960, Justice Aron Steuer of the New York State Supreme Court, New York county, upheld the constitutionality of the Sharkey-Brown-Isaacs ordinance, prohibiting discrimination based on race, color, religion, or national origin in private multiple dwellings in New York City. A real-estate operator in Greenwich Village challenged the pioneer ordinance as an unjustified and unconstitutional interference with his property rights in his business. The court rejected the claim on the basis of the state's recognized right to make reasonable regulations governing rental housing. Citing the fair-employment-practice statutes, which had been upheld, the court concluded that the individual's freedom to deal with his property "must yield to what legislative authority deems is for the common good."

On May 17, 1960, the Justice Department instituted an action in the Federal district court for an injunction against the exclusion of Negroes from the public beaches of Biloxi, Miss. The theory of the prosecution was most significant. It was charged that Federal funds had been appropriated and used between 1951 and 1953 to repair and improve the Biloxi beach and that the contract under which such Federal assistance was provided expressly required that the beaches be "open to the public." The exclusion of Negroes was regarded by the Justice Department as noncompliance with that guarantee of public use. The complaint also charged a violation of the Fourteenth Amendment's assurance of equal protection of the laws for all persons within the jurisdiction of the state.

The theory on which the Justice Department predicated its lawsuit was very important to the further development of civil rights. If the exclusion of Negroes from the enjoyment of facilities built or improved with Federal aid could be enjoined as a breach of contract, or as a deprivation of the equal protection of the laws, the Justice Department could invoke the aid of equity courts to restrain the exclusion of Negroes from schools, colleges, hospitals, housing, recreational facilities, welfare services, and all kinds of installations in whose construction or improvement Federal funds had been used. A decision upholding the right of the Department of Justice to prosecute such a lawsuit in effect would confer on the attorney general some of the powers sought in Federal civil-rights legislation—the power to bring injunction suits to prevent the exclusion of some of the public from the equal enjoyment of public facilities.

RULINGS BY ATTORNEYS GENERAL

On November 23, 1959, California Attorney General Stanley Mosk ruled that the civil-rights law, guaranteeing free and equal access, regardless of race, color, religion, ancestry, or national origin, to "all business establishments of every kind whatsoever," applied to the facilities and services of real-estate brokers and salesmen. By this ruling, all real-estate offices in California were in effect ordered by the attorney general's office not to discriminate on the basis of race or religion in offering their services. In the same opinion, Attorney General Mosk ruled that "all business establishments" was intended by the legislature "to broaden the application of Section 51 to cover not only the entities listed in that section prior to 1959 but also to include all other business enterprises."

A day later, on November 24, Attorney General Edward J. McCormack, Jr., of Massachusetts ruled that a real-estate agency was a "place which is open to and accepts or solicits the patronage of the general public" as those terms were used in the statute defining the "places of public accommodation" which were prohibited from discriminating on the basis of race, color, creed, or nationality. Furthermore, the opinion noted that a real-estate agency did not come within the exceptions provided by the statute for private clubs and religious, charitable, and educational institutions.

MICHIGAN CORPORATION AND SECURITY COMMISSION RULING

On June 30, 1960, Commissioner Lawrence Gubow promulgated a new rule to be added to the regulations of the real-estate division of the Michigan Corporation and Securities Commission. After the disclosure of a pattern of religious and racial discrimination in the practices of real-estate brokers and agents in Grosse Pointe, Mich., the commission ordered a series of public hearings to discuss proposed amendments to the code governing the conduct of the real-estate agents. The new rule barred brokers and salesmen from refusing to sell, buy, appraise, list, or lease any real estate because of the race, color, religion, national origin, or ancestry of any person or persons. Violations of the regulations by licensed real-estate brokers, agents, or salesmen were made "unfair dealings" which could be the basis for disciplinary action by the commission.

THEODORE LESKES

APPENDIX

A. Civil-rights and Related Planks of the Democratic Platform, 1960

If discrimination in voting, education, the administration of justice or segregated lunch-counters are the issues in one area, discrimination in housing and employment may be pressing questions elsewhere.

The peaceful demonstrations for first-class citizenship which have recently taken place in many parts of this country are a signal to all of us to make good at long last the guarantees of our Constitution.
The time has come to assure equal access for all Americans to all areas of community life, including voting booths, schoolrooms, jobs, housing and public facilities.

The Democratic administration which takes office next January will therefore use the full powers provided in the Civil Rights Acts of 1957 and 1960 to secure for all Americans the right to vote.

If these powers, vigorously invoked by a new attorney general and backed by a strong and imaginative Democratic president, prove inadequate, further powers will be sought.

We will support whatever action is necessary to eliminate literacy tests and the payment of poll taxes as requirements for voting.

A new Democratic administration will also use its full powers—legal and moral—to ensure the beginning of good faith compliance with the constitutional requirement that racial discrimination be ended in public education.

We believe that every school district affected by the Supreme Court's school desegregation decision should submit a plan providing for at least first-step compliance by 1963, the 100th anniversary of the Emancipation Proclamation.

To facilitate compliance, technical and financial assistance should be given to school districts facing special problems of transition.

For this and for the protection of all other Constitutional rights of Americans, the attorney general should be empowered and directed to file civil injunction suits in federal courts to prevent the denial of any civil rights on grounds of race, creed, or color.

The new Democratic administration will support federal legislation establishing a Fair Employment Practices Commission to secure effectively for everyone the right to equal opportunity for employment.

In 1949 the President's Committee on Civil Rights recommended a permanent Commission on Civil Rights. The new Democratic administration will broaden the scope and strengthen the powers of the present commission and make it permanent.

Its functions will be to provide assistance to communities, industries, or individuals in the implementation of Constitutional rights in education, housing, employment, transportation, and the administration of justice.

In addition, the Democratic administration will use its full executive powers to assure equal employment opportunities and to terminate racial segregation throughout federal services and institutions, and on all government contracts. The successful desegregation of the armed services took place through such decisive executive action under President Truman.

Similarly the new Democratic administration will take action to end discrimination in federal housing programs, including federally-assisted housing.

To accomplish these goals will require executive orders, legal actions brought by the attorney general, legislation, and improved congressional procedures to safeguard majority rule.

Above all, it will require the strong, active, persuasive, and inventive leadership of the president of the United States.

In order that the will of the American people may be expressed upon all legislative proposals, we urge that action be taken at the beginning of the 87th Congress to improve congressional procedures so that majority rule prevails and decisions can be made after reasonable debate without being blocked by a minority in either House.
The rules of the House of Representatives should be amended so as to make sure that bills reported by legislative committees should reach the floor for consideration without undue delay.

The right to a job requires action to break down artificial and arbitrary barriers to employment based on age, race, sex, religion, or national origin.

We propose a federal bureau of intergroup relations to help solve problems of discrimination in housing, education, employment and community opportunities in general. The bureau would assist in the solution of problems arising from the resettlement of immigrants and migrants within our own country, and in resolving religious, social and other tensions where they arise.

Protection of rights of American citizens to travel, to pursue lawful trade and to engage in other lawful activities abroad without distinction as to race or religion is a cardinal function of the national sovereignty.

We will oppose any international agreement or treaty which by its terms or practices differentiates among American citizens on grounds of race or religion.

B. Civil-rights and Related Planks of the Republican Platform, 1960

This nation was created to give expression, validity and purpose to our spiritual heritage—the supreme worth of the individual. In such a nation—a nation dedicated to the proposition that all men are created equal—racial discrimination has no place. It can hardly be reconciled with a Constitution that guarantees equal protection under law to all persons. In a deeper sense, too, it is immoral and unjust. As to those matters within reach of political action and leadership, we pledge ourselves unreservedly to its eradication.

Equality under law promises more than the equal right to vote and transcends mere relief from discrimination by government. It becomes a reality only when all persons have equal opportunity, without distinction of race, religion, color or national origin, to acquire the essentials of life—housing, education, and employment. The Republican party—the party of Abraham Lincoln—from its very beginning has striven to make this promise a reality. It is today, as it was then, unequivocally dedicated to making the greatest amount of progress toward that objective.

We recognize that discrimination is not a problem localized in one area of the country, but rather a problem that must be faced by North and South alike. Nor is discrimination confined to the discrimination against Negroes. Discrimination in many, if not all, areas of the country on the basis of creed or national origin is equally insidious. Further, we recognize that in many communities in which a century of custom and tradition must be overcome heartening and commendable progress has been made.

Each of the following pledges is practical and within realistic reach of accomplishment. They are serious—not cynical—pledges made to result in maximum progress.

1. Voting. We pledge:

Continued vigorous enforcement of the civil rights laws to guarantee the right to vote to all citizens in all areas of the country.
Legislation to provide that the completion of six primary grades in a state-accredited school is conclusive evidence of literacy for voting purposes.

2. Public Schools. We pledge:

The Department of Justice will continue its vigorous support of court orders for school desegregation. Desegregation suits now pending involve at least 39 school districts. Those suits and others already concluded will affect most major cities in which school segregation is being practiced.

It will use the new authority provided by the Civil Rights Act of 1960 to prevent obstruction of court orders.

We will propose legislation to authorize the attorney general to bring actions for school desegregation in the name of the United States in appropriate cases, as when economic coercion or threat of physical harm is used to deter persons from going to court to establish their rights.

Our continuing support of the president's proposal, to extend federal aid and technical assistance to schools which in good faith attempted to desegregate.

We oppose the pretense of fixing a target date three years from now for the mere submission of plans for school desegregation. Slow-moving school districts would construe it as a three-year moratorium during which progress would cease, postponing until 1963 the legal process to enforce compliance. We believe that each of the pending court actions should proceed as the Supreme Court has directed and that in no district should there be any such delay.

3. Employment. We pledge:

Continued support for legislation to establish a Commission on Equal Job Opportunity to make permanent and to expand with legislative backing the excellent work being performed by the President's Committee on Government Contracts.

Appropriate legislation to end the discriminatory membership practices of some labor union locals, unless such practices are eradicated promptly by the labor unions themselves.

Use of the full-scale review of existing state laws, and of prior proposals for federal legislation, to eliminate discrimination in employment now being conducted by the Civil Rights Commission, for guidance in our objective of developing a federal-state program in the employment area.

Special consideration of training programs aimed at developing the skills of those now working in marginal agricultural employment so that they can obtain employment in industry, notably in the new industries moving into the South.

4. Housing. We pledge:

Action to prohibit discrimination in housing constructed with the aid of federal subsidies.

5. Public Facilities and Services. We pledge:

Removal of any vestige of discrimination in the operation of federal facilities or procedures which may at any time be found.

Opposition to the use of federal funds for the construction of segregated community facilities.

Action to ensure that public transportation and other government authorized services shall be free from segregation.

6. Legislative Procedure. We pledge:

Our best efforts to change present Rule 22 of the Senate and other appropriate Congressional procedures that often make unattainable proper legislative implementation of constitutional guarantees.
We reaffirm the constitutional right to peaceable assembly to protest discrimination by private business establishments. We applaud the action of the businessmen who have abandoned discriminatory practices in retail establishments, and we urge others to follow their example.

Finally we recognize that civil rights is a responsibility not only of states and localities; it is a national problem and a national responsibility. The federal government should take the initiative in promoting intergroup conferences among those who, in their communities, are earnestly seeking solutions of the complex problems of desegregation—to the end that closed channels of communication may be opened, tensions eased, and a cooperative solution of local problems may be sought.

In summary, we pledge the full use of the power, resources, and leadership of the Federal government to eliminate discrimination based on race, color, religion, or national origin and to encourage understanding and good will among all races and creeds.

* * * *

We pledge continued efforts . . .

To seek an end to transit and trade restrictions, blockades, and boycotts.

To secure freedom of navigation in international waterways, the cessation of discrimination against Americans on the basis of religious beliefs.

* * * *

We favor a change in the Electoral College system to give every voter a fair voice in presidential elections.

We condemn bigotry, smear and other unfair tactics in political campaigns. We favor realistic and effective safeguards against diverting nonpolitical funds to partisan political purposes.

**CHURCH-STATE ISSUES**

In the period under review (July 1, 1959, to June 30, 1960), church-state separation was subjected to a thorough national review when Senator John F. Kennedy of Massachusetts was selected as the presidential nominee of the Democratic party (see pp. 111-28). The public school remained a center of widespread conflict, with such matters in contention as Bible reading, prayers and hymns, religious holidays, and free secular textbooks to children attending church-related schools. More frequently than in the past there was resort to the courts for interpretation of the religion clause of the First Amendment. The dispute over Bible reading in the schools was on its way up to the United States Supreme Court, which also scheduled argument on the Sunday-closing laws. An appeal was taken to the Oregon supreme court from a judgment holding valid on church-state grounds the distribution of free secular textbooks to children attending non-public schools. And a large cluster of public-school issues was in litigation in Dade county, Fla. The humane-slaughter problem took a sudden and apparently happy turn with the development by a Canadian packing house of a new humane method of restraint of animals in preparation for kosher slaughter.

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* For meaning of abbreviations, see p. 391.
Public Schools

The Miami Suit

A broadside attack on a cluster of religious practices in the public schools of Dade county (Miami and Miami Beach), Fla., drew nationwide attention when the trial opened in July 1960. Two actions, subsequently joined for trial, were brought by five taxpayers against the school board. In one case, supported by the Florida Civil Liberties Union, the plaintiff was an agnostic. In the second, for which counsel was provided by the AJCongress, the plaintiffs were a Unitarian and three Jewish parents. Two of the interveners on the side of the school board were the Greater Miami Council of Churches and the Miami Ministerial Association. The plaintiffs sought an injunction against the following practices:

1. Bible reading in assemblies and classrooms; comments by teachers on passages of the Bible read to the children; use of school facilities for Bible instruction after school hours; distribution of Bibles and religious literature in the public schools.
2. Prayers and grace before meals.
4. Observance of religious holidays, including Christmas, Easter, and Hanukkah programs.
5. Religious symbols and displays in the schools.
6. Questionnaires on the religious affiliation of pupils.
7. Baccalaureate programs with a religious coloration.
8. Asking applicants for school employment, "Do you believe in God?"

After four days of testimony the trial was adjourned to late October because of a death in the family of presiding Judge J. Fritz Gordon. To that point, the plaintiffs had offered proof that school sessions were begun with devotions, with selections from the Old and New Testaments heard over the public address system in all the classrooms; that prayers were said in the name of Jesus; that sermons were delivered, often with obvious sectarian content; that Nativity scenes were included in the Christmas programs, and that a number of the schools subjected all the children to a realistic dramatization of the crucifixion of Jesus, with "blood" oozing from the body of the child actor.

Mrs. Elsie Thorner, the Unitarian plaintiff, told the court that she objected to the instruction of her children in Trinitarian dogma. Harlow Chamberlin, the agnostic parent, had not asked that his child be excused from the exercises to which he objected. Asked why, he replied: "I concluded not to keep my son from school because it would make him stand apart, and make him subject to persecution by his schoolmates." There was testimony by other witnesses that attendance at the exercises to which objection had been raised was compulsory. One parent said he had tried to have his child excused from the Bible-reading program, but was informed that the law required attendance.
Considerable tension, with some expression of anti-Jewish sentiments, developed in the community during the trial. Bible-carrying youngsters appeared at the courthouse in large numbers. Presbyterian groups held all-night prayer vigils. The Miami Herald reported that it had been swamped with letters, with opinion about evenly divided.

Nationally, however, there was considerable sympathy, some of it from unexpected quarters, for the plaintiffs. The Michigan Catholic (August 11, 1960), for instance, said:

We Catholics, more than most other groups, are convinced that religion should be integrated into the educative process. . . . Nevertheless we believe that both in law and in natural justice the secularists in the Florida matter have the stronger case. . . . You may say, but this is a Christian nation. . . . But such an attitude is indefensible in the light of the American principle of freedom of religion.

The Catholic Pilot (Boston, July 23, 1960) made this temperate comment:

. . . we can appreciate that stern measures are required in many places to prevent over-zealous Protestant groups, especially where they are in a majority, from introducing sectarian Protestant teaching as part of the usual public-school program.

But, the paper went on to ask, “Is it possible . . . to have some religion in the public schools without having sectarian practice as such? We feel that this is both possible and salutary.”

The Christian Century (August 3, 1960), an influential Protestant inter-denominational journal, said:

We hope Protestants have the grace to acknowledge that they have been in the wrong and the will to find legal ways to give the religious instruction which is the right of every child.

However, the Catholic Tablet (Brooklyn, N.Y., August 6, 1960) saw the suit as “an all-out attack on religion.” After asserting that church-state separation had become “a means of hindering religion,” it added:

The dry rot of secularism which is irreligion has done much to impair national stability and standards. It has increasingly distorted the principle of “separation” into one of hostility. . . . The Florida controversy is one more instance of the increasing tempo of this irreligious opposition. . . .

THE BIBLE IN THE SCHOOLS

In September 1959 a three-judge Federal district court held that a Pennsylvania statute requiring the reading of ten verses of the Bible each day in the public school was unconstitutional. The unanimous opinion also strongly intimated that the recitation of the Lord’s Prayer in the public schools was a violation of the First Amendment. Rejecting the contention that the Bible was primarily a work of literary or historical significance, the court said: 1

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The daily reading of the Bible, buttressed with the authority of the State and, more importantly to children, backed with the authority of their teachers, can hardly do less than inculcate or promote the inculcation of various religious doctrines in childish minds. Thus, the practice required by the statute amounts to religious instruction, or a promotion of religious education. It makes no difference that the religious “truths” inculcated may vary from one child to another. It also makes no difference that a sense of religion may not be instilled.

Dr. Luther Weigle, dean emeritus of Yale Divinity School, had testified for the state that the Bible was nonsectarian—as between the various Christian denominations.

The use of several versions of the Bible, the court found, did not cure the defect in the law. It “proves only that the religion which is established is either sectless or all-embracing, or that different religions are established equally.”

The Pennsylvania legislature thereupon sought to nullify the decision by means of two amendments: one provided that children might be excused from Bible reading on the written request of a parent, thus presumably removing the element of compulsion; the other deleted the requirement that teachers read the passages from the Bible or be discharged for failure to do so.

The Philadelphia Bulletin (December 19, 1959) considered the amendments a careful safeguard “from a danger which few fear” and hoped they would provide an escape from unseemly litigation over the Scriptures which in whole or in part millions of Americans revere. . . . If further attacks on such readings still come, it will be difficult to avoid concluding that an anti-Bible minority is attempting to impose its will on the majority. That would be somewhat more unconstitutional than permitting God to be mentioned in the public school system.

When the three-judge panel was petitioned to declare the case moot because of the legislative amendments, it declined to do so. At the time of writing the case was on appeal to the United States Supreme Court.

The Newark Catholic Advocate (November 6, 1959) was alarmed by the district court’s decision. It granted that the Bible “in all its versions is primarily a book of worship, that is, essentially a religious work.” But it noted that “a horrified nation is watching the mounting statistics of crime . . . and yet we are told that our educational system in the United States should remain completely neutral about God in the school life of our children.”

**Bible Instruction**

In July 1959 Attorney General Mark McElroy of Ohio ruled that public schools may not give Bible instruction in the schools on school time. While he could not determine from the request for a ruling whether all the children in the affected district were required to attend the Bible instruction, he found that even if there were no compulsion, such instruction would be unconstitutional since the use of a tax-supported public institution for religious instruction has been held to be “an establishment of religion.”
which is unlawful under the First Amendment of the United States constitution.

Notwithstanding the attorney general's ruling the school board in question announced that instruction would be continued as in the past.

In November 1959 the Baptist General Association of Virginia, by a sizeable majority, declared that Virginia Baptists should "militantly disassociate themselves from the Bible-teaching program in the public schools in this commonwealth."

**RELEASED TIME**

In October 1959 the supreme court of the state of Washington unanimously held that an off-premises, released-time program in Spokane did not violate the state or Federal constitutions. However, it ruled that the distribution of consent cards to children in the public-school classrooms, and announcements with regard to the program by representatives of religious groups or school authorities on public-school premises, were improper practices. These practices, the court said, had the effect of influencing the pupils while assembled in the classrooms as a "captive audience" to participate in a religious program.

In May 1960 the supreme court of Oregon, in a 4-3 decision, upheld the constitutionality of a state law which provided that public schools had to release children for religious instruction if parents so requested. The ruling reversed a lower court which had struck down the law as vague. The lower court had based its conclusion on the failure of the law to be sufficiently specific in naming the authority responsible for releasing the children. The majority of the supreme court held that the statute must be construed as requiring school authorities to honor the request of a parent to release his child for religious instruction, and that the right of the school authorities was limited to the exercise of discretion with respect to the adjustment of the time made available for the child's religious instruction.

Something new was the introduction of evening religious classes for high-school students, as a substitute for released time. The idea of teaching religion to adolescents at evening sessions was first adopted by four Catholic parishes in the Twin Cities—Minneapolis and St. Paul—in 1956. In the 37 parishes offering the evening classes, it was found that three times as many public high-school students were attracted by this program as by the old released-time classes. Explaining the shift to evening classes, Father Raymond Lucher, director of the Confraternity of Christian Doctrine's High School of Religion in the St. Paul archdiocese, said that several problems had accompanied the traditional released-time program: a large part of the allotted hour was spent in transporting students from high school to the parish, sometimes causing them to miss or be late for their next class; facilities were inadequate during the day, when parish grade schools were in session, so that released-time classes often ended up in church basements, and finally, it was found that released-time attendance set children apart from their

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classmates and made problems for them (Catholic Bulletin, St. Paul, August 26, 1960).

The superintendent of schools of Rochester, N.Y., Howard C. Seymour, also expressed dissatisfaction with released-time religious education and called for its elimination. The educational task of the schools today, he said, was greater than ever, making it mandatory either to find ways to accomplish more in the available time or to lengthen the school day or year to provide additional time for instruction. He felt that the non-participating students were being penalized by the released-time program because of the necessity of marking time while released-time instruction was under way. "Perhaps," he said, "a program could be worked out in such a way as to give full opportunity for religious instruction, and permit the rest of the pupils to spend that time as the parents designate—at home, in school, or wherever else the parents wish" (Rochester Democrat and Chronicle, February 1, 1960).

Textbooks

In February 1960 an Oregon statute requiring public school boards to provide free secular textbooks for parochial-school students was upheld in a lower-court decision.\(^3\) Basing his ruling on the Everson\(^4\) case, Judge Ralph M. Holman nevertheless expressed a vigorous dissent from the decision in that case, which held that a statute requiring the state to pay the cost of transportation to parochial schools was constitutional. If the Everson case was good law, said the court, there was nothing to prevent a legislature from authorizing the expenditure of public money to furnish teachers to the children at parochial schools as long as they teach only secular subjects, teaching supplies used exclusively for secular subjects, scientific laboratory equipment, gymnasiums and classrooms as long as they are not used for religious purposes and as long as title remains in the public. . . . The court noted that the United States Supreme Court\(^5\) had upheld the constitutionality of a Louisiana statute providing free secular textbooks for children in all schools, including parochial schools. But that decision rested on the state's power to legislate for the public welfare, no question having been raised regarding the application of the First Amendment since its application to the states was not then recognized. At the time of writing, the case was on appeal to the Oregon supreme court and was likely to reach the United States Supreme Court for a constitutional test.

Prayer

In October 1959 the board of education of St. Louis, Mo., considered a proposal that each school day begin with a prayer in use in a number of school districts in New York state (AJYB, 1960 [Vol. 61], p. 32). Seven members of the board had expressed tentative approval, while four were not

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\(^3\) Dickson v. School District #62C.
sure where they stood. While the board deliberated, much opposition developed. The *St. Louis Post Dispatch* (October 27, 1959), in an editorial entitled "Not the Place for Prayers," noted:

> What is wrong with the idea is the proposed use of the public school system for any regular religious exercise. Inevitably the recitation of a daily prayer, however nonsectarian, will be offensive to some parents who prefer to teach their children prayers, if any, at home. In matters of religious preference and practice, the rights of the minority are just as important as the opinions of the majority.

Disapproval of the proposal was also voiced by Walter Wagner, executive director of the Metropolitan Church Federation of Greater St. Louis. "Prayer is too important to reduce it to an opening exercise," said Dr. Wagner. Rabbi Abraham E. Halpern, president of the Rabbinical Association, and Rabbi Yaacov M. Jacobs, chairman of the Rabbinical Council, also opposed the suggestion for daily recitation of the prayer, regarding it as a violation of the separation of church and state. But the Catholic weekly, *St. Louis Review* (October 30, 1959), asked: "Could these . . . words [of the prayer] be offensive to anyone but an atheist? Isn't this just a more mature 'God bless mommy and daddy, etc.'? Could this really be misconstrued as an indoctrination in a particular faith?" Finally the proposal for daily prayer was withdrawn. That Catholics were not unanimous on this matter was evident from the following opinion appearing in the "Editor's Notes" of the *St. Louis Review* (November 6, 1959):

> Any program, no matter how laudable it might be in motive, that is likely to result in the Catholic's faith being watered down, that could subtly lead him to believe that there is just one, big, amalgamated religion, is detrimental to the exclusive character of the faith, religion, and church established by Christ. I think the public school prayer program falls into that category . . . ."

**Bus Transportation**

In May 1959 the Maine supreme court ruled that expenditure of public funds to transport children to parochial schools was unconstitutional, but suggested that a "properly worded enabling act" would cure the defect (*AJYB*, 1960 [Vol. 61], p. 34). In January 1960, after the joint legislative judiciary committee had voted 8-2 to recommend passage of enabling legislation, the house of representatives, by a vote of 76-69, refused even to consider the matter; similar action was taken by the senate, 18-15. The measure under consideration would have permitted municipalities to decide by referendum whether they wanted to finance transportation to nonprofit schools. In a comment on this "second act of a story unique in the history of American law" in the *Pilot* (Boston, February 6, 1960), the Rev. Robert F. Drinan, S.J., dean of the Boston College Law School, said: "Whether the third act of the Maine bus controversy will end in triumph or tragedy will depend in large part on the future conduct of disappointed Catholic parents and the fate of certain legislators in the next election."

In June 1960 the Connecticut Supreme Court of Errors, by a 4-1 vote,
upheld the constitutionality of the state's so-called parochial-school bus law, passed in 1957 (AJYB, 1958 [Vol. 59], p. 97). The law gave communities the right, through referendums, to furnish bus service for pupils in nonprofit private schools, meeting the costs by local taxes. The majority opinion, written by Chief Justice Raymond E. Baldwin, held that the statute primarily served "the public health, safety and welfare" and fostered education. The decision added: "It comes up to but does not reach the 'wall of separation' between church and state." The dissenting opinion, by Associate Justice Samuel Mellitz, stated that the law "leaves to every man the right . . . to provide for the religious instruction and training of his own children." But when a man picked a school combining secular and religious instruction, he was "faced with the necessity of assuming the financial burden which that choice entails."

**CHRISTMAS OBSERVANCE**

Once an issue of fierce community controversy, the conflict over the observance of the Christmas holiday in the public schools waned perceptibly in the period under review. One explanation was to be found in the way the problem was handled in Farmingdale, Long Island. In November 1959 a member of the school board offered a new policy to govern such programs. Several clergymen saw danger signs in a discussion of the subject at that time of the year. Accordingly, they joined in a letter to the board suggesting postponement and the appointment of a committee of clergymen and educators to study the matter. The board acquiesced. In June 1960 the committee's recommendations were adopted at a meeting attended by 200 residents. The *Farmingdale Post* (June 9, 1960) reported that the board's action was greeted "by a spontaneous burst of applause from the audience." Leaders of the community recognized that the new policy was a compromise; while it did not resolve differences to the satisfaction of all, it made it possible for the people of Farmingdale to live harmoniously in a religiously pluralist community. The spirit that permeated the recommendations was indicated in the statement of the rabbinical representatives on the committee:

We . . . believe in the complete separation of Church and State, which would require having no religious holidays observed in the public school system. However, as responsible men of the community and practical religious leaders, we have joined together with the clergy of other faiths . . . to make known our thinking and point of view and to enlarge our understanding of Christians and Christianity and thus arrive at a more acceptable approach to holiday programming for the benefit of the children and the community, and thus retain the spirit of brotherhood and cooperation. . . . In line with our unswerving belief in the separation

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6 These recommendations spelled out a wide range of Christmas decorations, programs, and activities that were permissible in the schools, such as Christmas trees, classroom and building decorations, and assembly programs, choral and dramatic, including a suggested list of carols and songs. These were to be chosen "in relation to the Christmas theme—not as an expression of faith or worship." Plays which dramatically portrayed the Nativity scene were frowned upon as public-school programs. The "right of all people to restrict their children to their own religious beliefs" was stipulated.
of Church and State we cannot ... in good conscience recommend any manner of Jewish holiday observance in the public schools.

The statement was signed by Rabbis Harold Krantzer, Isaac Moseson, and Robert S. Port.

“PUBLIC” PAROCHIAL SCHOOLS

A Baptist orphans’ home in Texas announced in November 1959 its intention to close its high school in September 1960 because of growing criticism about “lack of separation of church and state” in the operation of the institution. President E. L. Garnett said that the 10th-, 11th-, and 12th-grade students would be enrolled in public schools, and that the elementary and junior high schools would continue in operation at the Buckner Orphans Home, but as private schools. The schools at the orphans’ home had been operated as an independent school district, drawing support both from the state (for textbooks and per capita allotments) and from the Texas Baptist General Convention. Close to 100 students were to be affected by the move.

FEDERAL AID FOR SCHOOL CONSTRUCTION

In February 1960 the United States Senate, by a vote of 51-34, approved a program of Federal aid to public schools providing $1,800 million in grants for salaries and school construction over a two-year period. At the same time the Senate, by a vote of 49-37, voted down an amendment to the bill, offered by Senator Wayne Morse (Dem., Ore.), to lend private, nonprofit schools up to $150 million within a two-year period. Msgr. Frederick G. Hochwalt, director of the department of education of the National Catholic Welfare Conference, said he was “deeply disappointed.” He added: “At this particular time, when all American education is confronted by major difficulties, it is unthinkable to disregard the contribution of the private school system, or its future.”

USE OF SCHOOL PREMISES BY RELIGIOUS GROUPS

In December 1959 the 823 pupils of the Mater Dolorosa Grammar School in Holyoke, Mass., returned to parochial school, in a new building, a year after they had abandoned their old school, declared unsafe by Bishop Christopher Weldon. At that time the doors of the public school had been thrown open to them by Mayor Samuel Resnic for their temporary use, an action which had provoked sharp controversy (AJYB, 1960 [Vol. 61], p. 33).

After the question of the use of public-school premises by religious groups was given close study by the school board of Orange, Conn., the following restrictions were added to its regular school-rental policies (New Haven Register, November 12, 1959):

1. That the use be temporary in an emergency situation.
2. That the school’s regular educational program not be impaired.
3. That the use be only in the evenings or on Saturdays or Sundays.
4. That no religious organization receive a preference or an advantage over any other religious or any non-religious organization.
5. That the town be compensated for such use at rates to be determined by the board of education.

In November 1959 the Florida supreme court ruled that public schools might be used as temporary places of worship when school was not in session. The ruling upheld the decision of the Duval circuit court in Jacksonville, which had dismissed the complaint of a group of Protestant churches and individuals against the board of school trustees for allowing a Catholic church group to use an elementary school as a temporary place of worship. The plaintiffs had argued that permitting religious groups to use the school building amounted to public assistance in violation of the state constitution. The Florida supreme court, in a unanimous opinion written by Justice Campbell Thornal, held that a school board "has the power to exercise a reasonable discretion to permit the use of school buildings during non-school hours for any legal assembly, which includes religious meetings." However, the court added that use of the buildings is subject to judicial review "should such discretion be abused to the point that it would be construed as a contribution of public funds" in aid of a particular religion or religious groups.

The August 1959 issue of *The Nation's Schools* reported on a poll of public-school administrators on the use of school property by religious, fraternal, and other groups, which brought a 38-per-cent response. Sixty-four per cent of those answering said they would give permission to religious groups to use public-school property, but many of them specified that such use should be limited and suggested their own list of restrictions. Sentiment on the question varied greatly by regions. The greatest opposition to use of school premises for religious purposes came from California and Wisconsin, where 4 out of every 5 superintendents rejected the practice.

**Tuition to Out-of-district High Schools**

South Burlington, Vt., in 1960 lacking a secondary school, the school district was required by state statute to pay the tuition of its children attending secondary schools in other districts, the choice of district being the prerogative of the parents. For many years, tax funds had been used to pay the tuition of children attending parochial schools in these circumstances. A taxpayer charged that such tuition payments violated the Vermont and United States constitutions, and in February 1960, the chancery court of Chittenden county, Vt., ruled that a local school district was prohibited from paying tuition for children who elected to attend sectarian high schools. An injunction was granted to restrain the school district from using its funds for such purposes, but was stayed during the pendency of any appeal from the ruling.

**Rabbis and Separation**

A poll of more than 700 Reform rabbis, represented in the CCAR, showed that a large majority favored absolute separation of church and state and wanted no retreat from the strong position they had maintained.
over the years. But, whereas formerly "we have tended to stress constitutional and legal factors," reported Rabbi Edgar E. Siskin, in June 1959, "there is now strong feeling that religious and theological considerations should take priority in our approach to this question." Granting that there "is indeed cogency in the constitutional argument," the rabbis nevertheless felt that "we derive our highest sanction not from the state but from God, not from any legal instrument, but from prophetic teaching."

**Sunday Closing Laws**

Legislation and court action continued to becloud the "blue laws" in constitutional uncertainty. But the legal difficulties seemed destined for clarification with four cases scheduled for argument on appeal before the United States Supreme Court during its October 1960 term. Among them was the case of *Crown Kosher Super Market v. Gallagher,* in which a three-judge Federal district court had ruled that the Massachusetts Sunday law was unconstitutional as to Saturday observers (*AJYB*, 1960 [Vol. 61], pp. 35-36). The second, *Braunfeld v. Gibbons,* was brought by five Orthodox Jewish merchants in Pennsylvania. Here, a three-judge Federal district court, unlike the one in Massachusetts, held the state's Sunday law to be constitutional even though it provided no exemption for Saturday observers. The other two cases scheduled to be heard were those of *Two Guys from Harrison v. McGinley* and *McGovern v. State of Maryland,* which were brought by merchants who avowedly operated their businesses seven days a week. It seemed likely that the protracted controversy between suburban merchants, on the one hand, and the Christian clergy, city merchants, and labor unions, on the other, would soon be resolved.

Labor's attitude was clearly indicated when, in October 1959, local 1390 of the Retail Clerks International Association filed an *amicus curiae* brief urging the Federal district court to uphold the constitutionality of Pennsylvania's newly revised Sunday law, which had been put on the statute books in August. The union's brief, entered in the *Braunfeld* case, said that though 1,000 of the 4,000 members of the union were Jewish, "the members of this union overwhelmingly supported the passage" of the amended act (*Home Furnishings Daily*, October 12, 1959).

The haze of uncertainty surrounding the Sunday law was demonstrated when a Pennsylvania court held that the state's amended statute was unconstitutional, thus arriving at the opposite conclusion from that reached by the Federal district court in the *Braunfeld* case in the same state. Sitting in the court of quarter sessions of Philadelphia county, Judge Raymond Pace Alexander in April 1960 set aside the conviction of a saleswoman and the manager of a bargain store for the sale of a woman's slip. The judge found that the law "prefers certain Christian religions over all others and contributes to their establishment." Moreover, he held, it established clearly

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10 220 Md. 117 (1959).
arbitrary classifications among the articles that might or might not be sold. To demonstrate, the court said:

This law forbids a clerk to sell to my blind neighbor a Dylan Thomas recording, but does not prohibit the same clerk from selling me a book containing exactly the same poems from the next counter. Side by side in Bargain City and many other stores are tricycles, which cannot be sold to me for my two-year-old granddaughter because they are toys, and adult bicycles which I can buy for myself or my daughter just out of her teens. A clerk may sell me seat covers for my automobile, but he cannot sell me slip covers for my sofa. If I have forgotten to shop for a birthday present for my wife during the week, the same store may sell me on Sunday without violating this law a camera, ice skates or a dozen roses, but not a watch or a suitcase or a tie pin for myself. It cannot sell me a toy rubber football for the four-year-old, but this law does not prohibit the sale of a football for the teenager, for one is a toy and the other is not, and sporting goods are not covered by this law.\textsuperscript{11}

In September 1959 Circuit Judge Victor Targonski of Detroit upheld the constitutionality of a city ordinance requiring the closing of fur stores on Sunday, but ruled invalid a requirement that Saturday observers who opened on Sunday place signs in their windows and in their advertisements indicating their observance of a day other than Sunday. He said: "\textellipsis the proviso in this case requiring [the Saturday observer] to publicly brand himself as a nonconformist by signs in his window and in his advertising is reprehensible, being reminiscent of Hitler's ghetto and armband requirement. \textellipsis\textquotedblright.\textsuperscript{12}

In November 1959 New Jersey voters, in 12 of the 15 counties where the question of the Sunday law was submitted to the electorate on a referendum, overwhelmingly chose to clamp down on Sunday sales. Opposition to the closing law had been reaffirmed in October by the Jewish Community Council of Essex county, one of the counties which supported the legislation. Counties where the Sunday law was not on the ballot, for lack of sufficient signatures, included shore resorts which did much of their business on Sunday and where little support was generated for the legislation. Adoption of the law by referendum put a halt to Sunday sales of clothing, building and lumber supplies, furniture, home and office furnishings, and household, business, and office appliances. There was no exemption in the law for Saturday observers (AJYB, 1960 [Vol. 61], pp. 36-37). Notwithstanding the referendum provisions in the law, its constitutionality was challenged. In November, Superior Court Judge Everett M. Scherer granted a temporary injunction to two suburban merchants, Two Guys from Harrison and Channel Lumber. Another case was initiated by a Saturday-observing Jewish merchant before a three-judge Federal district court.\textsuperscript{13}

In December 1959 the Sunday-law controversy took a strange turn when the Sloan Office Equipment Company sought an injunction against the

\textsuperscript{11} \textit{Commonwealth v. Cavallo} and \textit{Levinson}. Case reported in the \textit{Philadelphia Legal Intelligencer}, April 22, 1960.

\textsuperscript{12} Quoted in the \textit{Detroit Jewish News}, September 4, 1959.

\textsuperscript{13} \textit{Morein v. Weldon}.
Minneapolis Star and Minneapolis Tribune because of their refusal to publish an advertisement bearing the words, "Open Sunday." The plaintiff charged that the refusal was discriminatory because he observed Saturday as a holy day, and therefore, since he had no other advertising outlet than these newspapers the newspapers effectively restricted him to only five days of business a week. Judge Leslie L. Anderson of Hennepin county district court denied the petition, refusing to limit the judgment of the newspapers in the advertising they might accept or reject.

In February 1960 the Virginia House of Delegates voted 88-0 to prohibit "nonessential" business on Sunday, turning down an amendment to make the purchaser equally guilty with the seller. Commenting editorially on the restrictive legislation, the Washington Post (February 13, 1960) thought that more stringent Sunday laws were the wrong remedy. Since "social patterns have changed drastically," it urged church groups "to appeal for observance of a Sunday ban among their own members"; merchants, it pointed out, were "perfectly at liberty to seek agreement through their trade associations" for voluntary closing. "After all," concluded the editorial, "law or no law, no one is compelled to shop on Sunday."

Humane Slaughter

In June 1960 Massachusetts was added to the five states that had adopted humane-slaughter legislation (AJYB, 1960 [Vol. 61], pp. 37-38). In New York, New Jersey, Michigan, Kentucky, and Louisiana such measures failed of adoption. In June 1960 an Illinois Institute of Technology study of improved methods for the restraint of animals in preparation for kosher slaughter had reached the blueprint stage, SCA and NCRAC had applied for patents on the devices developed, and a leading company was prepared to perfect the mechanism for the commercial market, when a new and far simpler and less expensive device was developed by Canadian Packers, Ltd., of Toronto. Rabbis Joseph B. Soloveichik and Eleazar Silver found this device to function in accordance with the requirements of Jewish law. It also had the approval of the Canadian department of agriculture and the Ontario Society for the Prevention of Cruelty to Animals. A representative of the American Humane Association, John C. MacFarlane, was confident that the Canadian process was not only acceptable on humane grounds, but also economically suitable for the American market.

Higher Education

Under the National Defense Education Act of 1958, five Federal fellowships were granted for graduate teaching of theology at Union Theological Seminary. The Federal assistance amounted to $2,000-$2,400 for each student, with the seminary receiving an additional $2,500 per student to defray instructional costs. There were also three fellowships awarded for Old Testament studies at the graduate school of Emory University, a Methodist in-

14 In August 1959.
stitution; three to students at Dropsie College, a nonsectarian institution under Jewish auspices, and one to Brown University.

C. Emanuel Carlson, executive secretary of the Baptist Joint Committee on Public Affairs, deplored the failure to provide in the act for a limitation on the fields of study in which tax-supported Federal fellowships could be given, citing the dangers to church-state separation and to religious freedom inherent in the act. The acceptance of governmental support for theological and other religious education would "inevitably mean some measure of loss of freedom," he said, adding, "We look upon the church's freedom to train her own leadership as one of the most important freedoms that the church must safeguard" (Religious News Service, August 14, 1959). Joining in the attack on the grants were the National Association of Evangelicals and Protestants and Other Americans United for Separation of Church and State.

The Rev. Virgil C. Blum, S.J., associate professor of political science at Marquette University, saw in the Federal fellowship program implications for the elementary and secondary schools: "If scholarships are constitutional on the college level, direct grants or tax credits for tuition payments are constitutional on the elementary and secondary levels" for all children, including those attending church-related schools. There was no constitutional distinction, he said, between primary, secondary, and collegiate education (Tablet, September 17, 1960).

On June 10, 1960, in an article in the St. Louis Review, Archbishop Joseph E. Ritter advised Catholic high-school graduates of the restrictions governing their selection of a college:
1. No Catholic student might attend a non-Catholic college or university without the written permission of the "proper pastor," who would grant it only in individual cases "for just and serious reasons"; 2. permission would be granted "only when the parents and students promised in writing that the students would enroll in and follow the Newman Club Program."

The treatment of religion at publicly supported colleges and universities received increasing attention. The American Humanist Association joined in the debate, agreeing that religion "cannot reasonably be omitted entirely" from the curricula of such institutions, provided it is taught with "scholarly objectivity." The statement went on to say: "When religious or anti-religious partisanship enters the classroom, scholarship flies out the window along with the American tradition of the separation of church and state." Courses of a "non-objective" character should be conducted off-campus, and without academic credit. As to such courses, the university might cooperate, but only to the extent of notifying the students of the off-campus opportunity. The Humanist Association also opposed instruction in religion at state-supported schools by teachers whose salaries were paid by their own denominations: "The control of such courses should be kept in the hands of university authorities. Otherwise the systematic promotion of religion is likely to become an organic part of a program imposed upon the taxpayers." It also felt that if there were a Religious Emphasis Week at the school, opportunity should be given "to present humanist, ethical, and other secular
viewpoints as well as religious viewpoints" (Religious News Service, July 3, 1959).

**Atheism and Public Office**

Maryland's highest court \(^{15}\) upheld the denial of a notary public's commission to Roy R. Torcaso, an avowed atheist, declaring: "It seems clear that under our constitution disbelief in a supreme being, and the denial of any moral accountability for conduct, not only renders a person incompetent to hold public office, but to give testimony, or to serve as a juror" (AJYB, 1960 [Vol. 61], p. 39). The court contended that a state might constitutionally establish qualifications for office, and that a declaration of belief in God, as required by the Maryland Declaration of Rights, was neither discriminatory nor invalid. Torcaso, declared the court, was not compelled to believe or disbelieve, but unless he made a declaration of belief in God he could not hold public office in Maryland, and he was not compelled to hold office.

The Washington Post (November 22, 1959) saw grave danger in the decision:

> Leaving the constitutional questions to the courts . . . we believe it may fairly be argued that Maryland's religious test is poor public policy. The men who wrote the United States Constitution with its absolute ban on any such test showed rather more wisdom than the men who wrote the Maryland constitution. For they remembered what the long and tragic experience of their forebears had taught them—that persecution, or disqualification, on the grounds of belief, no matter how mistaken the belief may seem to be, gives rise to more dangers than it averts and that the only real safety lies in absolute toleration as far as conscience is concerned. They remembered, too, that to compel a profession of faith is to invade the shrine of conscience in a most odious way.

**Birth Control**

A study by the State Department showed that food production in the underdeveloped areas of the world had apparently been outpaced by population growth for the last decade, and might continue to be so for the next 15 years. In July 1959 the President's Committee to Study the United States Military Assistance Program, headed by William H. Draper, Jr., suggested help for other countries, on request, "in the formulation of their plans designed to deal with the problem of rapid population growth." It was also suggested that similar assistance be afforded through the UN.

In November 1959 the Roman Catholic bishops of the United States declared that they would not support "any public assistance, whether at home or abroad, to promote artificial birth prevention, abortion or sterilization, whether through direct aid or by means of international organizations." President Eisenhower at once announced that the United States would main-

\(^{15}\) Torcaso v. Watkins, 223 Md. 49 (1960).
tain a hands-off policy on birth control. "I cannot imagine anything more emphatically a subject that is not a proper political or governmental activity or function or responsibility," he said (New York Times, December 3, 1959).

Episcopalian Bishop James A. Pike of California said the president's stand ignored the "primary need of countries which want aid towards population control to help avert increasing starvation and misery. . . ." The Rev. Dr. R. Norris Wilson, director of Church World Service, overseas relief arm of the National Council of Churches, declared that if a request should come for birth-prevention information and it was rejected, "I would feel that my country had been disgraced." He saw nothing immoral in limiting the size of families by artificial birth prevention: "It is inconceivable that God likes to see children dying on the streets" (New York Times, December 3, 1959).

In December 1959, the five-member Connecticut Supreme Court of Errors unanimously upheld the constitutionality of two 1879 statutes which forbade the prescription or use of contraceptive drugs or devices. The constitutionality of the statutes had been challenged by Dr. C. Lee Buxton of New Haven, chairman of the obstetrics department of Yale University, and two married couples and a married woman, unidentified patients of his. The plaintiffs contended in their suit that the law restricted Dr. Buxton's liberty to practice medicine to the best of his judgment, that it threatened the lives and liberty of the women so unreasonably as to be unconstitutional, and that the health of the women patients was in danger because they were unable to use "drugs, medicinal articles and instruments" to prevent conception. The court held: "Courts cannot write legislation by judicial decree. This is particularly so when the legislature has refused to rewrite the existing legislation." Battles over the two birth-control statutes had been fought in every legislative session for many years, with representatives of the Roman Catholic church appearing regularly at legislative hearings to oppose changes in the laws and representatives of Protestant churches and other groups testifying in favor of changes.

Urban Redevelopment and Separation

A suit brought to prevent the purchase for development by St. Louis University, a Catholic institution, of approximately 21 acres of land adjacent to its campus from the city's Land Clearance Authority was dismissed in August 1960 by Circuit Judge Robert L. Aronson. It had been the contention of the objectors that the sale to the university was prearranged and that the amount to be paid for the land was less than its fair value, thus showing favoritism in violation of the church-state separation principle. A Protestant organization, the Christian Board of Publication, one of several religious agencies that planned to buy tracts in the area to be redeveloped, intervened in the suit on the side of the university. Judge Aronson ruled that to deny the university the right to own land in the area would ignore the very constitution the plaintiffs cited in support of their objections. The price to be paid by the school for the land was as much as, and in some
cases more than, other developers'. Any advantage for the university grew out of the "logic of its location," which made it a potential developer of the land it sought to acquire. Therefore, Judge Aronson found, to deprive the university of the privilege of buying the land would be an unconstitutional discrimination against it. The St. Louis Globe-Democrat (August 23, 1960) applauded the decision: "As this newspaper said editorially almost a year ago, 'The lawsuit against St. Louis University which seeks to prevent the university from acquiring land in Mill Creek Valley is based on unsound moral judgment and dubious law.'"

Florida Presbyterian College

In August 1958 the city of St. Petersburg, Fla., made a gift to Florida Presbyterian college of 160 acres of a choice tract of city-owned land on which to build a campus. Before the land could be alienated it was necessary to obtain the consent of the state legislature. This was given without a dissenting vote, and the enabling act was signed into law in June 1959. When, thereafter, objections were raised concerning the grant, in December 1959 the college agreed to pay St. Petersburg $500,000 for the property. Explaining the payment, Dr. William Kadel, college president, said:

The City of St. Petersburg, in a most generous and enthusiastic demonstration of support, gave to Florida Presbyterian College for its campus a tract of city-owned property. . . . Since that time a question concerning the constitutionality of this grant has been raised by national organizations which maintained the gift violated the doctrine of the separation of church and state. Because of our sincere desire to answer this question for all time, and to proceed with our college establishment, the college board of trustees is presenting to the City of St. Petersburg a note for $500,000 for this property.

Twenty-nine Florida communities had bid for the college in 1953, all offering free sites. St. Petersburg alone had offered city-owned property (St. Petersburg Times, December 31, 1959).

Religious Symbols on Public Property

The supreme court of Oklahoma said:

It is a well-settled principle and philosophy of our government that we should preserve separation of church and state, but that does not mean to compel or require separation from God. . . . It is well settled and understood that ours is a Christian nation, holding the Almighty God in dutiful reverence. It is so noted in our Declaration of Independence and in the constitution of every state of the union.

In these words the court refused to bar the erection of a nondenominational chapel, with funds to be provided from the estate of W. A. Graham, at the Whittaker State Orphans Home at Pryor, Okla. (Oklahoma City Times, October 27, 1959).
The American Civil Liberties Union protested against the erection of a privately financed, nonsectarian chapel on the southern rim of the Grand Canyon. In a letter to Secretary of the Interior Fred Seaton, the union maintained that the government might not allocate public lands even for a nonsectarian chapel, the First Amendment prohibiting government aid to religious enterprises (September 1959).

In December 1959 an elaborate crèche was erected in the lobby of Chicago's city hall. Rejecting protests against the annual display, Mayor Richard J. Daley held that it was appropriate because "we are a Christian nation." G. George Fox, rabbi emeritus of the South Shore Temple, differed with the mayor. "The United States is not a Christian nation," he said, "except in the sense of numbers, and it has never been pronounced as such by the United States Supreme Court" (Chicago Daily News, October 28, 1959).

PHILIP JACOBSON

ANTI-JEWISH AGITATION

ANTISEMITIC activities during the period under review—December 1, 1959, to November 30, 1960—were notable for widely publicized agitation, threats, and even violence. Antisemitic literature continued to be produced and distributed in undiminished volume.

The period was further distinguished by a revival of outright Nazism and Nazi concepts on the domestic as well as the international scene, and by the inroads of petty fuehrers and their followers into the general public notice and concern. This activity was accentuated with the Israeli apprehension of the Nazi murderer Adolf Eichmann (see pp. 199-208), whom they portrayed as a martyr to Jewish "vengeance."

Another salient feature of the period was the exploitation of the presidential campaigns. Besides spreading anti-Catholic propaganda (see pp. 111-127) some hatemongers attacked the Jews as a sinister force in national affairs.

The mainstay of the agitators continued to be the printed word—periodicals, pamphlets, flyers, and leaflets—openly or surreptitiously circulated. Chief among the producers of these were Conde McGinley, who published the semi-monthly Common Sense, from Union, N.J.; Gerald L. K. Smith and Frank L. Britton (both of California), publishers, respectively, of the monthly Cross and The Flag and American Nationalist, and Russell Maguire, whose American Mercury carried articles of general interest mingled with bigoted matter. Other representative hatesheets were put out by Elizabeth Dilling (Bulletin, Chicago); neo-Nazi leader James H. Madole (National Renaissance Bulletin, New York), and Ed Fields (The Thunderbolt, Birmingham, Ala.). Augmenting this type of literature were sporadic leaflets and pamphlets by Klan and other extremist pro-segregation and pro-Nazi groups and individuals.

The principal anti-Jewish theme continued to be the "Jewish-Communist-Zionist conspiracy" to subvert the nation and enslave the world. A more
specific canard was the allegation that the Jews, through domination of
government and the press, were scheming to "mongrelize the South." This
appealed to pro-segregation extremists. Other canards, as in the past, were
alleged Jewish control of the UN; Zionism as a conspiracy for war, and Jewish
exploitation of welfare laws and programs, including mental health and water
fluoridation, for conspiratorial ends.

Swastikas and Bombs

The Christmas-eve (1959) desecration of the Cologne synagogue in West
Germany by two neo-Nazis, who daubed its walls with swastikas, touched off
a worldwide wave of Nazi-style vandalism (see p. 209 for representative inci-
dents) through February 1960.

Swastika acts continued, though with diminished frequency, after Febru-
ary. Temple Emanu-El in Utica, N.Y., was defaced by three teenagers on
April 2. On June 21 a house in Absecon, N.J., was smeared with swastikas
and the message, "We want no Jews. If you don't move—liquidation." On
August 6, a 15-foot swastika and some obscenities were carved into the greens
of a public golf course in New York. On September 22 vandals defaced the
walls of one apartment house in New York with swastikas and paint-sprayed
swastikas on 50 automobiles in the garage of another.

Even more disturbing were the bombings of two synagogues and the un-
covering of neo-Nazi youth groups in addition to those previously reported
(AJYB, 1960 [Vol. 61], p. 46).

On January 28 a bomb exploded at Temple Kehillath Israel, Kansas City,
Mo., resulting in extensive damage but no loss of life or limb. On January 31
a crudely made bomb shattered the glass of the sanctuary of Temple Beth El,
Springfield, Mass. In Kansas City the detonation came shortly after police had
rounded up for questioning members of a so-called Nazi club, operating in the
high schools of that city in two sections, the Reich Nordic Youth club
and the National Socialist Workers party. Two of the youths admitted having
previously defaced the temple with swastikas, though no connection was
established between the group and the bombing. In the Springfield instance,
three boys, 15 to 16 years old, were apprehended. At first they said they were
part of a Nazi group, but later retracted the statement.

Two 15-year-olds, apprehended for having defaced a high school, a Catholic
church, and a Baptist cemetery near Levittown, N.Y., were found to be mem-
bers of a group bearing the hybrid name "Naz-Comms." Among other groups
uncovered as the result of enquiry by authorities into acts of vandalism were
the National Socialist German Sympathizers, consisting of boys 12 to 14 years
old, involved in swastika daubings in Detroit, Mich., during January, and the
SS Elite club of Yonkers, N.Y., which came to light in March with the appre-
hension of nine of its members, ages 13 and 14, for a series of swastika deface-
ments during the first three months of the year.

A maladjusted 17-year-old, Hubert Sherrill Jackson, Jr. (also known as Jerry
Hunt), who had unsuccessfully striven to organize a Nazi youth group in
Gadsden, Ala., and who customarily wore a swastika armband, on March 25
threw a fire bomb at Temple Beth El in that city during dedication services,
then shot two members who had come out to investigate the trouble, wounding one of them critically. (Both victims later recovered.) Released on bail and awaiting action of the grand jury, the youth on August 30 drove his father's car into a tree, dying almost instantly in the presence of a high-school band rehearsing on a nearby field. Before this act, he had fired a shotgun in the air several times to attract their attention.

While the initial acts in this country might have been perpetrated by adult instigators in pursuance of a concerted plan, this was not established at the close of the period. The vandalism and other outrages were perpetrated mostly by adolescents, though some of those apprehended were as young as ten, some in their mid-twenties, and a few older than that. The median age of the offenders detained by authorities was between 15 and 16 years. Some of them were found to be emotionally unstable and rejected, seeking attention and identity by imitative acts of vandalism, Nazism, and antisemitism. Scientific studies to determine causes of their actions were in process at the close of the period.

**American Nazi Party (ANP)**

George Lincoln Rockwell, from headquarters at Arlington, Va., a Washington, D.C., suburb, systematically stepped up his agitation in furtherance of his plan to "aggravate the Jews so bad" that they would be compelled to accord him publicity (AJYB, 1960 [Vol. 61], p. 46).

Rockwell's small group of activists was renamed the American Nazi party (ANP) at the beginning of the period under review, and its members began to flaunt swastikas and other Hitlerite trappings. Literature production was increased, and inflammatory scareheads and swastikas compelled the attention of passers-by. Extensively distributed at the beginning of the period was a leaflet entitled, "White Man! Are You Going to be Run Out Of Your Nation's Capitol Without a Fight?", which, among other things, promised "the gas chamber" for "Jew traitors." A street disturbance occurred on February 8 between a Rockwell henchman preparing to distribute the broadsides in downtown Washington and an indignant Jewish resident of the city. Though charges and countercharges were not accepted by the District corporation counsel, Rockwell seized upon the incidental notoriety accorded by the press to announce that he would hold a rally on the Mall near the Washington Monument in April.

Rockwell's first rally on April 3 and those held on succeeding weekends until October were frequently accompanied by disorders. Dressed like Hitler and surrounded by uniformed bodyguards at rigid attention, Rockwell ranted his racism and proclaimed his devotion to Hitler. Originally he had a loud-speaker to attract a crowd (including many weekend tourists), but permission for its use was later revoked. Outraged persons were moved to voice their protests at the Nazi rabble-rouser and clashed with his storm troopers; Rockwell's meeting of July 3 erupted into violence when, angered by his tirade, more than 50 people attempted to rush at him. Rockwell and seven of his followers, together with six hecklers, were arrested for disorderly conduct. The meeting of July 23 also ended in violence and the arrest of Rockwell and 13
followers on disorderly-conduct charges. By this time permission to use the Mall had been withdrawn.

During his appearance in court on the charges arising out of the July 3 meeting, Rockwell was committed for observation to determine his competence to stand trial. He was found sane on August 4, and proceeded forthwith to exploit this circumstance in leaflets and speeches.

The high point of Rockwell's efforts to compel public notice came during May and June, when he applied for permission to use New York City's Union Square for an Independence Day rally of the ANP. Large groups of citizens, including part of the city's Jewish community and concentration-camp survivors, deluged officials with their protests. Others urged that Rockwell be permitted to speak, remaining subject to prosecution for any violations of law resulting from his remarks or actions. Two court proceedings were instituted, one by two state legislators and the other by a group of citizens, to compel the city to deny the permit. In both of these, Rockwell was represented by the New York Civil Liberties Union, which acted for him on civil libertarian grounds. Appearing in the courthouse on June 22 to oppose these moves, Rockwell expressed the opinion in a TV interview that 80 per cent of the Jews are traitors. Some of the 200 demonstrators, who had been cordoned off by police, tried to rush at Rockwell, but were restrained. Under police protection, Rockwell left for the airport and a plane back to Washington. Later the same day, Mayor Robert F. Wagner ordered that the permit be denied, refusing "an invitation to riot and disorder from a half-penny Hitler." The court upheld the mayor on August 8, and on the same day Rockwell was fined $100 by the Washington, D.C., court on each of two counts of disorderly conduct arising out of the July 3 and July 28 meetings.

In February 1960 the Navy revoked Rockwell's reserve commission "because of his civilian activities." In July the Marine Corps discharged Pfc. John C. Patsalas, reportedly "under honorable circumstances" (a degree less than "honorable discharge"), after an investigation which established that he was an active member of the ANP. In August ANP member Roger C. Foss, according to his own statement, was requested by the attorney general to register as a foreign agent, after he revealed that before becoming a member of the Rockwell group he had accepted $500 from Valentin M. Ivanov, first secretary of the Soviet embassy. Foss was reported to have stated that Ivanov wanted him to get civil-service employment in order to infiltrate the government. Ivanov was expelled on August 14. Capitalizing on the incident, Rockwell touted his follower as a nemesis of Communist spies. On October 20, immigration authorities at Washington, D.C., detained another Rockwell supporter, Janos Pall, a Hungarian who had entered Canada after World War II and had since been naturalized in that country. Pall, Rockwell, and four other ANP members had been arrested on October 12 for disorderly conduct in connection with their picketing of the Democratic party's national headquarters. Pall was ordered deported, after a hearing on December 6, for "failing to maintain his status as a visitor."

Pall, the "international secretary of the World Union of Free Enterprise National Socialists," a revived Rockwell front, appeared on a taped program over a Montreal TV station on October 30, with Rockwell and André Belle-
feuille, who said that he was the leader of the Canadian Nazi party (CNP). Pall claimed that CNP’s “Hungarian section” had 500 members in major Canadian cities.

During the fall of 1960, while vigorously promoting his Nazi line, Rockwell began experimenting with “non-Nazi” formats to attract bigots who, he thought, had been “scared away” by the Nazi style of his activities.

**Elections**

Most antisemitic agitators considered the candidates of both major parties as extreme leftists or “reds.” Their propaganda lines confused by the addition of other types of religious bigotry in the campaign, most exploited politics either by “supporting” ultraconservative figures or segregation leaders, or by attacking both principal candidates. *Common Sense* on June 15 carried an article headlined, “Kennedy’s Marxist Record,” while the main article of the October 1 issue was headed, “Nixon Ignores Vital Issues. What is the Mysterious Force Responsible?” portraying the Republican candidate, like his opponent, as a dupe of Jewish schemers.

**National States Rights Party (NSRP)**

The National States Rights party, an amalgam of antisemitic, anti-Negro activists from all regions (AJYB, 1960 [Vol. 61], p. 43), at their “convention” at Miamisburg, near Dayton, Ohio, on March 19, “drafted” Arkansas Governor Orval E. Faubus and Rear Admiral John G. Crommelin (U.S. Navy, retired) as their presidential and vice-presidential candidates, respectively. Governor Faubus, who never was antisemitic, later issued a statement that he had not authorized the nomination and that his only current candidacy was for reelection. Crommelin, a perennial antisemitic candidate in Alabama and at the same time running in the May primaries for the United States senatorial nomination, did not decline. NSRP followers during the succeeding months actively circulated nominating petitions, securing the required number of signatures to place the party on the electoral ballots of Alabama, Arkansas, Delaware, Florida, and Tennessee. At the request of Governor Faubus, the Florida secretary of state removed his name from the ballot, which in effect invalidated the ballot in that state. The actual campaigning consisted of the circulation of the petitions, followed up by distribution of the party’s hate sheet, the *Thunderbolt*. The most concentrated and effective effort made by NSRP, as reflected by the total statewide votes on November 8, was in Arkansas.

The Arkansas vote was 29,000 out of 429,000 (round figures); in Alabama it was 4,400 out of 600,000; in Tennessee, 11,300 out of 1,052,000, and in Delaware, where 200 signatures are required for a petition, 326 out of 197,000.

Some observers believed that especially in Arkansas many segregationists had been attracted by the governor’s name on the ballot, unaware of the character of NSRP. Others pointed out that agitators could make serious gains by the political exploitation of a state’s-rights designation.

In May NSRP moved its headquarters from Jeffersonville, Ind., to Birming-
ham, Ala. Its plans for large headquarters falling through, its operations were conducted from the home of its information officer, Edward R. Fields, long-time collaborator of another leader, J. B. Stoner, a Klan organizer and former head of the Christian Anti-Jewish party.

**Crommelin**

Though quiet as NSRP's candidate, Admiral Crommelin early in 1960 actively campaigned in the Alabama primaries for the United States senatorial nomination against incumbent Senator John J. Sparkman. He toured the state in an automobile equipped with a loudspeaker, made a dozen TV speeches from Mobile and his home city of Montgomery (paid time), delivered stump speeches, and distributed antisemitic literature, repeating that there was a Communist-Jewish conspiracy to mongrelize and control the nation.

In the three-man contest on May 3 Crommelin polled almost 13 per cent of the total state vote—51,600 (round figures) as against 335,800 for Senator Sparkman and 16,800 for candidate Zeke Calhoun. In Montgomery county he won 28 per cent of the total vote. Running for mayor of Montgomery in 1959, Crommelin had polled 10 per cent. In 1956 he had received 32 per cent of the votes in a race against incumbent Senator Lister Hill. In 1958, in a 12-man contest for governor, he received only 2,200 out of 618,000 votes, or about .3 per cent.

**Other Groups and Agitators**

**Ku Klux Klan**

The Klan continued active, though beset with schisms. Imperial Wizard Eldon L. Edwards died on August 1 and was succeeded by Robert L. Davidson of Macon, Ga., who promised a campaign to enlist adolescents in "Junior Klans." In January Edwards had deposed Alabama Grand Dragon Robert M. Shelton, reinstating Shelton's predecessor Alvin Max Horn. Shelton immediately embarked on the formation of his own Klan. In February, H. J. Jones of Jonesboro, designating himself an Imperial Wizard, said his Klan was a consolidation of Klansmen from 17 states and announced a recruiting drive. Over a hundred crosses were burned in various localities in Alabama, Florida, Georgia, and South Carolina in an apparently coordinated "show of strength" on March 28. An innovation in Klan technique was the lighting of an electric-bulb "fiery cross" at Macon, Ga., in April, to intimidate Negro families into moving from a previously all-white section. In July the first-known "ladies only" Klan—Women of the Ku Klux Klan, Inc.—was chartered in Fulton county, Ga. On September 4, NSRP leader J. B. Stoner staged a large rally of his Christian Knights of the Ku Klux Klan at Danville, Va. Two days earlier, a rally of allegedly consolidated Klans was held at Stone Mountain, Ga. An Arkansas Klan leader, Dale E. Birdsell, was convicted on a bad-check charge in Montgomery, Ala., on November 17, and given an indeterminate sentence. Klan signs continued to be displayed on highways near the entrance to many towns and cities in Alabama.
White Citizens Council

White Citizens Councils, usually referring to themselves as "Citizens Councils," engaged in sustained activity during the period under review. Some were Klan-like in nature, while others were respectable. Antisemitic elements in the movement distributed antisemitic propaganda in areas undergoing tension. Seaboard White Citizens Council leader John Kasper was released from jail in Tennessee on July 15 after completing a six-month sentence for inciting to riot in connection with the 1957 Nashville school desegregation disorders (AJYB, 1958 [Vol. 59], p. 108).

Pro-Arab Propaganda

Pro-Arab propaganda was mainly sustained by native agitators, who frequently used "Zionist" and "Jew" interchangeably in their attacks. Arab sources generally confined themselves to the dissemination of charges of dual loyalty against American Jews in varying degrees of subtlety, using literature, lectures, and Arab students in American institutions. An additional branch of the Arab Information Office was opened at Dallas, Tex., in July, headed by Sami Hadawi, formerly an official of the Palestine Arab Refugee Office in New York. An autobiographical article by Hadawi had been featured in Gerald L. K. Smith's *Cross and the Flag* (July 1957) with an appropriate editorial introduction.

George Kellman

Religion in the 1960 Presidential Campaign

John F. Kennedy, Democratic senator from Massachusetts, was elected president of the United States on November 8, 1960, by a mere plurality of about 112,000, less than .2 per cent of the 69 million votes cast. He was the first Catholic ever to win the presidency. The course of the election campaign and the slim popular margin amply proved that even in 1960, in an atmosphere of widely accepted religious pluralism, religious intolerance and bigotry persisted. Analysis of the voting and study of the deviations from traditional Democratic and Republican voting patterns suggest that the extremely small popular margin was not the only thing the 1960 election had in common with the one in 1884. That was the year Grover Cleveland defeated Republican nominee James G. Blaine by a plurality of 60,000 because a New York Presbyterian minister and Blaine supporter, Samuel D. Burchard, characterized the Democrats as the "party whose antecedents are rum, Romanism, and rebellion." By thus alienating the Irish Catholic voters, Blaine lost New York by about 600 votes and with it the election.

*For meaning of abbreviations, see p. 391.*
In 1960, as in 1884, the religious issue cut both ways: while Catholicism might be a liability to a nominee in some parts of the country, it could be an asset in others, and remain an asset on balance. Certainly the increasing Catholic population in the United States and its concentration in urban areas lent substance to this argument, despite Al Smith's defeat in 1928. Supporters of Senator Kennedy, headed by John M. Bailey, a Connecticut Catholic, first used the "Catholic vote" early in 1956 to fortify Senator Kennedy's bid for the Democratic vice-presidential nomination. The Bailey group submitted a statistical study, "The Catholic Vote in 1952 and 1956," to the 1956 Democratic convention, designed to show that a Catholic vice-presidential nominee in 1956 could lure back to the Democratic party those Catholic voters who had deserted it for President Eisenhower in 1952. The study contended that "a high proportion of Catholics of all ages, residences, occupations, and economic status vote for a well-known Catholic candidate or a ticket with special Catholic appeal." It also claimed that the concentration of Catholics in major urban areas in key states could determine whether those states went Democratic. Senator Kennedy did not become the Democratic vice-presidential nominee in 1956, but long before January 2, 1960, when Kennedy formally announced his candidacy, this time for the presidential nomination, there was talk throughout the country about the possibility of a Catholic in the White House.

Image of Catholicism in America

Not all such talk was bigoted. Some of those who asked questions or expressed doubts were honestly attempting to reconcile their conception of Catholicism with America's constitutional separation of church and state. Their apprehension that Catholic doctrine was inconsistent with American principle was rooted in the record of the Catholic church on the subject and in a traditional Protestant and Protestant-derived suspicion of that church. One did not have to look far back for evidence.

At the turn of the century James Cardinal Gibbons and Archbishop John Ireland tried to make some accommodation between Catholicism and American democracy. These liberal American Catholics, in attempting to allay non-Catholic fears about the sincerity of Catholics in upholding the Constitution, were looked upon askance by European Catholics and by the highest authority in the church. In an apostolic letter in 1899 Pope Leo XIII reproved those American bishops who were suggesting the desirability of "a Church in America different from that which is in the rest of the world."

Almost fifty years later, in 1948, *Civiltà Cattolica*, the authoritative Jesuit organ, declared that "the Roman Catholic Church, convinced through its divine prerogatives of being the only true Church, must demand the right of freedom for herself alone, because such a right can only be possessed by truth, never by error." As for the church in the United States, the article went on, "Catholics will be obliged to ask full religious freedom for all, resigned at being forced to cohabit where they alone should rightfully be allowed to live."

Two occurrences in 1960 were not conducive to putting to rest non-Catholic fears about the Catholic church's political aspirations.
On May 17, a few days after Kennedy’s victory in the West Virginia primary, *L’Osservatore Romano*, the Vatican newspaper, published an editorial article, “Punti Fermi” (“Firm Points”), which asserted the duty of the Roman Catholic hierarchy to “guide, direct, and correct the ideas and actions of the faithful . . . even in the field of politics” and the obligation of the Catholic believer to abide by his church’s decisions. (The article clearly referred to the political situation in Italy. Some church leaders felt its pronouncement was valid for Catholic laymen in other countries. Senator Kennedy remarked in a television interview that he believed it was intended solely for Italian Catholics.)

The establishment in Puerto Rico in September 1960 of the Christian Action party, sponsored by the Catholic bishops on the island, fortified even more the views of those who saw the Catholic church as a threat to American freedom of religion. Set up in opposition to Governor Luis Muñoz Marín’s Popular Democratic party, the Christian Action party pressed for religious instruction in the schools and repeal of the birth-control laws. On October 23 a pastoral letter, signed by the three highest Catholic prelates, Archbishop James P. Davis of San Juan, Bishop James E. McManus of Ponce, and Bishop Luis Aponte Martínez, titular bishop of Lares, was read in all the churches on the island. It forbade church members to vote for the Popular Democratic party.

These developments painfully disturbed American Catholics who believed in the separation of church and state. *America*, the Jesuit weekly magazine, on November 5, 1960, described the action of the Puerto Rican bishops as “unnecessary, improper, even something of a profanation” and a “profound disruption of normal political processes.”

The events in Puerto Rico confirmed the view of many non-Catholics that the Catholic church had not abdicated its historical position and that Catholic advocates of “American exceptionalism” often were motivated by expediency or apologetics.

Today, leading American Jesuit theologians, like John Courtney Murray and Gustave Weigel, seek support for the American principle of separation from within Catholic dogma by differentiating between the sacramal and secular orders. On September 27, 1960, in a lecture at the Shrine of the Most Blessed Sacrament in Washington, D.C., entitled, “A Theological Consideration of the Relations Between Church and State,” Father Weigel interpreted Catholic principle on church-state relations thus: “In this quite un-ideal world, church and state should strive after the closest concretely possible approximation to an ideal concord, which nevertheless never means identity.” In an impassioned defense of Catholic support for the First Amendment, he further declared:

> Officially and really, American Catholics do not want now or in the future a law which would make Catholicism the favored religion of this land. They do not want the religious freedom of American non-Catholics to be curtailed in any way. They sincerely want the present First Amendment to be retained and become ever more effective. With a note of desperation, I ask, what more can we say?
But the unease over the traditional position of the Catholic church, and particularly of the Vatican, persisted among non-Catholic Americans. It was recognized and summed up by William Clancy, himself a Catholic, in the *New Republic* for March 14, 1960:

There can be no doubt that a profound distrust of Catholic intentions toward the free society exists in the United States. And the American non-Catholic community is not entirely to blame for this. The public face of American Catholicism has too often been the face of an ecclesiastical Mrs. Grundy; the voice of American Catholicism has too often been a voice from the past, speaking in the accents of a "Christian" society that will never return. And the public actions, the group pressures, of American Catholicism have too often ignored the proper limits of such action within a liberal-pluralist society. The results have been to create the image of Catholicism as a monolithic, antidemocratic power structure which troubles many non-Catholics—and, increasingly, many Catholics, too.

Despite that distrust non-Catholics have elected ever more Catholics to ever higher public office during the last few decades. Catholic contestants for offices like mayor, senator, and governor have evoked little hostility, in marked contrast to the virulent anti-Catholicism of the Know-Nothings more than a century ago or of the American Protective Association 70 years ago.

Nevertheless, the widespread acceptance of Catholics in public office was not extended to the highest office, the presidency. In 1928 there had been much talk about the so-called unwritten law of the Constitution that no Catholic could become president. This crudity, taken literally by many in 1928, was reflected in the concept, still prevalent in 1960, that because the president is the personification of the entire nation, he must embody the traditional American Protestant ethos. Another argument against having a Catholic in the White House was predicated on the fear that, as the highest and most responsible office in the United States, the presidency is liable to the greatest abuse of office. Finally, a Catholic president, it was feared, would be viewed both in the United States and abroad as a symbol of power and prestige for the Catholic church.

Along with the earnest concern of many well-intentioned Americans about the fate of church-state separation under a Catholic president, there came to the surface a flagrant anti-Catholic bigotry. It originated largely among fundamentalist ministers and laity in the Bible belt—the mountains and backwoods of Kentucky, Tennessee, Oklahoma, and Arkansas—and parts of the Middle West. They peddled obscene and scurrilous anti-Catholic propaganda, rivaled in its spuriousness only by the antisemitic *Protocols of the Elders of Zion*.

Faced with this combination of reasonable apprehension about his views on church-state questions and unreasoning bigotry, Senator Kennedy met the issue of his Catholicism head on.

**Kennedy’s Views on Church-state Relations**

In articles, interviews, speeches, and statements, Kennedy repeatedly underscored his belief "that the separation of church and state is fundamental to
our American concept and should remain so" (Look magazine, March 3, 1959). He opposed appointing an ambassador to the Vatican and opposed using Federal funds to support parochial or private schools. In a highly dramatic speech before a convention of the American Society of Newspaper Editors in Washington, D.C., on April 21, 1960, when propaganda about his religion was coloring the primary campaign in West Virginia, Senator Kennedy repeated his affirmation of the separation of church and state and his opposition to Federal aid to parochial schools, and answered other legitimate inquiries as to his views. He lashed out against critics who identified his views with those of some prominent Catholic leaders:

I am not the Catholic candidate for President. I do not speak for the Catholic church on issues of public policy—and no one in that church speaks for me. My record on aid to education, aid to Tito, the Conant nomination, and other issues has displeased some prominent Catholic clergymen and organizations; and it has been approved by others. The fact is that the Catholic church is not a monolith—it is committed in this country to the principles of individual liberty—and it has no claim over my conduct as a public officer sworn to do the public interest.

In August, in an effort to help interpret his views on church-state questions, Kennedy appointed to his campaign staff James W. Wine, an elder in the Presbyterian church and associate general secretary for interpretation of the National Council of Churches.

In September, because Senator Kennedy's religion persisted as a campaign issue, the Democratic party began circulating, as a basic campaign document, a memorandum setting forth his positions on church-state questions. Consisting mostly of extracts from his statements and speeches, it was widely used by party workers across the country.

The last major attempt to deal with the religious issue came on September 12, in Houston, Tex., where Kennedy, appearing before a televised meeting of the Greater Houston Ministerial Association, read a prepared statement and answered questions about his religion and how it might affect his policies as president. Once again, he reiterated his belief in absolute separation of church and state and full religious liberty for all:

I believe in an America that is officially neither Catholic, Protestant, nor Jewish—where no public official either requests or accepts instructions on public policy from the Pope, the National Council of Churches, or any other ecclesiastical source—where no religious body seeks to impose its will directly or indirectly upon the general populace or the public acts of its officials—and where religious liberty is so indivisible that an act against one church is treated as an act against all.

**Anti-Catholic Prejudice and Propaganda**

Senator Kennedy's explicit statements of his views helped to allay popular suspicions stemming from questions about his church affiliation. Many Americans came to accept the thesis that it is the beliefs of the individual candidate that are relevant and significant, not those of some of his church's
leaders—however influential or numerous. This attitude was reflected in some of the public-opinion polls. A Gallup poll asked: "If your party nominated a generally well-qualified man for president, and he happened to be a Catholic, would you vote for him?" In 1960, 71 per cent of those questioned said yes, 20 per cent said no, and 9 per cent did not know. (Twenty years earlier, 62 per cent had said that they would vote for a well-qualified Catholic, 31 per cent that they would not, and 7 per cent did not know.) Younger people were more willing to vote for a Catholic than older people. More respondents from the South and Middle West were opposed to a Catholic president than from the Northeast or West.

In November 1959 a thousand Presbyterian ministers replied to a poll conducted by Monday Morning, published by the United Presbyterian Church of the U.S.A. At that time only a bare majority agreed with the statement: "A Protestant minister might support a Roman Catholic candidate if the candidate gave assurance he would uphold the principle and practice of separation of church and state." While no subsequent poll among ministers was taken, newspaper reports suggested that Senator Kennedy's forthright position had dispelled most of the distrust among non-Catholic clergymen.

But this was not true of the fundamentalist churches, where prejudice still lingered and where it was being exploited for partisan political purposes.

ANTI-CATHOLIC PROPAGANDISTS

Early in 1959 fundamentalist groups began adopting resolutions and issuing statements against the idea of a Catholic president. On April 30, 1959, the General Assembly of the American Council of Churches, a conservative fundamentalist group bitterly at odds with the (Protestant) National Council of the Churches of Christ, adopted a resolution against a Catholic presidential nominee on the ground that such a nomination would precipitate a major religious conflict. The Rev. Carl McIntire, leader in the American Council and head of the fundamentalist International Council of Churches, declared on June 16, 1959, at a Bible Baptist camp meeting: "We don't want our president to be under the influence of the Vatican, which is a foreign state." Local and state Baptist conventions, in the Midwest and South (e.g., the Minnesota Baptist convention on August 22, 1959, and the Arkansas State Baptist convention on November 19, 1959) passed resolutions declaring that a Catholic could not be loyal to the United States and would be under the domination of the Vatican.

But it was not until March-April 1960, during the primary contest in Wisconsin between Senators Kennedy and Hubert Humphrey, that anti-Catholic bigotry became a significant factor in the campaign. From then until the election, anti-Catholic prejudice and literature distribution continued to mount.

Fountainheads of extremist anti-Catholic propaganda were the churches in the Southern Baptist convention; autonomous Baptist churches in the South, the Southwest, and the border states; various other fundamentalist, evangelical, or pentecostal sects (Church of Christ, Assembly of God, Pentecostal Holiness Church, Voice of the Nazarene, Evangelical United Brethren, etc.);
the National Association of Evangelicals, and some individual Methodist and Lutheran groups. The Mormons, Shriners, and Masons (especially the Scottish Rite Masons) also contributed to extremist anti-Catholic sentiment and the distribution of anti-Catholic literature. These were joined by a non-church group, Protestants and Other Americans United for the Separation of Church and State (POAU), dedicated to maintaining the separation of church and state, but with a record of anti-Catholic leanings.

Other anti-Catholic extremists who played an important part in the political campaign included:

The Rev. Harrison Parker of Washington, D.C., "chancellor" of "The Puritan Church—The Church of America," with no congregation, headquarters, or meetings.

The Rev. Harvey Springer of Englewood, Colo., the "cowboy evangelist," a former associate of Gerald L. K. Smith, and an ordained minister and pastor of the First Baptist Church and Tabernacle of Englewood. With his associate, the Rev. Fred Garland, Springer circulated petitions to get a million signatures asking both parties not to nominate a Catholic for president or vice president.

The Rev. Carl McIntire, unfrocked by the United Presbyterian Church, pastor of the Bible Presbyterian Church of Collingswood, N.J., and a leader in fundamentalist organizations (see p. 116).

Retired Brigadier-General Herbert C. Holdridge of Sherman Oaks, Calif., former president of the Minutemen for the Constitution, whose aim was surveillance of the "agents of the Vatican."

Many ministers and lay preachers associated with fundamentalist and evangelical churches used their pulpits as well as their positions of leadership for anti-Catholic propaganda. An outstanding example was the anti-Catholic sermon delivered and broadcast on July 3, 1960, by the Rev. W. A. Criswell, pastor of the First Baptist church of Dallas, Tex. Criswell said: "Roman Catholicism is not only a religion, it is a political tyranny." This sermon was published and widely distributed before the Democratic convention with the financial aid of ultraconservative Texan oil multimillionaire H. L. Hunt, an admirer of the late Sen. Joseph R. McCarthy, who had hoped the Criswell sermon would help Senator Lyndon B. Johnson win the Democratic presidential nomination. The sermon was subsequently distributed in vast quantities as anti-Catholic and anti-Democratic propaganda.

During the Wisconsin primary, the Rev. Forrest W. York, minister of the First Congregational church in Eau Claire, twice used his pulpit against the election of a Catholic to the presidency. In Indianapolis, at the time of Indiana's presidential-preference primary, the Rev. Greg Dixon, pastor of the Indianapolis Baptist Temple, conducted an all-night prayer meeting at his church. The next morning, March 21, members of this group challenged Senator Kennedy to debate the subject: "Resolved, that a Roman Catholic President cannot impartially defend the Constitution and advance the true welfare of the United States while remaining true to his religion." In Milwaukee the Lutheran Rev. William T. Eggers asked whether Senator Kennedy
would owe his allegiance "to his God and to his God's Vicar on earth—the Pope."

Abuse of the pulpit reached its height on October 30, 1960, Reformation Sunday. This day, commemorating Martin Luther's posting of the 95 theses on his church door, had been selected as the most timely and appropriate Sunday for anti-Catholic clergymen to make their final bid from the pulpits for the defeat of Senator Kennedy. The National Association of Evangelicals, claiming 28,000 conservative and fundamentalist churches and about ten million members, described its Reformation Day observance as a Protestant "Stand Up and Be Counted" drive against electing a Catholic as president.

Some of the hoped-for effect of these sermons was counteracted by widespread publicity exposing their political motivation. Newspaper reports revealing anti-Catholic plans and propaganda (an outstanding example being a series of articles by John Wicklein in the *New York Times*) helped weaken their effectiveness and led to investigation by the Internal Revenue Service into the political activities conducted by some churches and their ministers. The investigation began late in November 1960.

**PARTISAN POLITICS AND ANTI-CATHOLICISM**

Many observers of the political campaign noted that anti-Catholicism was being exploited ostensibly as a religious issue but actually for the political purpose of strengthening conservative political and economic positions. *New York Times* correspondent James Reston reported on September 14, 1960, that in the Dallas suburb of Garland, at a meeting of Protestant ministers called to discuss the "religious issue," the Rev. Tom Landers of the Miller Road Baptist church had complained about the "socialistic" programs of the Democratic party and had urged the ministers to invite their congregations to attend a rally on behalf of Vice President Richard M. Nixon.

The most flagrant example of the use of the religious issue to advance a partisan political cause was the formation of the National Conference of Citizens for Religious Freedom. Convened on September 7, in Washington, D.C., a group of 150 Protestant ministers and laymen met to discuss the "real and vital religious issue." Leaders of the group included the Rev. Daniel Poling, editor of *The Christian Herald* and once a Republican candidate for mayor in Philadelphia; the Rev. Norman Vincent Peale of New York, an avowed supporter of Vice President Nixon; and L. Nelson Bell, an editor of *Christianity Today* (a nondenominational fundamentalist journal with a circulation of about 200,000) and father-in-law of the Rev. Billy Graham, another avowed Nixon supporter. Donald Gill, a Baptist minister on temporary leave from his position as assistant secretary of public affairs for the National Association of Evangelicals, was the new group's executive secretary. He declined to make public the names of the officers of the organization or the source of its finances.

At its founding, the group issued a statement that no Catholic should be elected president because none could repudiate his church's position against separation of church and state. At a press conference, Peale and the Rev. Harold J. Ockenga, pastor of the Park Street Congregational church in Boston,
told reporters they were not satisfied with Kennedy's statements of his views on separation of church and state.

The public outcry against this obviously political manipulation of the religious issue, followed by the dropping of his syndicated weekly column from some newspapers, led to Peale's announcement on September 15 that he was severing his connections with the National Conference of Citizens for Religious Freedom. Peale's statement was issued by the Hall Syndicate, which distributed his column. It declared his opposition "to any admixture of religious discussion and political partisanship." On the same day, two of America's outstanding Protestant theologians, Reinhold Niebuhr, former vice president of Union Theological Seminary, and John C. Bennett, dean of its faculty, issued a statement declaring:

It is noticeable that most of the people in the forefront of the attacks on Roman Catholicism as an influence on the presidency are social conservatives who generally oppose liberal policies and candidates. There is no doubt of their willingness to use religion to thwart the civil-rights and economic policies with which Senator Kennedy is associated.

**ANTI-CATHOLIC LITERATURE**

Circulation of anti-Catholic propaganda began on a large scale during the Wisconsin primaries and increased at an alarming rate throughout the election campaign. *New York Times* reporter John Wicklein counted 144 producers of anti-Catholic literature. Estimates of the number of pieces in circulation were in the tens of millions, and of the cost of distribution in the hundreds of thousands of dollars. Some of the material issued by fundamentalist churches concentrated on church-state separation, but there was a considerable quantity of material that was vicious, scurrilous, and spurious, inciting or fortifying prejudice and fear.

The most widely distributed pieces included the fraudulent Knights of Columbus Oath, which had been distributed by the Ku Klux Klan in the post-World War I days. According to this forgery, members of the Knights of Columbus, a Catholic fraternal order, were pledged to commit the most outrageous crimes upon heretics. Another discredited forgery, widely circulated, was "Abraham Lincoln's Warning," containing bogus quotations attributed to Lincoln about the dangers posed by Catholics to America; it also accused Catholics of assassinating Lincoln. Published by the Osterhus Publishing House in Minneapolis, which was operated by a lay preacher specializing in anti-Catholic propaganda, the leaflet was distributed in tens of thousands of copies. There were numerous other forgeries (alleged quotations from Jefferson, Washington, Wilson, and Grant, to mention only a few) in addition to the outright hate literature. *Masonic Inspiration*, published in Morris Plains, N.J., carried an article entitled, "Shrewd Jesuit Plot Aims at Capturing Presidency: Last Chance to Stop Papist Assault on White House." An anonymous leaflet, published in Limerick, Pa., "Is a Roman Catholic Qualified for Public Office?" answered no, because "if sleeping Americans continue to vote Roman Catholics into public office, the Land of the Free and the Home of the Brave will be a thing of the past." An
article in the *Christian Heritage* (published by Christ's Mission, an evangelical group) of June 1960, which in closing deplored the injection of the religious issue, began by averring that "our first Roman Catholic President will select—not his wife, nor his sister, nor his daughter—none except his 'saintly mother' to be our next First Lady. . . . We do not refer, of course, to his maternal parent . . ., but rather to his 'foster mother' the Roman Catholic Church."

An article by the Rev. J. Harold Smith, a Baptist preacher from Dallas, in Springer's *Western Voice* for August 18, urged that the Republican convention nominate Vice President Nixon:

He is a Christian gentleman, a sober man, and one who is capable of leading our great nation during these perilous times. If a [Republican] Vice President is chosen who is a Roman Catholic—I predict Mr. Nixon's assassination before his term expires.

Springer himself wrote a pamphlet, *Kennedy Cannot Win: The Roman Octopus*. Its cover showed an octopus wearing the papal crown and encircling the globe, one tentacle on the United States; the caption read: "If we get this first, we'll soon own all the rest."

Some of the virulent anti-Catholic literature combined anti-Catholicism with antisemitism and anti-Negro prejudice. The *Georgia Tribune*, a hate sheet published by "Parson Jack" Johnston in Columbus, Ga., repeatedly published an article, "The Roman Catholic Hierarchy Threatens America's Freedom: The Issue Is not 'Religious'; It Is 'Liberty vs. Vatican Hierarchy' and 'Jewish Conspiracy.'" The *Georgia Tribune* also featured an article by antisemite Kenneth Goff entitled "The Master Plan Behind John Kennedy," which concluded that if Kennedy was elected, the United States would be controlled by the Catholics, the Jews, and the Communists and would become a satellite of the UN.

On August 30, 1960, from the Senate floor, Senator Estes Kefauver (Dem., Tenn.) asked Americans to disown the hate peddlers and demand that all candidates uphold the code of fair campaign practices. He charged that the country was being flooded with anti-Catholic literature, some of it obscene and most unsigned, and warned that it would increase.

**Voices of Tolerance**

Over the din made by the "Protestant underworld"—so characterized by John Bennett in the Protestant liberal interdenominational journal *Christianity and Crisis* for September 19—many voices of tolerance could be heard. Leading Protestant journals expressed themselves frequently against the concept of a religious test for the presidency and protested against the nature of the anti-Catholic propaganda. Among these were the interdenominational *Christian Century*, *Presbyterian Outlook*, the *Methodist World Outlook*, and *Christianity and Crisis*.

On May 2, 1960, the General Assembly of the Southern Presbyterian church overwhelmingly rejected as bigotry a resolution that would have put the denomination on record against electing a Roman Catholic as president.
On the same day 13 prominent Protestant clergymen cautioned their fellow pastors against the injection of religious hatred in the campaign and called on them “to use every opportunity at your command to commend to your flock that charitable moderation and reasoned balance of judgment which alone can safeguard the peaceful community of this nation.”

The Council for Christian Social Action of the 2,300,000-member United Church of Christ, on February 1, 1960, adopted a resolution unequivocally opposing religious tests for the presidency. On November 2, 24 nationally prominent Unitarian and Universalist clergymen issued a statement declaring that “the assertion that no Roman Catholic should be president of the United States, irrespective of his record and views, is an affront to all true Americans and to the Constitution.” On February 16, 1960, the National Conference of Christians and Jews released statements by three religious leaders—Protestant, Catholic, and Jewish—calling for fairness and justice in the election campaign.

On September 11, 1960, a statement was released, signed by 100 American churchmen and scholars, opposing “vigorously all attempts to make religious affiliation the basis of the voter’s choice of candidates for public office.” Signers included archbishops of the Greek Orthodox and Roman Catholic churches, Protestant Episcopal and Methodist bishops, prominent rabbis, and influential laymen in religious and educational institutions.

It was natural that Jewish organizations, because of their own sensitivity to prejudice, reacted strongly against the anti-Catholic prejudices of some groups. Among those condemning religious tests for the presidency and religious bigotry were UAHC (Reform), the United Synagogue of America (Conservative), RCA (Orthodox), the New York Board of Rabbis, the American Jewish Committee, the AJCongress, ADL of B’nai B’rith, and the National Council of Jewish Women.

Among nonsectarian groups the Fair Campaign Practices Committee took a leading role in combating religious bigotry, especially helping to uncover the sources of much of the anonymous smear literature.

Labor unions, too, called for the rejection of bigotry in electing a president. AFL-CIO President George Meany, in an editorial in the American Federationist of May 1960, wrote: “To us, religion is a matter of personal conscience, not a yardstick for or against a candidate for office in a democratic institution.”

Most labor unions vigorously supported Senator Kennedy because of his stand on economic and political matters, as well as that of his party. In their enthusiasm, the United Automobile Workers of America (UAW) issued a leaflet that was widely regarded as a classic example of bigotry in reverse. The first page carried a picture of the Statue of Liberty holding a torch aloft beside a hooded KKK member with a torch and club. Between them was the question: “Which Do you Choose?” Underneath were the answers: “Liberty or Bigotry.” The implication was unmistakable that a vote for Kennedy would be for liberty and a vote for Nixon would be for bigotry. More than a million copies were circulated but, faced with a storm of protest (including sharp criticism from President Eisenhower on October 17), UAW
President Walter P. Reuther quickly repudiated the leaflet. The next issue of the UAW paper expressed regret that the leaflet had been “misinterpreted” and strongly condemned religious bigotry.

**Political Parties and Anti-Catholic Propaganda**

On several occasions both President Eisenhower and Vice President Nixon spoke on the religious issue. Before Kennedy's nomination, the president twice spoke on the matter, first on April 27, when he quoted that portion of the Constitution's Article VI barring a religious test for public office, and later on July 8, when he said there was no reason for a Catholic not to be elected president. On September 7, in a news conference, the president said he and Mr. Nixon had long ago agreed that they would never raise or mention the religious issue.

On July 29, the day after his nomination by the Republican convention, Vice President Nixon held a press conference in Chicago. A reporter asked his view about religion as an issue in the campaign. He replied:

Religion will be in this campaign to the extent that the candidates of either side talk about it. I shall never talk about it and we'll start right now.

In August the Republican party issued a confidential memorandum, signed by Leonard W. Hall, general chairman, and Robert H. Finch, director of the Nixon campaign, instructing campaign workers to avoid any discussion, formal or informal, of the religious issue and not to make any literature “of this kind from any source” available. On September 11 Nixon repeated his earlier remarks that the best way to keep religion out of the campaign was not to talk about it. (After the election some analysts thought that Nixon's failure vigorously to condemn the injection of bigotry in the campaign might have cost him many votes.)

Each party accused the other of fanning the religious issue. Senator Henry M. Jackson, chairman of the Democratic national committee, on September 14 called for an investigation of the sources of anti-Catholic literature, charging that it appeared “to be disseminated on an organized and planned basis.” He stopped short of holding the Republican party responsible. But such an accusation was made on October 23 on a national television program by Robert F. Kennedy, the senator's brother and campaign manager, who specifically cited Republican organizations in San Diego, Calif., and in Florida and Pennsylvania.

On the other hand, Republicans accused the Democrats of keeping the religious issue alive, in the hope of prodding many Catholics into voting Democratic.

**Catholic Response to the Election Campaign**

The extensive, well-meaning questioning of the fitness of a Catholic for president, as well as the bigoted opposition to any Catholic, hurt many Catholics who had thought they had won acceptance in pluralistic America.
There was a good deal of defensive and apologetic writing in the diocesan press and other Catholic journals.

The *Pilot*, Boston diocesan weekly, published an open letter to President Eisenhower on February 13, 1960. It cited an anti-Catholic article published in *Christianity Today*, one of whose editors was the Rev. Edward Elson, minister of the Washington, D.C., church attended by the president:

Perhaps you can understand how Catholics feel when they are urged to assist in building a better America—but at the same time warned not to try *too* hard or to aim *too* high. There is no second-class citizenship in our country, or at least there *should* be none, but this is what is being foisted upon Catholics and *this* by *ministers of the Christian religion!* The very wells are poisoned against us. When we are called deceivers, we cannot even give testimony in our own behalf.

After publication on September 8 of the statement by the National Conference of Citizens for Religious Freedom, the Peale-Poling group, *America* published the famed Jesuit John Courtney Murray's comments on September 24:

The brutal fact becomes increasingly clear. The "oldest American prejudice," as anti-Catholicism has rightly been called, is as poisonously alive today as it was in 1928, or in the Eighteen Nineties or even in the Eighteen Forties... 

Only one difference is discernible. Now the ancient "anti-Papist" test is embellished by a new set of footnotes. This is the single concession to the current climate, which has altered in only one aspect. Today even religious prejudice feels the need somehow to contrive for itself the semblance of rationality....

My chief hope is that old Catholic angers will not rise, as the ancient anti-Catholic text, with its new footnotes, is endlessly recited.

In addition to theological and philosophical interpretations that grounded in Catholic doctrine the belief in church-state separation, many Catholic laymen affirmed their support of church-state separation in nontheological terms. On October 5, 1960, a group of 166 influential Roman Catholic laymen issued a five-point statement that a Catholic was "bound in conscience to promote the common good and to avoid any seeking of a merely sectarian advantage." Though he was not mentioned, the statement was intended to show that Senator Kennedy's views on firm separation were shared by many Catholic laymen and were, according to William Clancy, one of the statement's signers, "typical of American lay Catholicism rather than atypical."

**Expectations**

The thesis of the 1956 Bailey memorandum that Catholics would vote for a Catholic nominee for vice president was generally regarded by the politicians as a realistic factor which could be expected to offset the anti-Catholic vote in the Bible belt and Middle West. Some analysts of voting behavior tended to share the view expressed by Moses Rischin's analysis of the 1956 election, *Our Own Kind: Voting by Race, Creed, or National
Origin (Center for the Study of Democratic Institutions, Santa Barbara, Calif., 1960, a condensation of a 1957 study for the American Jewish Committee), that "the ethnic factor is second only to the economic factor in influencing the American's vote." These believed that Irish Catholics—resident for the most part in the industrial metropolises of the country—would support Kennedy largely for "our own kind" reasons. Others felt that anti-Catholic bigotry would have the effect of influencing many traditionally Republican Catholics to vote for Senator Kennedy and that some Republicans—Catholic and non-Catholic—would vote for Kennedy because of a feeling that it would be good for the healthy development of pluralism in the United States to elect a Catholic at this time.

According to Gallup surveys, more Catholics intended to vote Democratic than in the past. Gallup figures showed that 56 per cent of the Catholics voted Democratic in 1952, 51 per cent in 1956, and 75 per cent in the 1958 Congressional elections. A Gallup report issued on October 29, 1960, on the eve of the election, showed that 79 per cent of Catholics intended to vote Democratic. Similarly, a summer poll conducted by the Catholic Jubilee among its readers, published in September 1960, showed that 68 per cent intended to vote for Kennedy, though only 33 per cent had voted for Stevenson. Fifty-six per cent said they were normally Democratic and 22 per cent said they were independent.

Differences Among Catholics

In the overwhelming emphasis on bigotry in the election, political, ethnic, and economic differences among Catholics were often overlooked. Catholics were also divided on the advisability, from the public-relations point of view, of having a Catholic for president. Some Catholics said they would vote against Kennedy because they feared that more would be expected of him than of a non-Catholic president and that the blame for national difficulties or setbacks would be put on Catholics or their church. One Jubilee reader said:

Mr. Kennedy, in my opinion, is not a strong enough Catholic to help Catholicism, but the Church will be blamed for his mistakes.

Politically and economically, conservative Catholics tended to remain Republican. Another Jubilee reader wrote: "My testament has been ghost-written for me by a man named [Barry] Goldwater—we called it the Conscience of a Conservative." Similar support of the very conservative Senator Goldwater's statement of principles came from the Brooklyn Tablet, one of the largest diocesan weeklies. In an editorial of July 23, 1960, the Tablet rejected everything that Senator Kennedy and the Democratic party's platform advocated.

On the question of the East-West struggle, Catholics also split. An "Open Letter to American Catholics," published as an advertisement in the New York Times on October 20, argued that there was indeed a Catholic issue in the election and that it was the world threat of Communism. This letter urged that Catholics, whose church was Communism's "irreconcilable
enemy," must not risk electing Kennedy, "who has chosen to identify himself with that segment of American society which is either unwilling or unable to regard Communism as more than a childish bugaboo."

The New York Daily News straw poll showed that middle- and higher-income Irish Catholics, particularly in suburban areas, were less likely than workers to shift back to the Democratic party after having voted Republican for eight years. German Catholics, traditionally isolationist and Republican, remained Republican, the ethnic factor being, apparently, far more persuasive than the religious. (One magazine reported that rural German Catholics in Ohio voted for Nixon because of a whispering campaign that he was German Chancellor Konrad Adenauer's choice.)

A Gallup post-election survey of how Catholics voted showed a significant shift back to the Democratic party after the defection to the Republicans in 1952 and 1956. About 78 per cent of 3,300 Catholics interviewed voted Democratic, as compared with 51 per cent in 1956 and 56 per cent in 1952.

In many areas interrelations between economic, ethnic, and religious factors were too complicated to unravel. Did Polish Catholics in Buffalo or Chicago vote Democratic because of unemployment or other economic factors, because of the appeal made to them as ethnic Poles, or because they were Roman Catholics? One thing is clear: in 1960 Poles voted more heavily Democratic than in 1956. Puerto Ricans and Mexicans also voted very heavily Democratic, but most observers attributed this to economics rather than religion.

Attitudes of Jews

Antisemitism was a comparatively minor factor in the 1960 campaign, the intense anti-Catholicism seeming to leave little room for it. Harry Golden, editor of the Carolina Israelite in Charlotte, N.C., reported the remark made by a conservative Baptist early in September: "I'd even rather vote for a Jew than vote for a Catholic."

A Jewish Candidate for President?

In a Gallup poll taken in January 1960, 72 per cent of the respondents said they would vote for a well-qualified Jewish candidate for president, 22 per cent said they would not, and 6 per cent did not know. (In October 1958, 62 per cent had said they would vote for a well-qualified Jew, 28 per cent would not, and 10 per cent did not know.) A higher proportion of the better-educated and of the younger respondents would vote for a Jew. Among Catholics, 81 per cent said they would vote for a Jew and 13 per cent would not; among Protestants, 66 per cent would vote for a Jew and 27 would not.

Attitudes Toward the Democratic Party

While everyone agreed with the statement issued by the American Jewish Committee on September 2, 1960, that "no individual or organization can muster the alleged 'Jewish' vote," and both candidates endorsed this state-
ment, there was little doubt that the voting behavior of Jews, like every other group in the population—religious, ethnic, racial—has been significantly affected by group interests and perceptions. Jewish voting behavior is generally liberal. Though the majority of Jews belong to the middle and upper-middle class, which is mostly Republican, their economic status has not significantly affected their allegiance to the Democratic party. Gallup surveys showed that 77 per cent of Jews voted Democratic in 1952 and 75 per cent in 1956; 81 per cent voted Democratic in the 1954 Congressional elections and 85 per cent in 1958. No other group in the population—young people, trade unionists, Negroes—was as consistently and solidly Democratic.

Many interpretations have been offered for this behavior. Probably the identification of the late Senator Joseph R. McCarthy with the Republican party seriously affected the attitude of most Jews toward the Republicans for some time to come. Though there was no overt evidence that McCarthy was antisemitic, most Jews tended to look upon him not merely as a demagogue but also as a potential fascist dictator. Surveys conducted by both Gallup and Roper showed that Jews disliked McCarthy more intensely than any other group in the population. A Roper poll in March 1957 gave Jews an index number of —46 to express their hostility to McCarthy; the next most anti-McCarthy group consisted of executives and professionals, with an index number of —18. In a Gallup poll taken in June 1954, 65 per cent of the Jews interviewed expressed intense disapproval of McCarthy, as compared with 31 per cent of the Protestants, 38 per cent of the Democrats, and 45 per cent of the college graduates.

ATTITUDES TOWARD KENNEDY AND NIXON

The way Jews felt about Senator Kennedy was complicated by his religion and, perhaps, by his coreligionists. The history of the Catholic church's treatment of Jews in Europe in the past has not been one to reassure Jews. In the United States the positions taken on many public questions by the majority of Catholics have been in the main vigorously rejected by Jews: McCarthy (most strongly supported by Catholics), state aid to parochial schools, opposition to dissemination of information on birth control, censorship, divorce. Partly because they identified Kennedy with an image of monolithic Catholicism and partly out of deep disappointment that Adlai E. Stevenson had not been nominated, many Jews were apathetic toward Kennedy in the early part of the campaign. Since there was even less support for Nixon, it appeared for a while that they would sit out the election.

But it soon became quite clear that most Jews would remain as solidly Democratic as they had been in the past. Pre-election polls indicated that about 80 per cent would support Kennedy. Many Jews, like other voters, became convinced of Kennedy's qualifications as they became more acquainted with his views during the campaign. They were reassured by his firm stand on church-state separation and his generally liberal outlook on national and world affairs. Jews were also affronted by the bigotry and
prejudice that emerged, and reacted by subordinating their own apprehen-
sions about Catholics, or Catholicism.

Finally, the way many Jews felt about Vice President Nixon was signifi-
cant. Many seem to have shared the widespread liberal suspicion of his sincerity and good faith.

**Partisan Appeals for Jewish Votes**

Partisan appeals for Jewish votes were started early in unofficial whisper-
ing campaigns. It was rumored that Nixon was antisemitic; it was rumored
that Kennedy's father was antisemitic. The *B'nai B'rith Messenger*, inde-
pendent Jewish weekly in Los Angeles, in an editorial on August 12, 1960,
said it had been flooded after the Republican convention with over a hun-
dred inquiries whether Nixon was antisemitic. The editorial absolved both
presidential and vice-presidential candidates of antisemitism and deplored
such smears. Subsequently ADL reissued a 1956 report which had found
that there was no evidence to substantiate such anti-Nixon rumors.

On August 31, 1960, Washington columnist Drew Pearson wrote that
"there is no one in American diplomacy who is considered by the Zionists
more anti-Israel than Henry Cabot Lodge" and that the Democrats had
documentary proof for this charge. The column was reprinted by Democrats
with a statement by Brooklyn Democratic Congressmen Emanuel Celler and
Abraham J. Multer vouching for its authenticity. (The Pearson column was
written after Vice President Nixon had promised the ZOA to send Lodge, his
running mate, to settle the Middle East's problems. For information on the
pro-Israel appeals made to Jews during the campaign, see pp. 197-98.)

Republicans tried to combat the anti-Nixon propaganda by fighting fire
with fire. They published pamphlets accusing Joseph P. Kennedy, the father
of the Democratic candidate, of antisemitism and Hitlerism and hinted that
his son was under his iron rule. They published reprints of articles in the
Israeli press which praised Nixon. On October 10, Herbert G. Klein, Nixon's
press secretary, quoting an Israeli pro-Nixon editorial, said it "pointed up
the fact that there were two million Jewish votes in the United States
and that for the sake of Israel they should be cast for Vice President Nixon."
Three days later, three prominent Jewish leaders, Philip M. Klutznick,
Irving M. Engel, and Rabbi Israel Goldstein, protested this "shocking appeal
for votes from Americans of Jewish faith" and asked Vice President Nixon
to repudiate Klein's statement. The following day Klein issued an apology,
putting the blame for the statement on an "overenthusiastic campaign
worker."

Nearly three weeks later, on November 4, Senator Jacob K. Javits and
State Attorney General Louis J. Lefkowitz, both New York Republicans,
called a press conference to deplore the injection of antisemitism into the
campaign and particularly to condemn the anti-Lodge leaflets. They were
immediately confronted with anti-Kennedy material of the kind they de-
plored, which was being distributed by the Republicans.

In another attempt to counteract anti-Nixon sentiment among Jews, Re-
publicans placed in many Jewish weeklies an advertisement picturing an
elderly bearded Jew studying the Talmud. The caption read: "Have we forgotten the ninth commandment?" The text, a commentary on "Thou shalt not bear false witness against thy neighbor," condemned the "smear campaign" against Nixon and urged support of Nixon and Lodge "for their contributions to the cause of humanity."

How Jews Voted

Early analysis of sample areas of heavy Jewish population confirmed the polls and surveys which had indicated that Jews would vote heavily Democratic. Louis Harris, whose market-research organization conducted many pre-election polls for Senator Kennedy, reported in a talk on November 22, 1960, that samplings in New York City, Chicago, and Los Angeles showed that Kennedy had received 82 per cent of Jewish votes, as compared with 78 per cent for Stevenson in 1956. Other analyses showed that Jews voted for Kennedy in a higher proportion than any other group in the population.

What the Election Showed

Most election analysts agreed that the religious issue was reflected in the voting. Anti-Catholicism played a major role in defeating the Democrats in Kentucky, Oklahoma, and Tennessee and was a contributing factor to the Democratic defeat in Florida, Ohio, Virginia, and Wisconsin, as well as in the southern counties of Illinois and Ohio. Democratic vice-presidential candidate Senator Lyndon B. Johnson was probably responsible for stemming the anti-Catholic vote in Texas.

Pro-Catholic voting was generally acknowledged to have put Illinois, New York, and Pennsylvania in the Democratic column and to have increased the Democratic plurality in large industrial areas, where many Catholics lived.

The experts disagreed on the balance between the anti-Catholic and pro-Catholic vote. Some held that the Democrats gained more than they lost by the religious vote. Others believed that the anti-Catholic vote hurt the Democrats more than the pro-Catholic vote helped. A convincing answer had not yet been found when this article was written.

The obvious lesson of the election was that though religious prejudice still flourished in the United States, tolerance and good will were in the forefront. Religious pluralism did thrive in America. Many Catholics, too, had come to realize that the image projected by their church required correction and elucidation, and had begun to explore the problem. As a result of the campaign, religious groups had perhaps become more aware of their responsibilities and of their interdependence.

Lucy S. Dawidowicz