Civic and Political

Civil Rights and Intergroup Tensions

CIVIL RIGHTS ACT OF 1964 • CIVIL RIGHTS AND GROUP TENSIONS IN POLITICS (1): REFERENDA AND THE WALLACE PRIMARIES • CIVIL RIGHTS AND GROUP TENSIONS IN POLITICS (2): 1964 PRESIDENTIAL ELECTION • POLITICAL AND SOCIAL ACTION • ECONOMIC AID AND COMMUNITY ACTION • VIOLENCE AND INTERGROUP TENSION • CIVIL-RIGHTS MOVEMENT

The year 1964 witnessed great forward strides in civil rights with the enactment of the Civil Rights Act of 1964 and the overwhelming national mandate given to Lyndon B. Johnson. Negro civil-rights organizations showed increased self-confidence and self-reliance, employing a wide variety of approaches and strategies to help Negroes achieve civic and economic equality. Locally, however, implementation of civil-rights programs remained difficult and intergroup tensions were acute in the North and the South, with violence erupting from time to time.

CIVIL RIGHTS ACT OF 1964

On November 27, 1963, five days after President John Fitzgerald Kennedy had been assassinated in Dallas, Lyndon B. Johnson, speaking to an extraordinary joint session of Congress, called on it to translate Kennedy's dreams for America "into effective action," first of all, by passing the civil-rights bill. "No memorial oration or eulogy," Johnson said, "could more eloquently honor President Kennedy's memory than the earliest possible passage of the civil-rights bill for which he fought so long." Within a few days House Rules Committee chairman Rep. Howard W. Smith (D., Va.), who, opposing such legislation, had pigeonholed the bill in his committee, promised President Johnson to release the bill in January and House Republican leader Charles A. Halleck (Ind.) promised his support of the bill.
Passage of the Bill

Debate opened in the House on January 31, 1964; on February 10, the bill, somewhat amended, was passed by a generous margin of 290 to 130 (152 Democrats and 138 Republicans, for; 96 Democrats and 34 Republicans, against). That vote clearly reflected public opinion. A poll conducted by Louis Harris in April 1964 showed that 70 per cent of a nationwide sample favored the bill’s passage. Organizations in favor of the bill included the Leadership Conference on Civil Rights, a coalition of over 70 civic organizations; the leading industrial unions of the AFL-CIO, headed by the United Auto Workers; Protestant, Catholic and Jewish lay and ecclesiastical groups, and powerful groups within the government like the Justice Department and the White House itself. In an unprecedented show of religious unity, over 6,000 Protestant, Catholic, and Jewish religious leaders met in Washington April 28 in an Interreligious Convocation on Civil Rights to call for quick action from the Senate. (The next day 177 of the participants met with President Johnson who spoke to them on the role of religion in “remolding social institutions” and “illuminating the dark places of the human heart.”)

Organized to fight the bill was the Coordinating Committee for Fundamental American Freedoms, financed principally by Mississippi and other Southern segregationist states, and headed by John C. Satterfield, a past president of the American Bar Association and legal advisor to former Mississippi Governor Ross Barnett (see also p. 194).

The bill’s passage in the Senate was stormier. On March 9 debate began on whether the Senate should consider the bill at all. Its Southern opponents talked for 16 days to block formal consideration, but on March 26, the Senate voted 67-17 to take up the bill after the Easter recess. With firm bipartisan determination to pass it, the Senate opened formal debate on March 30. From this point on, the bill’s real progress was guided largely by Senate minority leader Everett Dirksen (R., Ill.), who had undertaken to draft many amendments, particularly dealing with the bill’s enforcement provisions in its public-accommodations and fair-employment titles. These amendments were designed to meet his own objections to the bill, to clarify and sometimes strengthen various sections, to meet objections from other senators, and thus to extend support among Republican Senators for both the bill and a vote for cloture. During the long weeks that the Southern Senators engaged in a desperate filibuster, Dirksen worked at his substitute package in the closest contact with Senate majority leader Hubert H. Humphrey (D., Minn.). By mid-May, Dirksen’s package of some 70 amendments was ready. It was designed chiefly to give the states more leeway in dealing with their own civil-rights conflicts before the Federal government was brought in to force compliance. After five conferences between a Senate bipartisan committee and administration leaders, including Attorney General Robert Kennedy and Deputy Attorney General Nicholas deB. Katzenbach, an agreement was reached on the package and Dirksen introduced it in the Senate on May 26 as an amendment.
On June 10 these weeks of laborious and meticulous efforts brought historic results, when the Senate, with all 100 Senators present, invoked cloture 71-29 (44 Democrats and 27 Republicans, for; 23 Democrats and 6 Republicans, against). The 75-day filibuster, the longest in the Senate's history, was over in the first successful vote on cloture since the rule had been adopted in 1917. Then, after debate on amendments, the civil-rights bill was triumphantly passed on June 19, 73-27 (46 Democrats and 27 Republicans, for; 21 Democrats and 6 Republicans, against). On July 2 President Johnson signed the bill into law.

Summary of the Law

The following digest of the Civil Rights Act of 1964 is based on a summary prepared by the United States Commission on Civil Rights.

Title I: Voting

This section provides more effective enforcement of the right to vote in Federal elections and a speedier procedure by which voting-rights suits may be decided. It requires that the same standards be applied to all applicants for voting, that the only tests that can be used to determine literacy must be written, and that in contested cases the court must presume a sixth-grade education as evidence of literacy. The Attorney General or the defendant in a voting suit may ask for trial by a three-judge Federal court.

Title II: Public Accommodations

This section prohibits discrimination on the basis of race, color, religion, or national origin in hotels, motels, restaurants, lunch counters, movie houses, gasoline stations, theaters, stadiums, and any other place of public accommodation. (Exceptions include barbershops and beauty parlors, places of recreation which do not serve food, lodging houses with fewer than six rooms for rent, and, under some conditions, private clubs.) An individual or the Attorney General may file suit to enforce these provisions and the Attorney General may, under some conditions, enter a case brought by an individual, whenever he believes there is a "pattern or practice or resistance."

Title III: Public Facilities

The Attorney General is authorized to bring suit to compel desegregation of any publicly owned or operated facility like state or municipal parks, libraries, and hospitals, whenever he receives a written complaint of discrimination. He must believe that the complaint merits action and must certify that those making the complaint are themselves unable to take the necessary legal action.

Title IV: Public Education

The U.S. Office of Education is authorized to determine the availability of equal educational opportunity and to provide assistance in carrying out
school-desegregation plans and in training personnel to deal with desegregation problems. The Attorney General is authorized to file civil suits to compel desegregation of public schools, including public colleges, under the same conditions as set forth in Title III.¹

**Title V: Commission on Civil Rights**

This section extends the life of the United States Commission on Civil Rights until January 31, 1968, and gives the Commission added authority to serve as a national clearinghouse for civil-rights information and to investigate allegations of voting fraud.

**Title VI: Federally Assisted Programs**

Federal agencies which provide financial assistance through grants, loans, or contracts are required to eliminate discrimination on the grounds of race, color, or national origin and such agencies may, after due notice and hearings, withhold Federal funds from state or local agencies that discriminate. (Federal assistance to individuals—e.g., social security or veterans’ benefits—is not affected.)

**Title VII: Equal Employment Opportunity**

This section creates an Equal Employment Opportunity Commission to assist in implementing a Federal right to equal opportunity in employment. Employers, labor unions, and employment agencies are required to treat all persons without regard to their race, color, religion, sex, or national origin. In the law’s first year in force, beginning July 1965, this section applies only to employers or unions with 100 or more workers. Coverage will be extended each year until July 2, 1968, when employers and unions with 25 workers will be included. The Commission is empowered to use conciliation to secure compliance. The Attorney General may bring the case before a three-judge court under the same conditions of “pattern or practice of resistance” specified in Title II.

**Title VIII: Voting Statistics**

The Secretary of Commerce is required to conduct a survey of persons of voting age by race, color, and national origin in areas designated by the Commission on Civil Rights. A similar survey must be conducted on a nationwide basis in connection with the 1970 Census.

¹ Critics have pointed out that the definition of desegregation in this title excludes problems of racial imbalance. According to Alexander Bickel, professor of law at Yale University, in “The Civil Rights Acts of 1964,” Commentary, August 1964, pp. 33–39, the effect of this title’s provisions will “be felt mainly in the South, and only, if at all, in such school districts in the North as may be found to have intentionally gerrymandered school attendance areas for purposes of separating the races.”
TITLE IX: INTERVENTION AND REMOVAL IN CIVIL-RIGHTS CASES

The Attorney General is authorized to intervene in any Federal court action filed by private persons complaining they have been denied equal protection of the law on grounds of race, color, religion, or national origin.

TITLE X: COMMUNITY RELATIONS SERVICE

This section establishes a Community Relations Service to provide conciliation service in the voluntary settlement of public-accommodations complaints and to provide assistance to persons or communities where civil-rights problems threaten peaceful relations in the community.

TITLE XI: MISCELLANEOUS

This section guarantees the right to jury trial in criminal-contempt cases arising out of all sections of the act except Title I, which retains the provisions of the Civil Rights Act of 1957 for more limited jury trial.

Compliance

President Johnson appointed Thomas Le Roy Collins, former governor of Florida, to be director of the newly created Community Relations Service, and Arthur H. Dean, a New York lawyer formerly a disarmament negotiator, to be chairman of the National Citizens Committee for Community Relations, a committee of 450 prominent citizens to assist in the peaceful acceptance of the civil-rights law.

In the first weeks after the law was enacted Negroes tested the public-accommodations section in every Southern and border state and in many strongholds of segregation. A survey issued by the Potomac Institute in August 1964 reported that many places of public accommodation in the South were complying with the law. Press surveys (Wall Street Journal, January 6, 1965; New York Times, January 24, 1965) showed considerable compliance in restaurants and other public accommodations, with compliance greater in large cities and industrial centers and with resistance and defiance greater in smaller communities, especially in rural areas. By the end of 1964 the Justice Department was investigating some 600 complaints of discrimination in public places. A few restaurants and hotels owned by diehard segregationists were closed or were converted into "private clubs."

A speedy constitutional test of the public-accommodations title was made, particularly because Mississippi Governor Paul B. Johnson and Alabama Governor George C. Wallace had claimed that the legislation was unconstitutional and should not be obeyed. Two cases involving an Atlanta motel and a Birmingham restaurant reached the Supreme Court, which on December 14 unanimously upheld the constitutionality of Title II, thus clearing the way for full-scale enforcement by the Community Relations Service conciliators and the Justice Department lawyers. By the end of the year the Justice Department had brought six suits against businessmen for "patterns" of discrimi-
nation and was watching the progress of another dozen suits brought by individuals against businesses alleged to discriminate.

While experts generally agreed that the Civil Rights Act of 1964 was of enormous social and historic importance in the eventual elimination of discrimination in the United States, few believed that its effects would soon be felt. Some progress in eliminating discrimination in public accommodations was clearly apparent shortly after the law’s passage, but it was generally recognized that Negroes would attain their rights only after prolonged and continued application of the law and its vigilant enforcement.

**CIVIL RIGHTS AND GROUP TENSIONS IN POLITICS (1): REFERENDA AND THE WALLACE PRIMARIES**

Public opinion overwhelmingly supported the passage of the civil-rights act and national polls showed most people thought it was wrong to discriminate against Negroes in employment and public accommodations. A national poll by Louis Harris (Newsweek, July 13, 1964) showed that 83 per cent of respondents believed it was wrong for unions to refuse Negroes membership; 79 per cent for churches to refuse Negroes membership; 76 per cent for employers to refuse to hire Negroes, and 68 per cent for restaurants to refuse to serve Negroes.

But attitudes differed considerably with regard to housing. Only 45 per cent believed it was wrong to refuse to rent or sell homes to Negroes, according to the same poll. The resistance to nondiscrimination in housing was greater than to nondiscrimination in public accommodations according to the results in a series of local and state referenda across the country. Alabama’s Governor George C. Wallace undertook to put the civil-rights act to a popularity test in three Presidential primaries. Though he drew a larger vote than had been expected, the results showed that most people in these states favored the civil-rights bill.

**Referenda**

Beginning in 1963 the referendum and the initiative began to be widely used to oppose local ordinances and state laws intended to enforce constitutionally guaranteed basic civil rights. Originally the initiative and the referendum had been regarded as progressive forms of “direct democracy,” introduced in local and state politics at the turn of the century to remedy abuses charged to elected and appointed government officials. Nowadays, however, these forms of direct legislation have, paradoxically, been most frequently invoked by conservatives, who would normally not be expected to resort to techniques of direct democracy. The rightist rejection of such techniques has been expressed in the laconic slogan: “A republic, not a democracy.”

**Kansas City:** In 1963 the Kansas City Council adopted an ordinance, 10-2, prohibiting discrimination in public accommodations. Shortly thereafter the Tavern Owners’ Association and an *ad hoc* rightist group, Freedom of Choice,
began a campaign to submit the legislation to a referendum, collecting about 20,000 signatures on a referendum petition. An intensive campaign to uphold the antidiscrimination legislation was conducted by civic and religious organizations, with particular emphasis on registering eligible Negro voters for the special election on April 7, 1964. The vote, 45,476 to 43,733, upheld the ordinance. The white community voted 2 to 1 against it, but the Negro vote provided the bare majority to pass it. A report on the campaign and the election concluded that the social-gospel teachings of the churches had little influence and that the position taken by union leadership had little effect on how union members voted.2

Maryland: On March 14 the Maryland General Assembly adopted a Public Accommodations Law (House of Delegates, 83-50; Senate, 26-3), forbidding discrimination in hotels, motels, and restaurants. This repealed and reenacted a law adopted a year earlier but omitted the earlier law's crippling provision of local option which permitted 11 of the state's 23 counties to exempt themselves. The new law had had the energetic support of Governor J. Millard Tawes and enough political support to overcome strong opposition from segregationist Eastern Shore counties. But the segregationists obtained sufficient signatures on a petition for a statewide referendum, thus preventing the law from going into effect on June 1. The referendum, held during the general election on November 3, upheld the law, 342,715 to 301,505. Ten counties, including Montgomery and Prince Georges, the populous suburban counties of Washington, and Baltimore City voted for the law; thirteen counties, including Baltimore county, largely suburban, voted against.

Tacoma, Wash.: On February 11 voters struck down a fair-housing ordinance by a proportion of 3 to 1. It had been adopted, 7-2, by the City Council in September 1963, but real-estate interests managed to bring the issue to a general vote. The local NAACP called for a boycott of the election on the ground that basic rights were not subject to popular vote.

Seattle, Wash.: On March 10 an open-housing ordinance put before the voters was defeated 112,448 to 53,453. A year earlier the City Council had charged its new Human Rights Commission with the responsibility of preparing open-housing legislation, but upon presentation by the commission of such legislation, the City Council referred it to a referendum. More than 75 community groups and nearly all the churches supported the proposed new ordinance; opposition was formally advocated only by realtors and apartment-houses owners, yet the legislation was defeated by more than 2 to 1.

Detroit, Mich.: In a primary election on September 1 voters passed, 137,671 to 114,743, a "homeowners' rights ordinance," permitting discrimination in the sale of homes. (Thomas L. Poindexter, a Detroit lawyer, a former president of the Greater Detroit Homeowners' Council who claimed to have drafted the ordinance, won nomination in this primary to the city's Common Council and was elected councilman in the general election on November 3.) The ordinance had been opposed by the Detroit bar association, the governor, the mayor, most civic and all religious groups, and organized labor,

2 Sidney Lawrence, Observations on the Public Accommodations Ordinance (Kansas City: Community Relations Bureau, mimeo, April 1964).
and formally supported only by the Homeowners’ Council and the realtors.

*Akron, Ohio:* An initiative petition to amend the city charter by repealing the city’s ordinance against discrimination in the sale or rental of real estate was passed 63,240 to 46,590 on November 3. The issue as stated required a majority vote of the electorate on any similar ordinance that might be enacted in the future.

*California:* In the November 3 general election Californians voted, 4,526,460 to 2,395,747, for Proposition 14, an initiative constitutional amendment that prohibited the state or any of its subdivisions from passing any legislation that would forbid discrimination in the sale, lease, or rental of residential real property. It was intended to nullify the Fair Housing Law (Rumford Act), which the State legislature had enacted September 1963. California repeated the common experience. Civic, labor, and religious groups, the press, and even the governor campaigned extensively to defeat Proposition 14 which was supported only by the realtors, apartment-house owners, and an array of right-wing groups. Yet Proposition 14 won about two-thirds of the total vote. (Orange County, which elected a member of the John Birch Society to the State Senate, voted 77.8 per cent for Proposition 14). Proposition 14’s sweeping victory confronted civic and church leaders with a bitter defeat, for they had deeply committed themselves to opposing it as an issue of morality rather than constitutionality.

**Wallace Primaries**

Alabama’s racist Governor George C. Wallace entered three Presidential primaries—in Wisconsin (April 7), Indiana (May 5), and Maryland (May 19)—“to tell the truth about the so-called civil-rights bill and how it would destroy the private enterprise system in this country.” Three reluctant stand-ins for President Johnson responded to his challenge: Wisconsin’s Governor John W. Reynolds, Indiana’s Governor Matthew E. Welsh, and Maryland’s junior Senator Daniel B. Brewster. Wallace did unexpectedly well in all three primaries.³

<table>
<thead>
<tr>
<th>State</th>
<th>Vote</th>
<th>Per Cent</th>
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<tr>
<td>Wisconsin</td>
<td>266,136</td>
<td>24.5</td>
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<tr>
<td>Indiana</td>
<td>170,727</td>
<td>31.6</td>
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<tr>
<td>Maryland</td>
<td>214,837</td>
<td>44.6</td>
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All three states have had a history of conservatism: Wisconsin, a one-party (Republican) state for many decades; Indiana, with a Ku Klux Klan background; Maryland, with Southern loyalties and traditions.

Wallace drew his support from four categories of voters:

(1) White workers, especially the less skilled, who voted for him in pro-

portion to the size and militancy of the local Negro community—usually Democrats;
(2) Whites with Southern traditions (Maryland's Eastern Shore and Indiana's southern tier) and white Southern migrants—usually Democrats;
(3) White middle- and upper-class suburbanites—usually Republicans and pro-Goldwater;
(4) Small-town conservatives—usually Republicans.

Prejudice appeared to be a constant factor in the Wallace vote, strengthened by political conservatism among Republicans and economic self-interest among working-class Democrats. Though foreign stocks gave substantial support to Wallace, that vote seems to have been influenced primarily by economic self-interest. The high Wallace vote among these traditionally Democratic voters raised Republican hopes for "backlash" votes that might accrue to them in November because of white disaffection with the Democratic position on Negro rights. These optimistic Republicans did not sufficiently appreciate the fact that Wallace's candidacy offered the voters an opportunity to make a cheap political gesture since no real political decision was at stake.

**Group Voting**

The Jewish liberal tradition manifested itself in all these elections, wherever the Jewish community was large enough for its vote to be quantitatively observable and significant. Though Jews were not less immune than other groups to prejudice, fears of declining property values, and resistance to neighborhood change, they repeatedly maintained their liberal voting patterns. In the Kansas City referendum Wards 8 and 9, with large Jewish populations, voted to uphold the public-accommodations ordinance. Though the Jews are not a majority in those wards, their influence was apparent in the vote.

According to a Detroit Jewish Community Council study, voters in predominantly Jewish precincts voted overwhelmingly against the homeowners' rights ordinance, in some places by as much as ten to one. The ordinance was defeated by substantial margins in all precincts in the Bagley area, an attractive, middle-class neighborhood with a large Jewish population.

Jewish precincts in Los Angeles voted about 2 to 1 against Proposition 14, while Californians as a whole voted 2 to 1 for it. A study made by the Los Angeles office of the American Jewish Committee showed that 5 precincts in East Fairfax, 70 per cent Jewish, lower-middle-class, and experiencing some Negro immigration, voted 67 per cent against Proposition 14; 5 precincts in West Fairfax, approximately 75 per cent Jewish and middle-class, voted 61 per cent against; 6 precincts in Beverlywood, about 70 per cent Jewish and upper-middle-class, voted 58 per cent against Proposition 14.

In the primaries Jews were the one group, besides Negroes, that voted overwhelmingly against Wallace. In Wisconsin Wallace ran in an open primary

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against Democratic Governor John W. Reynolds, a favorite son pledged to
President Johnson, and Republican Representative John W. Byrnes, an unin-
structed favorite son. Milwaukee's prosperous suburbs Brown Deer, Glendale,
and Wauwatosa gave Wallace a plurality or majority of all votes cast. Elm
Grove, adjoining Wauwatosa, gave Wallace 33 per cent and Byrnes 45 per
cent (in 1962, Philip Kuehn, Republican candidate for governor, received
84.5 per cent of the vote). Elm Grove was the residence of William J. Grede,
a steel-foundry industrialist and a former president of the National Council of
the John Birch Society. His brother, Arthur, published a chain of weekly
suburban papers, including Elm Leaves in Elm Grove and News-Times in
Wauwatosa, which supported Wallace as well as the John Birch Society.

Wallace did less well in three other Milwaukee suburbs—Shorewood,
Whitefish Bay, and Fox Point. Generally Republican, these suburbs, surpris-
ingly, gave Reynolds over a third of their votes, more than he received in
1962. The distinguishing factor between these suburbs and Brown Deer, Glen-
dale, Wauwatosa, and Elm Grove is a substantial Jewish population.

Senator Brewster carried Maryland largely because of the 63 per cent of
the vote he received in the city of Baltimore from Negroes, Jews, and some
middle-class white Protestants. His greatest strength came from Negroes with
strong reinforcements from Jewish voters. Ward 17, practically all Negro,
gave Brewster 98 per cent of its vote. Negro precincts in Ward 15 gave
Brewster 94.1 per cent and adjoining Jewish precincts in Ward 15 gave him
93.5 per cent. The western half of Ward 27, mostly Jewish—except for some
well-to-do Protestants—gave Brewster 80 per cent of its vote. (The other
half of the ward, mostly middle-class Italian and prosperous old American
and German stock, gave Wallace 50.8 per cent.) Wheaton and Silver Spring,
Washington suburbs with substantial Jewish populations, also voted solidly for
Brewster.

In general, whether in primaries or in referenda, white working people—
mostly Italian-, Irish-, and Polish-stock Catholics, as well as native Protes-
tant southern migrants—tended to vote for Wallace and against civil rights.
In the Kansas City referendum Italians voted against the public-accommoda-
tions ordinance. In Milwaukee's Ward 2, fairly close to the expanding Negro
neighborhood but solidly white, combining working class and middle class,
with German predominant among the foreign stock, Wallace got about 36
per cent of the vote, and in the Polish working-class Ward 14 about 30 per
cent. In Milwaukee about twenty per cent of the workers defected to Wallace,
but working-class voters have been so heavily Democratic that, despite the
defections, Reynolds received well over 60 per cent of their vote. Negroes, of
course, gave all their votes to Reynolds.

In Indiana Wallace carried two counties: Lake, with 51.5 per cent of the
Democratic primary vote, and adjoining Porter, with 54 per cent. In Gary it-
self the Negroes gave Welsh the margin to carry the city, but Welsh failed to
carry a single all-white precinct. Gary was the seat of considerable racial
tension, particularly over school segregation.
A high Wallace vote coupled with a high Goldwater vote—an obvious indicator of political conservatism—appeared in several strongly Republican Indiana counties, largely rural and small-town, with practically no Negroes. Their population has the characteristics long associated with the supporters of rightist movements—Fundamentalist and nativist. Disciples predominate in half these counties, and Methodists in the others. For them the civil-rights issue was a matter of abstract principle rather than practice. They voted for prejudice finally, giving Wallace about 40 per cent of the Democratic vote.

In Baltimore, Wallace did best in the white working-class neighborhoods of recent Southern migrants, semi-skilled and unskilled. In Wards 23 and 24, where workers of native stock predominate, Wallace received 62.5 and 65.5 per cent of the vote. In the Polish working-class districts (Wards 1 and 2) Wallace received 60 per cent of the vote. A part of Ward 26 consisting mostly of Polish working-class voters gave Wallace 60.7 per cent. The adjoining northern portion of the ward, inhabited mostly by lower- and middle-class Italians gave Wallace 61.1 per cent.

Christian churchmen, usually silent during partisan political campaigns, began to make themselves heard during the Wallace primaries, since Wallace's racism had turned these primaries into an unambiguous moral issue. Thus the Protestant Episcopal bishop of Maryland, Harry Lee Doll, wrote a letter to the 180 clergymen of his diocese accusing Wallace of having introduced a "bitter racism reminiscent of the early 1930's in Nazi Germany." The Catholic Herald Citizen, official paper of the Milwaukee Archdiocese, editorialized:

Moral evil does not float through the air. It walks through the world on the two feet of an individual person—directed by an evil mind and motivated by an evil heart.

Moral evil is invading Wisconsin. Gov. Wallace of Alabama has come to our state.

In Baltimore the archdiocesan Catholic Review was cautious in its social criticism: "There is an immense and decisive difference between a law-abiding segregationist and a law-defying racist." But wholehearted or half-hearted, the Catholic hierarchy generally opposed Wallace. Yet they had as little effect on their parishioners as the labor unions had on their membership, duplicating the Kansas City experience and foreshadowing the great failure, despite their deep involvement, of the Protestant and Catholic churches in California in the campaign to defeat Proposition 14.

CIVIL RIGHTS AND GROUP TENSIONS IN POLITICS (2): THE 1964 PRESIDENTIAL ELECTION

Barry M. Goldwater's candidacy for President of the United States on the Republican ticket inflamed and sharpened intergroup and racial tensions far more than the late John F. Kennedy's candidacy in 1960 had stirred inter-religious tensions.5
To begin with, Goldwater appeared to all observers the candidate of a Republican Party that had been captured by a radical-rightist minority. Racism and nativism appeared to be concomitants of the radical right. The tolerance that Goldwater and his running mate William E. Miller, former Congressman from Lockport, N.Y., showed for the John Birch Society, the Ku Klux Klan, and other assorted racists, antisemites, and radical rightists aroused enormous anxiety among large segments of voters (see pp. 202–05). Fear that Goldwater might recklessly embroil the United States in nuclear warfare was perhaps the single most pervasive and persuasive campaign issue. His outdated position on social-welfare programs and his shortsighted views on civil rights were the most salient domestic issues. Generally concern among American voters over these basic foreign and domestic issues transcended ethnic, religious, and racial lines.

Civil Rights

Most significant for intergroup relations in the Presidential election was civil rights, which Goldwater had himself made a central issue in the campaign. As senator he had voted against cloture and even against the civil-rights bill. That was the one single fact responsible for his great popularity during his campaign forays into the South. Early in the campaign, the Charleston News and Courier, a notoriously racist paper, endorsed Goldwater with these words: “At last—a white man’s candidate.” Though Goldwater never discussed civil rights in the South, he was always surrounded by the staunchest segregationists. On September 16 Senator Strom Thurmond of South Carolina bolted from the Democratic party to support him. When Goldwater arrived at Greenville, S.C., the next day, Thurmond greeted him, wearing a gold elephant in his left lapel and a Goldwater button in his right. Thurmond joined the Goldwater campaign and that evening spoke with Goldwater at a rally in New Orleans. Seated on the platform next to Thurmond and frequently applauding Goldwater was Leander Perez, racist and antisemitic Louisiana political leader, excommunicated from the Roman Catholic church for his violent opposition to desegregating the Catholic parochial schools.

In campaigning in the North, Goldwater appealed to the “backlash,” that is, white voters who had been traditionally Democratic but who threatened to punish the Democratic party for its espousal of equal rights for Negroes. At Minneapolis on September 10, Goldwater charged that the Civil Rights Act was an attempt to “legislate morality” and was responsible for “violence in the streets.” In Chicago on October 16, he argued that “forced integration is just as wrong as forced segregation” and that laws should not infringe on the right of “free association.” At a campaign rally in New York City on October

26 Goldwater attacked plans to desegregate schools “by forcibly busing” children out of their neighborhoods.

**Group Appeals**

Goldwater’s appeal was essentially to the small-town and rural white Protestant American, nostalgic for bygone days. Typical of this approach was the organization of “Mothers for Moral America,” to protest “the rapidly deteriorating moral climate in our cities, states, and our country.” He himself frequently used the theme of morality versus the disorders of the big city. He attacked the “rot and decay” besetting “the moral fiber of the American people” (Salt Lake City, October 10), appealed for a return to religion and piety, and condemned the big cities for crime, violence, and lawlessness.

The lack of Goldwater’s appeal to the racial and ethnic minorities was apparent long before the campaign began in earnest. On August 12 the Republican party leaders who had assembled at Hershey, Pa., in a “unity conference” to patch up the differences between mainstream Republicans and Goldwaterites discussed also their difficulties in getting votes in the industrial states. Pennsylvania’s Governor William Scranton said: “I cannot find the Jewish vote for us. I cannot find more than a handful of the Negro vote for us.” Charles Percy, Republican candidate for Illinois governor, worried about the Negro vote as well as the Polish and Lithuanian vote. Gen. Dwight D. Eisenhower was apparently surprised by the sensitivities of minority groups. He had received a letter which said mention of switchblade knives in his speech at the Republican convention had been taken in Harlem to mean “that I took a crack at Negroes.” That letter had been written by Roy Wilkins, NAACP executive. “I thought switchblade knives were always—and I hope there are no Italians here—identified with Italians,” Eisenhower said.

Campaigning in South Bend, Ind., September 7, where the closing of the Studebaker plant had caused considerable unemployment and economic distress and where Wallace had done fairly well in the Democratic primary, Miller made a classic gaffe. He charged President Johnson with proposing to “open the floodgates for virtually any and all who would wish to come and find work in this country,” a remark that did not endear him to Italians, Greeks, and other groups interested in immigration.

The Citizens for Goldwater-Miller campaign organization established an ethnic division to get votes, a usual political tactic. Co-chairmen were Hollywood actor Cesar Romero, son of a prestigious Cuban family, and Mme. Claire Lee Chennault, widow of the American air general, long associated with Nationalist China. These appointments, as well as those of spokesmen for Latvian Americans, Czech Americans, Hungarian Americans, Polish Americans, and Ukrainian Americans, spelled nothing more than advocacy of a “liberation” policy for the mother countries. Perhaps the most ludicrous “ethnic” appointment was that of Colonel Alexis David Tchenkeli-Thamys,

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6 A report of this conference, taken from a confidential transcript of a verbatim recording of the proceedings, was published in *Newsweek*, December 14, 1964.
son of a Georgian member of the Russian Duma of 1906, to “win Georgian American Democrats” for the Goldwater-Miller ticket. (The Georgian Democratic votes came from the Southern United States, not Southern Russia.)

Appeal to Jews

The Goldwater campaign organization did not even try to win Jewish votes, apparently convinced by local reports and polls that most Jews would not support Goldwater. A Gallup poll published on September 16, 1964, showed 91 per cent of Jewish respondents favoring Johnson (the only group providing even more solid Johnson support was the “non-white,” with 94 per cent). A private poll conducted for President Johnson in August showed 97 per cent of Jewish voters for him (New York Times, September 17). Goldwater supporters published one ad in the Times, October 30, addressed to “Fellow Americans of the Jewish Faith,” appealing to Jews to vote against Johnson; it did not mention Goldwater. It was signed by 23 persons with obviously Jewish names but no prominence in the Jewish community.

Goldwater himself from time to time called attention to his Jewish origins. In answer to a question put to him by the National Jewish Post and Opinion, October 30, Goldwater said: “I am proud of my heritage. My grandparents and my father were Jews. My mother was a Christian. I was baptized a Christian, an Episcopalian. I have a high regard for the American Jewish community.” In his only campaign appearance in New York City, October 26, Goldwater said: “The Nazi and the Fascist types—the bigots—they’re not going to vote for me—because my grandfather was a Polish Jew.” But this had little effect on Jewish voters.

The most characteristic Jewish view of Goldwater was expressed by Rabbi Joachim Prinz in remarks from his pulpit at Temple B’nai Abraham, Newark, N.J., on September 26, when he said that “a Jewish vote for Goldwater is a vote for Jewish suicide,” that Goldwater himself was “a decent, honest, articulate, religious and most dangerous man,” who was surrounded by “every hate group in the United States, every antisemite in America, and the people who believe in simple solutions.”

Churches and Goldwater

On October 5, in a special election issue, Christianity and Crisis, a prestigious nondenominational Protestant journal edited by Reinhold Niebuhr and John C. Bennett, opposed Goldwater for president. This was the first time in its nearly 25 years of existence that the journal had taken a stand on a specific candidate. “We point simply,” the editorial explained, “to the objective, unarguable conflict between his record and the judgments of the Christian churches on most of the major issues of social ethics in our time.” This view was very widely shared among the more liberal Protestant denominations and in some Catholic circles. On October 13, at the general convention of the Episcopal church in St. Louis, William Stringfellow, a New York attorney and leading layman, announced that 726 Episcopalian laymen and clergymen, including 10 bishops, had signed a statement accusing Goldwater and Miller
of a "transparent exploitation of racism." (Presiding Bishop Arthur Lichtenberger had to interrupt the proceedings of the convention the next day to declare that the statement was not an official stand of the church.)

*Christian Century*, the nondenominational Protestant weekly and one of the most influential of Protestant journals, endorsed Johnson, the first presidential candidate it had supported since Wendell Willkie; it kept up a weekly attack on Goldwater for recklessness in foreign policy and racist exploitation in domestic affairs. Other Protestant journals which explicitly or implicitly (by referring to civil-rights issues) condemned Goldwater included the Episcopalian *Witness* and *Churchman*, the biweekly *United Church Herald*, the Methodist student journal *Motive*, the *Covenant Companion* of the Evangelical Covenant church, *American Lutheran*, *Texas Methodist*, *Presbyterian Life*, and the Methodist *World Outlook*.

Many individual ministers preached against Goldwater. One of the strongest statements (*Time*, October 9) came from the Rev. William Sydnor, of Christ Episcopal Church in Alexandria, Va.:

> When one listens to and reads Senator Goldwater, one finds that respect for God's law is shockingly absent. Never in the history of our nation have an aspirant for the presidency and his backers espoused principles and practices that so brazenly ignore God's commands dealing with love, peace, reconciliation, brotherhood, care of the poor, respect for law and the constitutional authority.

Dean Francis B. Sayre, Jr., of the National Cathedral in Washington, D.C., in a sermon on September 13, took a somewhat different position, charging that the electorate had a "sterile choice" between "a man of dangerous ignorance and devastating uncertainty" and "a man whose public house is splendid in its every appearance, but whose private lack of ethic must inevitably introduce termites at the very foundation."

**Election Returns**

President Johnson defeated Goldwater 42,676,220 to 26,860,314, with 61.4 per cent of the popular vote. Goldwater's 38.6 per cent of the popular vote was the second lowest for any candidate of a major party in the history of presidential elections: Republican Alfred M. Landon running against Franklin D. Roosevelt in 1936 received 37.5 per cent of the major-party popular vote. (That year William Lemke, a Republican, ran as Union party candidate and received 890,000 votes. Had Lemke not split Republican votes, Landon might have received 40 per cent of the major-party vote.)

American voters repudiated Goldwater in landslide proportions. He carried only six states, his own Arizona and five in the deep South (Alabama, Georgia, Louisiana, Mississippi, and South Carolina), emerging unmistakably as the candidate of the racists.

Goldwater's appeal was greatest in the South and weakest in the East (see Table 1), particularly the Northeast. The more populous states, with large cities, industrial centers, substantial population of foreign-born and foreign
stock (children of the foreign-born), and Negroes, gave Johnson a greater proportion of their votes than less populous states, with a small foreign-stock population and with fewer than 20 per cent of Negroes voting.

### TABLE 1. 1964 MAJOR-PARTY PRESIDENTIAL VOTE BY REGIONS

<table>
<thead>
<tr>
<th>Region</th>
<th>Johnson</th>
<th></th>
<th>Goldwater</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Vote</td>
<td>Per Cent</td>
<td>Vote</td>
<td>Per Cent</td>
</tr>
<tr>
<td>East</td>
<td>14,858,574</td>
<td>68.5</td>
<td>6,844,024</td>
<td>31.5</td>
</tr>
<tr>
<td>Midwest</td>
<td>13,449,674</td>
<td>61.5</td>
<td>8,427,014</td>
<td>38.5</td>
</tr>
<tr>
<td>West</td>
<td>7,093,304</td>
<td>59.6</td>
<td>4,815,699</td>
<td>40.4</td>
</tr>
<tr>
<td>South*</td>
<td>7,274,668</td>
<td>51.8</td>
<td>6,773,577</td>
<td>48.2</td>
</tr>
<tr>
<td>TOTAL</td>
<td>42,676,220</td>
<td>61.4</td>
<td>26,860,314</td>
<td>38.6</td>
</tr>
</tbody>
</table>

* Does not include 209,848 votes cast for independent electors in Alabama.

In a preliminary attempt to analyze the 1964 presidential election, an index of Democratic voting average was used to measure the Democratic increase (Republican defection) or decrease (Democratic defection) as manifested in the vote for Johnson.7

The New England states showed the greatest Democratic increase (see Table 2) of the 41 states that gave Johnson a higher proportion of their votes than they normally give Democrats. In 9 Southern states the Democratic percentage decreased, contrary to the national trend. States with a greater proportion of foreign stock shifted more heavily to Johnson than those with small percentage of foreign stock. (The diversity of political traditions of the ethnic groups, too, is important. For example, the comparatively large and recent colony of Volga Germans in North Dakota, classified as Russians, was not likely to vote like foreign-born groups in industrial cities. Similarly, French Canadians, latecomers among immigrants, have shown marked conservative voting habits. Nor are Basque shepherders in Nevada likely to vote like Polish immigrants in industrial centers.) Table 2 also suggests that the Republican defection was greatest on the Eastern seaboard, among the typical conservative Republicans, smaller in the Middle West, and least in the Far West, where populist and radical agrarian traditions still linger. (In the South, too, populism took hold, and strands of the populist heritage—distrust of central government and of industrial capitalism—are surely interwoven in the fabric of Southern ideology.)

Political analysts have tried to determine how many of the nearly 27 mil-

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7 An average was taken of four elections for each state: two presidential elections (1956 and 1960) and two state elections, gubernatorial and/or senatorial for 1960 and/or 1962. The index is admittedly crude. For one thing, the vote in both presidential elections untypically magnified the Republican vote (Kennedy's Catholicism and Eisenhower's charisma). The use of Congressional votes might have given a truer picture for each state, but such computations were beyond our resources. Also, no account was taken of special state factors which may at times abnormally affect party voting. This index is intended to suggest possible ways of analyzing the sources of Goldwater support or resistance in the electorate.
## TABLE 2. DEVIATION FROM DEMOCRATIC INDEX IN 1964 PRESIDENTIAL VOTE, IN RANK ORDER, BY STATE AND PERCENTAGE OF FOREIGN STOCK

<table>
<thead>
<tr>
<th>State</th>
<th>Democratic Presidential Vote 1964</th>
<th>Democratic Index</th>
<th>1964 Democratic Deviation</th>
<th>Combined Per Cent Foreign-Born and Foreign Stock</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Maine</td>
<td>68.8</td>
<td>40.1</td>
<td>+28.7</td>
<td>23.3</td>
</tr>
<tr>
<td>2. Massachusetts</td>
<td>76.5</td>
<td>48.7</td>
<td>+27.8</td>
<td>40.0</td>
</tr>
<tr>
<td>3. Vermont</td>
<td>66.2</td>
<td>41.9</td>
<td>+24.3</td>
<td>22.0</td>
</tr>
<tr>
<td>4. New Hampshire</td>
<td>63.6</td>
<td>41.3</td>
<td>+22.3</td>
<td>29.2</td>
</tr>
<tr>
<td>5. New York</td>
<td>68.6</td>
<td>46.4</td>
<td>+22.2</td>
<td>38.6</td>
</tr>
<tr>
<td>6. Rhode Island</td>
<td>80.9</td>
<td>59.6</td>
<td>+21.3</td>
<td>39.5</td>
</tr>
<tr>
<td>7. New Jersey</td>
<td>66.0</td>
<td>44.9</td>
<td>+21.1</td>
<td>34.7</td>
</tr>
<tr>
<td>8. Hawaii</td>
<td>78.7</td>
<td>59.2</td>
<td>+19.5</td>
<td>38.3</td>
</tr>
<tr>
<td>9. Kentucky</td>
<td>64.2</td>
<td>44.9</td>
<td>+19.3</td>
<td>2.5</td>
</tr>
<tr>
<td>10. Connecticut</td>
<td>67.7</td>
<td>48.6</td>
<td>+19.1</td>
<td>28.8</td>
</tr>
<tr>
<td>11. Michigan</td>
<td>66.8</td>
<td>48.9</td>
<td>+17.9</td>
<td>24.3</td>
</tr>
<tr>
<td>12. Colorado</td>
<td>61.6</td>
<td>44.2</td>
<td>+17.4</td>
<td>14.9</td>
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<tr>
<td>13. Pennsylvania</td>
<td>65.2</td>
<td>48.6</td>
<td>+16.6</td>
<td>22.1</td>
</tr>
<tr>
<td>14. West Virginia</td>
<td>67.7</td>
<td>52.0</td>
<td>+15.7</td>
<td>4.9</td>
</tr>
<tr>
<td>15. Maryland</td>
<td>67.7</td>
<td>52.9</td>
<td>+14.8</td>
<td>12.6</td>
</tr>
<tr>
<td>16. Wisconsin</td>
<td>62.2</td>
<td>47.6</td>
<td>+14.6</td>
<td>23.1</td>
</tr>
<tr>
<td>17. Minnesota</td>
<td>63.9</td>
<td>50.0</td>
<td>+13.9</td>
<td>25.6</td>
</tr>
<tr>
<td>18. Kansas</td>
<td>54.6</td>
<td>41.0</td>
<td>+13.6</td>
<td>9.4</td>
</tr>
<tr>
<td>19. Montana</td>
<td>59.4</td>
<td>46.3</td>
<td>+13.1</td>
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<tr>
<td>20. Washington</td>
<td>62.5</td>
<td>49.4</td>
<td>+13.1</td>
<td>22.9</td>
</tr>
<tr>
<td>21. Wyoming</td>
<td>56.6</td>
<td>43.5</td>
<td>+13.1</td>
<td>14.6</td>
</tr>
<tr>
<td>22. Alaska</td>
<td>65.9</td>
<td>56.9</td>
<td>+13.0</td>
<td>13.7</td>
</tr>
<tr>
<td>23. California</td>
<td>59.2</td>
<td>46.2</td>
<td>+13.0</td>
<td>25.4</td>
</tr>
<tr>
<td>24. Ohio</td>
<td>62.9</td>
<td>49.9</td>
<td>+13.0</td>
<td>17.0</td>
</tr>
<tr>
<td>25. Oregon</td>
<td>63.9</td>
<td>51.2</td>
<td>+12.7</td>
<td>17.0</td>
</tr>
<tr>
<td>26. Iowa</td>
<td>62.0</td>
<td>49.6</td>
<td>+12.4</td>
<td>14.0</td>
</tr>
<tr>
<td>27. No. Dakota</td>
<td>58.1</td>
<td>45.9</td>
<td>+12.2</td>
<td>30.0</td>
</tr>
<tr>
<td>28. Nebraska</td>
<td>52.6</td>
<td>41.2</td>
<td>+11.4</td>
<td>18.3</td>
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<tr>
<td>29. Texas</td>
<td>63.4</td>
<td>52.0</td>
<td>+11.4</td>
<td>11.3</td>
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<tr>
<td>30. Illinois</td>
<td>59.6</td>
<td>48.3</td>
<td>+11.3</td>
<td>24.3</td>
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<tr>
<td>31. Missouri</td>
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<td>53.3</td>
<td>+11.3</td>
<td>8.5</td>
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<tr>
<td>32. Utah</td>
<td>54.7</td>
<td>43.9</td>
<td>+10.8</td>
<td>15.6</td>
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<tr>
<td>33. So. Dakota</td>
<td>55.6</td>
<td>45.3</td>
<td>+10.3</td>
<td>20.8</td>
</tr>
<tr>
<td>34. Delaware</td>
<td>61.1</td>
<td>51.3</td>
<td>+9.8</td>
<td>13.2</td>
</tr>
<tr>
<td>35. Indiana</td>
<td>56.2</td>
<td>46.4</td>
<td>+9.8</td>
<td>8.1</td>
</tr>
<tr>
<td>36. New Mexico</td>
<td>59.5</td>
<td>52.2</td>
<td>+7.3</td>
<td>8.4</td>
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<tr>
<td>37. Oklahoma</td>
<td>55.7</td>
<td>48.6</td>
<td>+7.1</td>
<td>3.9</td>
</tr>
<tr>
<td>38. Idaho</td>
<td>50.9</td>
<td>44.5</td>
<td>+6.4</td>
<td>12.4</td>
</tr>
<tr>
<td>39. Arizona</td>
<td>49.5</td>
<td>44.7</td>
<td>+4.8</td>
<td>18.1</td>
</tr>
<tr>
<td>40. Nevada</td>
<td>58.6</td>
<td>54.1</td>
<td>+4.5</td>
<td>17.5</td>
</tr>
<tr>
<td>41. No. Carolina</td>
<td>56.2</td>
<td>54.4</td>
<td>+1.8</td>
<td>1.5</td>
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<tr>
<td>42. Florida</td>
<td>51.1</td>
<td>55.2</td>
<td>-4.1</td>
<td>14.8</td>
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<tr>
<td>43. Arkansas</td>
<td>56.4</td>
<td>61.3</td>
<td>-4.9</td>
<td>1.9</td>
</tr>
<tr>
<td>44. Tennessee</td>
<td>55.5</td>
<td>60.9</td>
<td>-5.4</td>
<td>1.6</td>
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<td>45. Virginia</td>
<td>53.7</td>
<td>63.0</td>
<td>-9.3</td>
<td>4.5</td>
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<tr>
<td>46. Georgia</td>
<td>45.9</td>
<td>68.6</td>
<td>-22.7</td>
<td>1.9</td>
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<td>47. Louisiana</td>
<td>43.2</td>
<td>66.2</td>
<td>-23.0</td>
<td>3.8</td>
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<td>48. So. Carolina</td>
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<td>68.2</td>
<td>-27.1</td>
<td>1.6</td>
</tr>
<tr>
<td>49. Alabama</td>
<td>*</td>
<td>57.8</td>
<td>-27.3</td>
<td>1.7</td>
</tr>
<tr>
<td>50. Mississippi</td>
<td>12.9</td>
<td>80.4</td>
<td>-67.5</td>
<td>1.3</td>
</tr>
</tbody>
</table>

* Johnson was not on the ballot: 30.5 per cent of the vote went to independent electors.
lion people who voted for Goldwater were in fact Goldwaterites, that is, committed to the radical-right ideology that Goldwater appeared to espouse. Some observers believe that about half of these votes were cast by “brass-collar Republicans,” described (New York Times, November 8) by a party official as “people who would vote for Walter Reuther if he were the Republican candidate for President.” A private postelection survey conducted for Republican leaders indicated that at most 5.4 millions may have been Goldwaterites; another assessment of the same data put the figure at 2.5 millions (Times, December 18). A Louis Harris poll (New York Post, January 11, 1965) concluded that 6 million regular Republicans defected in this election and that only 9 million, about one-third of the people who voted for Goldwater, approved of his views. Louis H. Bean and Roscoe Drummond (Look, March 23, 1965) concluded that “the pure Goldwater vote lies between 2,500,000 and 3,000,000—not more.”

Analysis of data from the Voter Profile Analysis (VPA) service—operated by Louis Harris, Columbia Broadcasting System, and International Business Machines Corporation—produced a profile (Times, November 8) of the committed Goldwater supporter: young, well-to-do, largely found in the new technical, industrial, aerospace centers of the South, Southwest, and Far West. Low-income and rural Goldwaterites were predominantly in the “core South.” Voters of German background were the most likely of any ethnic group to be Goldwaterites.

**Group Voting**

**Negroes:** The Negro vote was the most significant group vote in electing Johnson. Negro votes gave him the margin of victory in Arkansas, Florida, Tennessee, and Virginia, and considerably increased his victory in North Carolina and Texas. VPA showed that Negro precincts voted 93 per cent Democratic in New Jersey, 94 per cent in New York and Maryland, 96 per cent in Pennsylvania, 98 per cent in Connecticut, and 99 per cent in Ohio and North Carolina.

**Jews:** The Electronic Vote Analysis of the National Broadcasting Company (U.S. News and World Report, November 16) showed Jewish precincts 90 per cent for Johnson in New York and 89 per cent in California and Florida. (The three sets of Jewish precincts in Los Angeles that had voted against Proposition 14 [see p. 163] voted 95 per cent for Johnson.) VPA (New York Times, November 4) showed heavily Jewish precincts in all reporting points averaging 89 per cent for Johnson.

In the New York Senatorial campaign between Democrat Robert F. Kennedy and Republican Kenneth Keating, many appeals to Jews were made, none reflecting any serious or real issue, but Kennedy ran considerably behind Johnson in Jewish districts. In New York Congressional primaries in June, Jewish appeals were made in contests between Reform Democratic candidates (William F. Haddad, Jonathan Bingham, and James H. Scheuer)

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and regular Democrats (Leonard A. Farbstein, Charles A. Buckley, and James C. Healey, respectively), but none had substantive merit.

I r i s h : NBC's Electronic Vote Analysis showed 88 per cent of Irish precincts in Massachusetts for Johnson and 69 per cent in Illinois. The VPA showed Johnson carrying 66 per cent of Irish precincts.

I t a l i a n s : NBC figures showed Italian precincts 89 per cent for Johnson in Massachusetts, 75 per cent in Illinois, and 68 per cent in New York State. VPA also showed the New York Italian vote at 68 per cent.

S l a v i c : According to NBC figures Slavs (presumably Poles, Slovaks, Ukrainians) voted 88 per cent for Johnson in Michigan, 86 per cent in Ohio, 80 per cent in Wisconsin, and 72 per cent in Illinois. VPA showed Polish precincts in New York 82 per cent for Johnson.

"B ack l a s h "

The Wallace candidacy had suggested the possibility that white workers, traditionally Democratic, would punish the Democratic party for its espousal of Negro rights by voting Republican. The anticipated Democratic falloff was called the "backlash." But except for the racist South, that expected backlash did not materialize or was too slight to have any quantitative significance. For most non-Southern white voters, whatever their attitudes toward Negroes and civil rights, the issues of war and peace and economic security were more salient than their prejudices.

An analysis of votes for Johnson in selected areas that had given Wallace a larger vote than expected showed little evidence of backlash (U.S. News and World Report, November 16). For example, a Polish ward in Milwaukee which had voted 32 per cent for Wallace voted 18 per cent for Goldwater. A Gary, Ind., precinct that had voted 76.7 per cent for Wallace voted 35 per cent for Goldwater. Maryland counties that had gone 64 per cent for Wallace voted 42 per cent for Goldwater and Baltimore precincts 59 per cent for Wallace voted 25 per cent for Goldwater.

A study prepared for the Democratic National Committee, released April 1965, of voting returns in 233 selected wards in 15 major cities showed that Johnson had actually received a higher percentage of votes in predominantly Polish and Italian wards than had Kennedy in 1960.

P o l i t i c a l a n d s o c i a l a c t i o n

Increasingly Negro civil-rights leaders turned their attention to political and social action as an effective means of improving the civic and economic situation of Negroes. Voter education and registration have long been their concern, while political action with a view to exercising political pressure has only recently attained prime significance in Negro strategy. Social action—through demonstrations, protests, boycotts, and other forms of community pressure—has also increasingly been used in the North and South, particularly in campaigns to desegregate public facilities and public schools.
Voter Education and Registration

The Voter Education Project organized by civil-rights agencies in April 1, 1962, and coordinated by the Southern Regional Council, registered 688,800 Negro voters in 11 Southern states between April 1962 and November 1964. Statistics compiled by the Voter Education Project showed that in Arkansas, Florida, Tennessee, and Texas more than half of the Negroes eligible to vote were registered. In Georgia, North Carolina, and Virginia about 45 per cent of eligible Negro voters were registered; 39 per cent in South Carolina, 32 per cent in Louisiana, 23 per cent in Alabama, and 6.7 per cent in Mississippi. Only 4,500 Negroes were registered in Mississippi during this period. In all, about 28,500 Negroes are registered there, amounting to 5.2 per cent of all registered voters, though Negroes are about 36 per cent of the population of voting age. After about two years of activity and an expenditure of over $50,000, the Southern Regional Council withdrew its support from the Voter Education Project in Mississippi on the ground that white resistance to Negro registration had made further effort futile.

Mississippi Freedom Summer Project

Early in 1964 an extensive plan for Negro political and social action, called the Mississippi Freedom Summer, was announced by the Council of Federated Organizations (COFO), consisting of four civil-rights organizations: the Student Nonviolent Coordinating Committee (SNCC), the Congress of Racial Equality (CORE), the Southern Christian Leadership Conference (SCLC), and the National Association for the Advancement of Colored People (NAACP). Calling for the participation of about 2,000 full-time workers, including 1,000 white and Negro college students from North and South, the program envisaged "freedom schools" (with a curriculum ranging from remedial reading to political science), community centers, and "freedom registration," designed to place 400,000 Negroes on unofficial voter lists; a "freedom election," to be held during the regular Mississippi Democratic primary on June 2 and during the general election, to support "freedom party" congressional candidates and to lay a foundation for challenging the rights of the Mississippi delegation to sit in the House of Representatives on the ground that Negroes are denied the right to vote in that state.

The program was explicitly intended to bring the power of the Federal government into Mississippi, as Robert P. Moses, SNCC field secretary, told students on June 19, on the eve of their departure for Mississippi:

"This is part of what we are doing, and getting the country involved through yourselves, that is, to open this up to the country and get the backing of the country and get pressure—public pressure, continual, mounting, steady public pressure—on all of the agencies of the Federal government and on all of the informal processes of this country. That's the only way we'll get any kind of creative solution to what's going on down there (New York Times, June 21).

Early in June the General Board of the National Council of Churches of Christ (NCCC) approved the participation of NCCC's Commission on Reli-
gion and Race in providing orientation courses for the student volunteers and in helping them understand their legal position and the physical danger that they would face in Mississippi. (The anxiety was not exaggerated: three workers were murdered [see p. 185].) NCCC also recruited ministers to serve as counselors to the student volunteers. The Rev. Bruce Hanson, NCCC summer-projects director, explained the NCCC role (New York Times, June 17):

We have agreed to train students out of the conviction that the church has the responsibility to do everything possible to avert violence; out of recognition that organizations recruiting large numbers of students will find it difficult to provide orientation and training; out of the need for people trained in skills like literacy education and voter registration, and out of the belief that orientation and training will benefit not only organizations operating projects and students, but also the states where projects are taking place.

Legal aid was provided by three groups, in addition to the NAACP’s Legal Defense Fund: the leftist National Lawyers Guild; the Lawyers Committee for Civil Rights Under Law, founded in 1963, which limited itself to representing NCCC-recruited ministers and to persuading members of the Mississippi bar to defend civil-rights workers, and the Lawyers Constitutional Defense Committee (LCDC), founded in the spring of 1964. The LCDC, which received initial financial backing from the American Civil Liberties Union, the American Jewish Committee, and other organizations, sent about 125 lawyers to Mississippi.

In all, there were about 1,200 volunteers in Mississippi during the summer: about 800 student recruits; about 235 ministers, rabbis, and adult laymen working on voter-registration; 61 ministers serving as counselors; over 150 volunteer lawyers; a medical committee; some professional teachers, and the COFO staff. Nearly 50 Freedom Schools, with an enrolment of 2,500 children, were opened as supplementary educational centers and 17 community centers were in operation.

It has been estimated that between one-third and one-half of the student volunteers in Mississippi were Jews, though there were few rabbis among the counselling ministers. (One, Arthur J. Lelyveld, senior rabbi of Fairmont Temple, Cleveland, was beaten by segregationists on July 10 in Hattiesburg, while with two civil-rights workers.) Jews were also well-represented in the legal and medical corps working in Mississippi among the volunteers.

Mississippi Freedom Democratic Party

The Mississippi Freedom Democratic party was founded on April 24, in Jackson, Miss., by COFO, to help carry out its political-action project. The party’s first bid was to write John M. Bailey, Democratic national chairman,

in July, asking the Democratic party to demonstrate loyalty to the Negro, "particularly to the Negro in Mississippi, who has not even had the leavings from the American political table." The Freedom party argued that it, not the regular Mississippi Democratic party, was loyal to the national party's candidates and platform and that its delegates (elected at a state convention early in August) ought to be seated at the Democratic party convention.

In Atlantic City on August 25 the Democratic convention's credentials committee, with Senator Hubert H. Humphrey, worked out a compromise plan to the Freedom party's challenge to unseat the regular Mississippi delegation. The compromise recommended (1) the seating of those members of the regular Mississippi delegation who signed an assurance of loyalty to the party's nominees in the general election, (2) the seating of two designated delegates from the Freedom party, with full delegate status, as delegates-at-large, (3) the admission to the convention as "honored guests" of the other Freedom delegates, (4) and instruction to the Democratic National Committee that the 1968 convention advise each state Democratic party to give all its voters, regardless of race, color, creed, or national origin, the opportunity to participate in party affairs. The convention overwhelmingly approved this compromise, but it was rejected by the regular Mississippi delegation (only 3 of its members signed the loyalty oath) and also by the Freedom party, though its two designated members (Aaron Henry, a Negro, president of Mississippi's NAACP, and the Rev. Edwin King, a white Methodist minister at Tougaloo Southern Christian College) took their seats as delegates-at-large. Because the compromise had generally been considered as a significant victory for the Freedom party, the party's refusal to compromise disappointed many friends and supporters. They thought the Freedom party's position inflexible, purist, naive and absolutistic.

Freedom party leaders tried to get on the Mississippi ballot as congressional candidates in the general election, but the state's Board of Election Commissioners ruled against them. Instead, the Freedom party held a four-day mock election, from October 30 to November 2, intended to demonstrate how Negroes in Mississippi would vote if allowed to register. The results were 45,218 for President Johnson, 12 for Goldwater. In mock congressional elections three Negro women, leaders of the Freedom party, were "elected": Mrs. Fannie Lou Hamer, Ruleville, 18,450 votes; Mrs. Annie Devine, Canton, 2,805 votes; Mrs. Virginia Gray, Hattiesburg, 7,150 votes. They "ran" against Democratic incumbents Jamie Whitten, Arthur Winstead, and William M. Colmer.

On December 6 the Freedom Democratic party announced it would challenge the seating of all five members of the Mississippi congressional delegation on the grounds that their election violated a constitutional requirement that members of the House be elected by all the people and that only 6.7 percent of the Negroes of voting age were able to vote in Mississippi's last election. By December 23, 17 liberal Democrats were supporting a plan to bar the seating of the five Mississippi congressmen. But a further proposal by the Freedom Democratic party that Mrs. Hamer, Mrs. Devine, and Mrs.
Gray be seated in their stead found little support even among those in the forefront of the Negro struggle for voting rights, on the ground that no winners of a mock election could legally be considered to have been elected to Congress under the Constitution and that their seating would establish a dangerous precedent.

Protest Moratorium

On July 29 leaders of major Negro civil-rights organizations called upon their members “voluntarily to observe a broad curtailment, if not total moratorium, of all mass marches, mass picketing, and mass demonstrations until after Election Day, next November 3.” The statement was issued after a meeting of civil-rights leaders in the wake of the passage of the Civil Rights Act of 1964 (see p. 155) and the Republican nomination of Goldwater (see p. 165), and represented a profound awareness of the importance of national politics to the advancement of civil rights. It was signed by Roy Wilkins, NAACP executive secretary; the Rev. Dr. Martin Luther King, SCLC president; Whitney M. Young, Jr., National Urban League executive director, and A. Philip Randolph, Negro American Labor Council chairman. James Farmer, CORE national director, and John Lewis, SNCC chairman, withheld their signatures pending meetings of their steering committees, which subsequently opposed the moratorium. (SNCC and CORE jointly sponsored what were generally considered nuisance demonstrations at the Democratic convention in Atlantic City.)

“The greatest need in this period,” the statement declared, “is for political action” and its thrust was clearly against the Goldwater-dominated Republican party. The Republican platform was described as a “states’-rights platform” and the “Goldwater forces” were charged with having injected racism into the campaign. Indeed, the statement concluded, “the Senator himself maintains his position that civil-rights matters should be left to the states—clear enough language for any Negro American.”

Desegregation Demonstrations: (1) South

In January militant Negro leaders in Atlanta, as elsewhere in the deep and upper South, began applying more aggressive tactics to secure the desegregation of public accommodations. At that time it did not seem that the public-accommodations section of the civil-rights bill would be passed. In Atlanta SNCC was particularly active in organizing a series of small-scale sit-in demonstrations at restaurants. On January 21 the Atlanta Constitution, in an editorial entitled “For a Public Accommodations Law; Against This SNCC-led Lawlessness,” abandoned its opposition to the public-accommodations section of the civil-rights bill, since it had become clear that Atlanta owners would not voluntarily desegregate their facilities.

In February and March hundreds of Negro college students in Princess Anne, an Eastern Shore Maryland town, kept up militant demonstrations to desegregate local restaurants. Violence flared when large contingents of state police were called in, with dogs to reinforce their authority. Early in March
the students won a victory in their negotiations when they obtained a pledge that police dogs would not be used "unless there is a riot" and a promise from Governor Tawes that he would exert all the powers of his office to get through the new state law prohibiting discrimination in public accommodations (see p. 161).

In Jacksonville, Fla., Negro demonstrations in March against segregated hotels, motels, restaurants, and theaters erupted in mass rioting by whites and Negroes, numerous injuries, considerable property damage, and the arrests of more than 200 Negroes.

A campaign of a different sort was begun in March, when the NAACP made informal inquiries among concert artists whether they would be prepared to refuse to play before segregated audiences. The idea had come from the New York pianist Gary Graffman who, at SNCC's request, had turned down an engagement to play in Jackson, Miss. (New York Times, March 5). On March 9 the pianist Artur Rubinstein said musicians should "actively participate in fostering" civil rights. As a Jew, he said, he had personally experienced the painful consequences of prejudice. Many others among America’s most distinguished musicians agreed to support the campaign, including the pianist Vladimir Horowitz, New York Philharmonic conductor Leonard Bernstein, and Boston Symphony music director Erich Leinsdorf.

In St. Augustine, Fla., America's oldest city, SCLC began a campaign at the end of March to end segregation in public accommodations. The demonstrations lasted well into June and were marked by sporadic violence; about 300 people were arrested and many injured in clashes with the police and the KKK. On June 17 Martin Luther King sent a telegram to the 75th Annual Convention of CCAR, meeting in Atlantic City, in which he described St. Augustine as a "battleground between the forces of good and ill will in our nation." He said "strong pockets of Birch and Klan resistance, combined with indifference and fear in the white community, create a virtual concentration-camp existence for Negroes." He concluded: "Won't you join me in a prophetic witness against the social evils of our time?" Later that day 16 Reform rabbis and one layman left for St. Augustine; the next day they were all arrested in an attempt to desegregate a public swimming-pool. But in a matter of hours a grand jury proposed a 30-day cooling-off period without demonstrations, after which a biracial committee was named to negotiate the problems of discrimination.

Desegregation Demonstrations: (2) North

In the North civil-rights groups concentrated their most aggressive strategies upon public-school desegregation. Many Northern cities witnessed agitation against de facto school desegregation: school boycotts, picketing, and demonstrations. School segregation in the North has largely been the consequence of segregated housing, but school-zoning practices have often solidified and perpetuated residential segregation. Civil-rights organizations have proposed various plans to remedy this situation: redistricting school zones, pairing schools in adjacent districts racially to balance the school population,
transporting children from one district to another on the basis of voluntary choice or by assignment. But racial balance in the big-city schools has been difficult to attain for a variety of reasons: (1) the resistance offered by a slow-moving school bureaucracy, (2) antagonism rooted in prejudice, (3) opposition based on parental anxieties about their children’s safety and the quality of their education, and (4) the inflexible facts of population change in our big cities. Central cities have increasingly become the nearly exclusive habitat of small numbers of well-to-do whites and large numbers of poor Negroes, with the result that there are not enough whites to provide a satisfactory racial balance in the public schools, short of engaging in mammoth logistical maneuvers.

The responsibility which school boards have for eliminating *de facto* segregation has been widely litigated. Two cases reached the Supreme Court in 1964. On May 4 the Court left standing a lower court’s ruling that the school authorities in Gary, Ind., were not constitutionally obliged to end *de facto* segregation which its own policies had not caused. On October 19 the Court declined to review another lower court’s decision allowing the New York City Board of Education to take into account the factor of racial balance in zoning a new school. Legal experts believed that the Supreme Court generally favored giving local school boards wide constitutional discretion to handle problems of racial balance as they deemed best.

According to the NAACP’s annual report on school desegregation, more than 13 northern and western school systems took substantial action in desegregating. In White Plains, N.Y., a suburban community of 50,000, where Negroes were 10 per cent of the population and 19 per cent of the elementary-school pupils, the school board in April voluntarily and peacefully accepted a desegregation program that involved the closing of the only predominantly Negro school and distributing its pupils in other schools. A month after the plan was approved, the president of the board, who had endorsed it, was overwhelmingly reelected, by a vote of 2,952 to 511. Other communities acting to desegregate their schools included Teaneck, N.J.; Manhasset, L.I.; New Haven and Norwalk, Conn.; Sacramento, Cal., and Xenia, Ohio.

But these experiences were the exception. Demonstrations and pupil boycotts against *de facto* school segregation took place in Boston, Buffalo, Chester, Pa., Chicago, Cincinnati, Cleveland, Gary, Kansas City, and New York City. In Cleveland, school demonstrations were held over a period of months, from January through April, with sporadic violence offered predominantly from “Little Italy,” adjoining the Negro neighborhood. On April 7, during a demonstration at a school-construction site in a predominantly Negro neighborhood, the Rev. Bruce William Klunder, a 26-year-old Presbyterian minister, was crushed by a bulldozer in a tragic accident. The Cleveland Chamber of Commerce then organized a biracial committee to deal with school problems. In August, after four months of unpublicized meetings, the committee agreed to support a school program by Cleveland’s new school superintendent. The committee continued to meet in secret to explore racial issues in the city.
Biracial committees, appointed by city authorities to make proposals on school desegregation, functioned in Denver, Portland, Ore., and St. Paul, with varying degrees of support from civil-rights organizations.

In New York City the Board of Education was almost continuously embroiled in community controversy about school desegregation, a question which was inextricably associated with that of the quality of education. Most middle-class white parents opposed plans to achieve racial balance, believing that these would bring about inferior education; most Negroes insisted on racial balance, knowing that the segregated Negro schools were bad schools. Negro civil-rights organizations called a school boycott on February 3 to protest the Board of Education’s slowness in eliminating de facto segregation. Over 464,000 pupils, 45 per cent of the total enrolment, stayed out of school, mostly in Negro and Puerto Rican neighborhoods. A second boycott was called six weeks later, on March 16; 267,000 pupils, 26 per cent, stayed out of school. The first boycott had had the support of all major Negro civil-rights organizations (CORE, NAACP, Urban League, and many local groups), and some Jewish intergroup agencies (the American Jewish Committee’s New York chapter opposed the use of boycott as a tactic to achieve desegregation). But the second boycott, called by the Rev. Milton A. Galamison of Brooklyn, N.Y., over the opposition of most civil-rights leaders, had little community support.

On March 12, in cold and snow, about 15,000 members of Parents and Taxpayers (PAT), an organization formed in 1963 to oppose desegregation and to maintain the neighborhood school, often charged with bigotry, marched in front of City Hall and the Board of Education to demonstrate their determination to fight the busing of pupils out of their neighborhoods. Civil-rights groups organized a countermarch on May 18, but it proved a disastrous failure, rallying only about 4,000 demonstrators.

Meanwhile, the Jewish Education Committee of New York, fearing that Negro pressure might induce the Board of Education to inaugurate a system of widespread and compulsory busing of school children, wrote the board on March 23 urging consideration for the needs of the Jewish afternoon religious schools, attended by nearly 50,000 public-school children. “School attendance,” the letter declared, “should be planned so that it does not infringe upon the limited time and energy that our children have available for study of the religious beliefs, ethical precepts, and cultural heritage of our people.” A similar position was taken by the New York Board of Rabbis a few days later: “The future of Jewish religious life depends upon this religious program. Any program of transportation which will reduce the afternoon religious school hours will do irreparable damage to the religious life of the New York Jewish community. We therefore urge you to evolve a pupil-transportation plan which will enable the Jewish community to maintain its afternoon religious school program intact.”

Early in June the Board of Education published its school-integration pro-

gram, to go into effect September. Some school pairing and busing were foreseen. PAT groups, unsuccessful in preventing the plan from going into operation, called a boycott on the first day of school, September 14. Nearly 276,000 children, 27 per cent of the total enrollment, stayed out, mostly from schools to which pupils had been involuntarily transferred for purposes of integration or from schools that parents feared might in the near future be affected. The next day 233,000 pupils, 23 per cent, stayed out. Thereafter defiance was limited to several small groups, mostly in Queens, where skirmishes with the police ended in the arrests of some 60 parents. In many neighborhoods, private schools, sectarian and nonsectarian, found themselves the reluctant beneficiaries of these tensions, when some parents withdrew their children from the public schools.

School busing became an election issue in some campaigns for election to Congress, the State Assembly, and the City Council in New York, especially in Queens and Brooklyn. The 13th Assembly District in Queens (Glendale-Ridgewood), normally heavily Republican, gave Goldwater a majority of their votes, while electing a Democrat (with Conservative party backing) to the State Assembly, largely because he supported PAT in opposition to busing.

ECONOMIC AID AND COMMUNITY ACTION

In response to a New York Times survey in July among Negroes on key questions affecting them, the largest group of respondents, 54 per cent, said that the biggest problems Negroes had to worry about were economic—jobs, welfare, the high cost of living, low pay. The second largest group, 49 per cent, mentioned bad housing and high rents. Clearly, civil-rights legislation and political action, however vital and necessary, were nevertheless not enough for dealing with the deprivations and hardships that Negroes suffered as a consequence of prejudice and discrimination.

Economic Opportunity Act

The enactment of the Economic Opportunity Act of 1964, signed into law by President Johnson on August 20, 1964, to carry out a program popularly known as the war on poverty, inaugurated a new approach to these problems. The approach had its origins in Michael Harrington’s *The Other America: Poverty in the United States* (New York, 1962) which *inter alia* discussed the special conditions of poverty endured by racial minorities. The Economic Opportunity Act, designed to help all poor people, had particular saliency for Negroes and other color minorities like Puerto Ricans and Mexican Americans, who have proportionately more poor than other groups. According to a study of family income in 1963, 16 per cent of white families but 45 per cent of nonwhite families had an income under $3,000. Nonwhites, about a tenth of the population, are a quarter of the poor.

The Economic Opportunity Act provides a variety of youth programs—job corps, training, and work-study programs; community action, with fed-
eral grants to community-action organizations for assisting low-income families in employment, job training, vocational rehabilitation, housing, home management, and welfare; programs to combat rural poverty, to provide business-investment and small-business loans, and to strengthen family life; recruitment, training, and placement of volunteers to assist in the war on poverty in a domestic Peace Corps called VISTA (Volunteers in Service to America).

The bill took nearly five months to pass Congress in one of the most partisan political battles waged there. Although it had some Republican support, its passage was clearly a Democratic victory. Considered as a legislative triumph for President Johnson, the passage of the bill was marred by a vicious attack by Southern Democrats on Adam Yarmolinsky, special assistant to Secretary of Defense Robert McNamara, who was said to have been chosen as deputy to Sargent Shriver, director of the anti-poverty program. Yarmolinsky had long been a target of right-wing groups as an alleged Communist (he is not and has not been), because his name sounds Jewish (he is). He was also credited with having written a report for the Defense Department, recommending the end of racial discrimination in towns adjoining military bases. It was said that the North Carolina congressional delegation, headed by Rep. Harold Cooley, and congressmen from two Southern states had demanded, in exchange for their support of this bill, that the President oust Yarmolinsky from the program. At a news conference on August 15, President Johnson, when asked about the reports that Yarmolinsky "had been offered as a sort of sacrifice to the Southerners in exchange for support of the poverty program," replied that Yarmolinsky had not been recommended for any specific position.

**Community-action Programs**

An addition to the work of long-established Negro self-improvement agencies like the Urban League and the hundreds of social-welfare agencies across the country, new community-action organizations, professional and volunteer, have come into being to help Negroes, Puerto Ricans, and other disadvantaged groups overcome disabilities resulting from their heritage of prejudice and discrimination. Some have operated privately, while others have enjoyed extensive Federal and private-foundation financial support. Some programs have shown marked success in relatively brief periods; the effectiveness of others is still being evaluated.

Philadelphia's Opportunities Industrialization Center, a highly successful job-training program, grew out of activities conducted by the Rev. Leon Sullivan, pastor of the Zion Baptist church, in the Negro section of North Philadelphia. It has combined social action (the selective economic boycott to force job openings for Negroes) with vocational training, educational and

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tutorial programs, and a variety of self-help activities. It won the support of
Philadelphia's mayor and Chamber of Commerce and the cooperation of
major industrial companies. Federal agencies (Office of Economic Oppor-
tunity, Manpower Administration, Department of Health, Welfare, and Edu-
cation) have shown an interest in the program and are seeking to expand it
with Federal support.

In New York, Haryou-Act (Harlem Youth Opportunities Unlimited and
Associated Community Teams), a project to improve the situation of about
71,000 youths in Harlem, was the recipient of several major federal grants
under the Federal Manpower Development and Training Act, the Juvenile
Delinquency Act, and the anti-poverty program. Haryou-Act's three-year
budget amounted to nearly $120 million. Mobilization for Youth, another
New York social-action agency, with a multi-million-dollar program, has re-
ceived funds under the Juvenile Delinquency Act, the Economic Opportunity
Act, and various other public and private agencies. It has encouraged the
poor and underprivileged among whom it operates to take part in social-
protest activities, including rent strikes and civil-rights demonstrations, as part
of a program to combat apathy and despair and build leadership and self-
reliance. Both groups have encountered difficulties: Haryou-Act has been
embroiled in Negro politics and Mobilization for Youth has been under
criticism for Communist infiltration.

A self-help program of a different type was started late in 1963 by CORE,
when it opened its first community center in Canton, Miss., in a predominantly
Negro rural county. In 1964 CORE established more than 15 such centers
in the rural South, as part of the Mississippi Freedom Summer Project. Books
and facilities for a modest library and study room and for educational, tu-
torial, and recreational activities were provided.

An outgrowth of NCC's participation in the Mississippi Freedom Sum-
mer Project was NCC's Delta Ministry, a long-term interdenominational
commitment to end the low economic, health, and social conditions of Missis-
ippi's poor. In some places associated with the civil-rights forces, it is a
wholly independent NCC program which formally opened on September 1.
The Delta Ministry has undertaken a health program (health education, hy-
giene, nutrition, and first aid), relief (food and clothing), literacy, commu-
nity-center programs, and citizenship-education classes.13

Volunteer programs have multiplied during the year elsewhere in the
nation. For example, in Indianapolis women's clubs affiliated with the General
Federation of Women's Clubs achieved notable success in helping school
dropouts and delinquents and in providing study centers and tutorial pro-
grams. Many colleges and universities in or near cities with large Negro popu-
lations have organized volunteer tutorial and remedial-reading programs. For
instance, a University of Chicago program, Student Woodlawn Area Project
(SWAP), had 320 tutors in 1964 working with about 350 Negro children in
remedial-reading centers.

The National Council of Jewish Women has undertaken a variety of such programs throughout the country. The (Reform) National Federation of Temple Youth organized a Mitzvah Corps for its teenage members to work among underprivileged groups during the summer vacation. Participants in these groups later stimulated other year-round activities. Thus young members of Congregation B'nai Jeshurun in Newark, N.J., undertook to tutor Negro children in school subjects every Saturday morning at their synagogue as part of a program for the "meaningful application of the teachings of Judaism."

In August, in Philadelphia, YM-YWHA and the B'nai B'rith Vocational Service began a pilot project to deal with the problem of high-school dropouts. In October 1963 the Urban League of Greater New York and the Metropolitan Council of the American Jewish Congress formed an Interracial Council for Business Opportunity, primarily to encourage the development of Negro-owned and -operated business. By the end of 1964 the group had 160 white businessmen as members, all expert in their fields, as volunteers helping Negroes to start or expand their own small businesses.

VIOLENCE AND INTERGROUP TENSION

Violence was a frequent concomitant of the struggle for civil rights and an index to intergroup tensions in both North and South. In 1964 about 16 people were believed to have been murdered in Southern states as a consequence of race hate and in reaction to civil-rights activities. Hundreds of Negroes and whites were injured in violence erupting from civil-rights demonstrations. In many parts of the South, dozens of Negro churches were bombed and schools burned. Racial violence affected also Northern cities, sometimes as a result of civil-rights activities and sometimes as an expression of urban tensions and Negro-white friction.

Mississippi

Violence, terror, and murder, bombings, burnings, and beatings have long been part of Mississippi's lawless treatment of its Negroes. Local autonomy has prevailed in law enforcement, particularly in isolated rural towns and villages, and the lack even of a state police force has enhanced the role of the elected local sheriff. "Mississippi," said James W. Silver, professor of history at the University of Mississippi, in Mississippi: The Closed Society (New York, 1964), "is famous for its justice. . . . Mississippi is famous for a past of police brutality, and for the sure harassment, even to death, of those who defy the code" (p. 90). The Mississippi Advisory Committee to the United States Commission on Civil Rights, in a report in January 1963, commented that "in general the press is failing to meet its obligation to our society. The people of Mississippi are largely unaware of the extent of illegal official violence and the press is partly to blame." But no one, in Mississippi or out, was unaware of the murder of three civil-rights workers in the Mississippi Freedom Summer project in June. That murder catapulted Philadelphia,
a town in East Central Mississippi's Neshoba county, with a population of 5,500, into national, indeed international, prominence.

COFO's announcement of the Mississippi Freedom Summer project stimulated KKK activity in Mississippi (see p. 198). In March a poster offering 20 reasons for joining the Klan was dropped on the porch of nearly every white, non-Catholic home in Neshoba County, saying "Either you're for us or you're for the NAACP." 14

Joseph Alsop, in his syndicated column (June 17), had written:

A great storm is gathering—and may break very soon indeed—in the State of Mississippi and some other regions in the South.

The southern half of Mississippi, to be specific, has now been powerfully invaded by the Ku Klux Klan, which was banished from the state many years ago. And the Klan groups have in turn merged with, or adhered to, a new and very ugly organization known as Americans for the Preservation of the White Race.

On June 21 three civil-rights workers set out from Meridian to Philadelphia to investigate the burning of a Negro church there some days earlier. They were Michael Schwerner, a 24-year-old settlement-house worker from Brooklyn, N.Y.; Andrew Goodman, a 20-year-old student from Queens, N.Y.; and James E. Chaney, 21, a Meridian plasterer. Schwerner and Goodman were Jews, Chaney a Negro. Both Schwerner and Chaney were members of a CORE-SNCC civil-rights task force in Mississippi. Schwerner and his wife had been in Mississippi for about six months, having opened CORE's community center in Meridian. Goodman was one of an advance group of student volunteers coming to take part in the Mississippi Freedom Summer project and had arrived in Meridian on June 20.

On June 22 the three workers were reported missing after having been allegedly released from jail in Philadelphia where they had been arrested on a speeding charge. That day the FBI began an inquiry into their whereabouts. Six weeks later, on August 4, FBI agents unearthed their bodies from a newly erected earthen dam in a wooded area six miles southwest of Philadelphia.

According to the FBI agents who patiently and laboriously uncovered the details of the conspiracy to murder the three civil-rights workers, leaders of the White Knights of the Ku Klux Klan, the Mississippi Klan formed earlier that year, had marked Schwerner for "extermination"—their word—as much as six weeks before the actual murder: he was a Jew, with a beard, unafraid in his comings and goings among Negroes. That Goodman and Chaney happened to be with him that fateful afternoon of June 21 was their tragic accident. The FBI disclosed that at least 50 persons had been in the conspiracy to murder Schwerner, convinced by the Klan that they were facing an invasion by Yankee beatniks, Jews, and other "scum." 15

An illustration of the pervasiveness of hate and bigotry in Philadelphia is the fact that for months after the disclosure of the murder, tacked on the

bulletin board of the Neshoba County courthouse in Philadelphia were handbills of the National States' Rights party, a viciously antisemitic and anti-Negro organization centered in Birmingham. One proclaimed: "Jew-Communists Behind Race Mixing," with pictures of Karl Marx and the then acting Attorney General Nicholas deB. Katzenbach, an Episcopalian whom the racists liked to think of as a Jew.\footnote{16}

On December 4 the FBI arrested 21 men, including the Neshoba county sheriff and his deputy, for the murder of Schwerner, Goodman, and Chaney. Most of those arrested were members and several were leaders of the White Knights of the Ku Klux Klan in Mississippi; one was a Philadelphia policeman and one a Fundamentalist Baptist minister. On December 10, United States Commissioner Esther Carter, before whom a preliminary hearing was held, ruled an FBI's agent's testimony incompetent and dismissed the charges against 19 of the defendants. The Justice Department subsequently dropped the charges against the other two. On December 29 Federal District Judge W. Harold Cox, in Jackson, at the request of the Justice Department, ordered a Federal grand jury to reconvene early in 1965 to hear charges against the 21.

**Northern Summer Riots**

On July 16 an off-duty police lieutenant in New York City shot and killed a 15-year-old Negro boy who had allegedly threatened him with a knife. After the shooting about 300 Negro teenagers battled with police with cans and bottles. It had all begun when the superintendent of a building across the street from a summer-session junior high school had allegedly deliberately sprayed water on three boys.

On the night of July 18, during a demonstration in Harlem called by CORE to protest the policeman's slaying of the Negro boy, violence broke out. Rioting and looting lasted four days, intermittently, with varying degrees of intensity, with hundreds of police trying to maintain peace.

On July 21, in Bedford-Stuyvesant, Brooklyn's Negro area of even greater density and tension than Harlem, after another CORE rally protesting the shooting of the Negro boy, violence erupted and lasted several days. Thereafter rioting and looting broke out in a series of Northern cities, largely as a result of tension between police and Negroes: Rochester, N.Y., July 24-25, where Governor Nelson Rockefeller sent National Guardsmen; Jersey City, August 2-4; Elizabeth, N.J., August 11-13; Paterson, N.J., August 11-14; Dixmoor, a Chicago suburb, August 15-17, and Philadelphia, August 28-31.

On July 29, a conference of civil-rights leaders, which had issued also the...
statement calling for a moratorium on mass protests (see p. 177), in a separate statement condemned the rioting that had taken place: “We would like to once again go on record as strongly opposing looting, vandalism, or any type of criminal activities, and urge the cooperation and support of local leaders toward the elimination of this type of activity, which damages both the community and the civil-rights movement.” But it was clear that they were unable to contain or control the Negro masses. This was underlined at a discussion in New York among a group of nationally known Negro writers, artists, and intellectuals, assessing the meaning of the Harlem and Rochester riots. According to the New York Times, July 29, all concluded that the established Negro leadership could not “reach the vast, submerged Negro lumpenproletariat”—that floating, unaffiliated, unemployed mass at the bottom of the social and economic order.”

All these disorders reflected the tension between the police and both Negroes and Puerto Ricans, who have charged the police with brutality and bias. Civil-rights leaders have demanded the establishment of civilian review boards to investigate complaints of police brutalities. Such boards exist in Indianapolis, Los Angeles, Philadelphia, and Trenton, N.J. Mayor Robert F. Wagner of New York refused to appoint such a board, though on July 23 his office set up a six-man committee of Negroes and whites to review the Police Department’s methods of handling complaints against policemen. On August 14 New York Police Commissioner Michael J. Murphy appointed Capt. Lloyd Sealy as the first Negro to command a police precinct in Harlem. Negro civil-rights leaders hailed the appointment, but declared it was only the first step toward easing tensions between Negroes and the police.

On September 26 the FBI issued a report, which was submitted to President Johnson, that there was “no systematic planning or organization underlying the riots.” The mob violence was dominated by youths “variously characterized by responsible people as ‘school dropouts’, ‘young punks’, ‘common hoodlums’, and ‘drunken kids’, and a common characteristic was ‘a senseless attack on all constituted authority without purpose or object.’” The FBI found no evidence that the Communist party was involved, “though its members were observed taking part” in some of the riots.

**Negro-Jewish Tensions**

During the Northern city riots hundreds of stores were looted and damaged. Since most were owned by Jews and their Jewish ownership is often mentioned by Negroes, it has been difficult to determine what part antisemitism played in this display of Negro hostility to whites. A spokesman for the Brooklyn Jewish Community Council reported that during the Bedford-Stuyvesant rioting antisemitic slogans were being shouted (JTA, July 23). In Rochester, CORE headquarters and a Black Muslim mosque were untouched while Jewish-owned stores flanking them were looted and destroyed (JTA, July 27). Elmer Lewis, director of the Jewish Community Council of Rochester, explained that “Jewish businessmen were not the prime target because they were Jews” and that the outbreak was not to “be interpreted
as antisemitism.” Primarily, he said, “the city faced a breakdown of law and order, but the Jews were the principal sufferers.”

In Philadelphia, it was estimated (JTA, August 31) that 80 per cent of the wrecked and looted businesses were owned by Jews and that the losses and damages suffered amounted to several millions of dollars. Though the Jewish Community Relations Council of Greater Philadelphia rejected as unwarranted charges that the riots expressed antisemitism, many Jewish businessmen believed that the rioting had a distinctly anti-Jewish flavor, especially since stores displaying signs “this is a Negro store” remained unharmed, while adjoining Jewish-owned stores were wrecked.

In “dismay and disappointment” over Negro wrecking and looting of Jewish stores, Martin Luther King issued a statement in August to the Southern Israelite of Atlanta:

While the outbursts in New York City and Rochester cannot be considered expressions of antisemitism, I am particularly pained to learn that a large percentage of looted stores were owned by our Jewish friends since, as a group, the Jewish citizens of the United States have always stood for freedom, justice, and an end to bigotry. Our Jewish friends have demonstrated their commitment to the principle of tolerance and brotherhood in tangible ways, often at great personal sacrifices.

Can we ever express our appreciation to the rabbis who chose to give moral witness with us in St. Augustine during our recent protest against segregation in that unhappy city? And who will ever forget the sacrifice of two Jewish lives, Andrew Goodman and Michael Schwerner, in Mississippi this past June?

It would be impossible to record the contribution that the Jewish people have made toward the Negro’s struggle for freedom—it has been so great.

I solemnly pledge to do my utmost to uphold the fair name of the Jews. Not only because we need their friendship, and surely we do, but mainly because bigotry in any form is an affront to us all.

Tension between Negroes and Jews appeared in other situations. On April 21 a group of Negro teenagers, coming from a wake for a murdered friend, passed a Lubavitcher yeshivah in Brooklyn, N.Y., and attacked the younger Jewish children in the school yard. The Negroes yelled antisemitic slogans and shouted, “You don’t belong in this country.” Several students and two rabbis who came to their aid were hurt. Rabbi Samuel Schrage, principal of the yeshivah, was bitter and said that the school had for a long time wanted to move out of the neighborhood. NAACP official John A. Morsell condemned the attack, with the comment that it was “doubly tragic and ironic that the victims of one type of racism should themselves exhibit ethnic bias against another group.” The attack was symptomatic of the tensions between Negroes in Bedford-Stuyvesant and the Jews, who lived mostly in the adjoining neighborhood of Crown Heights. Crime and violence had been increasing and fear engulfed the nearly half million people in the area, about 75 per cent Jewish, with hasidim forming a large sub-community among them. The attack on the yeshivah students was followed in May with an attack and attempted rape by a Negro of a rabbi’s wife.
On May 17 Rabbi Schrage formed a civilian radio-car patrol organization called The Maccabees of the Community, patterned after the self-defense groups which Jews in Tsarist Russia had formed to protect themselves against pogromists. Negroes responded hostilely at first to the Maccabees, for in their experience private-citizen patrols meant vigilantism and were scarcely likely to elicit their approval. Yet once it became clear that the Maccabees’ purpose was only to protect their neighborhood against crime and violence, Negroes became receptive to participation in the patrol. According to a report early in June by the New York City Commission on Human Rights, the Maccabees then consisted of 20 hasidic Jews, 50 other Orthodox Jews, 70 non-Orthodox Jews, and 60 Gentiles, 20 of whom were Negroes. On June 11 the Ministers Movement of Brooklyn and Long Island, Negro clergymen representing 72 churches, endorsed the Crown Heights Community Patrols—the Maccabees under a new name. One Negro clergyman admitted: “We recognize the absence of adequate police protection in the area. The people in Crown Heights were the ones who brought it to our attention. Perhaps we ourselves have been somewhat apathetic and lethargic in the past.”

On June 22 the Council of Crown Heights was formed, a nondenominational, interracial organization of 35 local civic and religious groups, to provide a broader community base for the civilian patrols and help reduce neighborhood crime.

**Antisemitism Among Negroes**

Antisemitism among Negroes has been an especial Jewish concern partly for its own sake, but even more because of the tragic possibility that in resentment Jews would withdraw from the struggle for Negro equality. In fact, some Negro civil-rights leaders have minimized the extent of antisemitism among Negroes, lest it disrupt the alliance between Negroes and Jews on civil-rights issues. Seven leading Negroes in New York City, asked by the New York *World Telegram and Sun*, August 10, to comment on whether antisemitism was increasing, said it was declining. One, Percy Ellis Sutton, an attorney, said: “The Jew is the landlord. He is the merchant. He is the white man the Negro sees.” A similar view was expressed in a press conference on May 21 (New York *Times*, May 24) by Malcolm X, the black nationalist leader who had broken with Elijah Muhammad’s Black Muslim movement:

> These [Jewish] people conduct their businesses in Harlem but live in other parts of the city. They enjoy good housing. Their children attend good schools and go to colleges. This the Negroes know and resent. These businessmen are seen by the Negroes in Harlem as colonialists, just as the people of Africa and Asia viewed the British, the French, and other businessmen before they achieved their independence.

Antisemitism among Negroes is discussed in William Stringfellow’s *My People Is the Enemy* (New York, 1964): “A particularly ominous sign of the extremities of Negro animosity is the emergence in the open of Negro anti-
Semitism." After noting the competition between Negroes and Jews in politics, the economic relations between many Negroes and some Jews, the Negro resentment against the role of Jews in the civil-rights movement, Stringfellow adds that the overriding reason for Negro antisemitism is "some awful emulation of the anti-Semitism so long prevalent and so unyielding among middle- and upper-class white Protestants and Catholics" (pp. 115–116).

**Negro-Catholic Tensions**

In the spring, during the public debate about the civil-rights bill and during the Wallace primaries, it became increasingly apparent that many of the Catholic laity and even some Catholic church leaders did not comport themselves in accordance with their church's moral and religious teachings on justice and charity. In an editorial condemning such "convenient Catholicism," the Jesuit weekly *America*, June 13, reported that a Catholic laymen's association in Michigan had distributed 100,000 leaflets at the doors of 52 churches denouncing the civil-rights bill, after a letter had been read from the pulpits urging support of the bill.

Father Anthony S. Woods, S.J., in a sermon April 26, at the Church of St. Francis Xavier, New York City, warned against Catholic backsliding in race relations. He cited the role of Catholics in the Boston School Committee election of November 1963 against desegregating the public schools, the considerable vote for Wallace in distinctly Catholic areas, and the stoning of a Negro family that had attempted to move into the largely Catholic community of Folcroft, Pa., a Philadelphia suburb. More explicit condemnation of the Philadelphia archdiocese for its inactivity in civil-rights matters was expressed by Dennis Clark, a Philadelphia resident and former official of the Catholic Interracial Council. In *Commonweal*, May 1, he charged the leadership of the Philadelphia archdiocese with procrastination on civil-rights issues and warned that some Negro Catholics had flatly said they would leave the church if there was no change.

Even more severe public criticism was leveled against the leadership of James Francis Cardinal McIntyre, archbishop of Los Angeles, particularly for his failure to speak out against Proposition 14. (On July 28 he said that to take a stand on Proposition 14 would be contrary to archdiocesan policy and show "preference in political matters.") The controversy within the church reached its high point when Father William H. DuBay, 29 years old, announced on June 11 that he had written Pope Paul VI requesting the removal of Cardinal McIntyre for "inexcusable abuses" of the church's doctrines on racial equality. Two journals edited by Catholic laymen, the New York weekly *Commonweal* (July 10) and the California monthly *Ramparts* (Summer 1964), devoted major articles to Catholicism in Los Angeles, particularly to racial questions and Cardinal McIntyre's inaction. A priest writing in this issue of *Ramparts* said: "It is not surprising that our Catholic lay people are just as infected with race prejudice as anyone else because they never hear the Church's doctrine. The only way Catholics are accustomed to recognizing a doctrine as Catholic is by getting it at least occasionally men-
tioned from the pulpit and this matter of racism is simply not mentioned from the pulpit. Or at most, very rarely.”

John Leo, in Commonweal, commented: “As for preaching on race, every priest in the Archdiocese realizes that this directly jeopardizes his career. Some do it. . . . The general pattern, however, is for a priest to be reprimanded and, perhaps, transferred for a sermon on race. Of those who are interested in the topic at all, most have learned not to do it.”

On July 24, after submitting to Cardinal McIntyre, Father DuBay was transferred to another church. In June Father John V. Coffield, for 24 years a priest in the Los Angeles archdiocese, had been ordered to take a five-month enforced vacation because he had spoken against Proposition 14. In November he was ordered to maintain silence on racism. He chose instead “a self-imposed exile from the diocese as a gesture of protest against, and rather than be a part of, the continuing evil of silence” (New York Journal-American, December 29). He obtained a three-year leave of absence from the diocese.

(Protestant ministers, too, suffered reprisals when they spoke out on racial matters, and many clergymen in the North and particularly in the South lost their pulpits. An interesting development was the formation in January by Southern Presbyterian clergy and laymen of an organization to help clergymen whose “stand on racial and social issues has put them under critical pressure.”)

**CIVIL RIGHTS MOVEMENT**

In 1964 the Negro civil-rights organizations underwent considerable internal dissension and friction about their goals, strategies, and tactics. The intensification of nationalist moods among Negro leadership and the radicalization of considerable segments of the civil-rights movement, coupled with increased self-confidence, were the important developments of the year.

**Civil-rights Organizations**

NAACP (executive secretary: Roy Wilkins) remained the largest and most influential Negro civil-rights organization, with a membership of about half a million Negroes and whites in 1,600 local groups. The Southern Christian Leadership Conference, a coordinating and service agency working primarily in 16 Southern and border states, does not have a mass-based operation comparable to NAACP’s, but its president Martin Luther King, Jr., is universally acknowledged as the charismatic Negro civil-rights leader. (King won the 1964 Nobel Peace Prize; in presenting the award on December 10, Gunnar Jahn, chairman of the Norwegian parliament’s Nobel committee, said King was the “first person in the Western world to have shown us that a struggle can be waged without violence.”) A more conservative and highly prestigious organization is the National Urban League (executive director: Whitney M. Young), with about 50,000 members in 64 local groups, whose emphasis is on community action and social service in combating discrimination. The youngest and most militant among the four major Negro organizations is CORE (na-
tional director: James Farmer), with a membership of about 65,000 in 118 local groups. Founded in 1942, it achieved national prominence in 1960 with sit-ins in the South and Freedom Rides. The newest organization, making a strong bid for national leadership, is SNCC (popularly known as Snick), formed during the sit-ins in 1960; its northern counterpart is the Northern Student Movement. It has a youthful and aggressive leadership, a shifting membership, and a radical mystique. John Lewis is its chairman and James Forman its executive secretary.

**Activist Pressures**

All five organizations, from the relatively conservative Urban League to the radical SNCC, have been subjected to ideological, strategic, and tactical pressures from Negro nationalist sources, at one extreme, and at the other from clusters of Negro and white radicals (whether pro-Chinese, pro-Cuban, or pro-Russian Communists, or Trotskyite splinters), as well as from the individualistic radical groups sprouting on college campuses, like the Berkeley Free Speech Movement. The nationalist and radical components among the militants in the civil-rights movement are sometimes, but not necessarily, in conflict with each other; often, paradoxically, they reinforce each other; as for instance when three SNCC leaders—Lewis, Forman, and Robert Moses—went to Guinea in September as guests of President Sekou Touré.

In April CORE's Brooklyn chapter threatened to apply a "stall-in," that is, create a traffic tie-up on opening day on the approach to the World's Fair, their purpose being to show that they, the militants, could produce results in the civil-rights struggle by affecting those members of the society who merely passively assent to the evils of discrimination. CORE's national leadership condemned those "essentially revolutionary" tactics because they would alienate and embitter moderates engaged in civil-rights causes. The controversy was typical of the conflict between the radicals and the established leadership. CORE subsequently briefly suspended the Brooklyn chapter, but its national leadership remains under constant activist pressure.

The Black Muslims and the assorted black nationalists and racists also exerted influence on both the established and radical organizations, at least to the extent that these reflected pervasive Negro nationalist and anti-white feelings. Anti-white feeling at a moderate level exists among those Negro civil-rights leaders who believe that white men should not play directing roles in the Negro movement. As Negroes gain in self-confidence and self-reliance, they have become more assured in their own identity as Negroes and less dependent on whites for support.

Radical ideology and Negro racism coalesced on the subject of the "white liberal," a term of contempt matched only by the epithet "Uncle Tom." "White liberal" is intended to signify hypocrisy, applied to one whose acts, if he acts at all, belie his words. The typical "white liberal"—especially in New York, the political and intellectual capital of American Negroes—is more likely than not the urban Jew, long an ally in the struggle for civil rights, active in the labor movement and liberal causes, but increasingly
alienated by the extremism and radicalization of segments of the civil-rights movement and by the intensity of their hatred for all the established institutions of society.

Outlook

With the passage of the Civil Rights Act of 1964 and growing realization of the ineffectiveness of the nuisance tactics advocated by some of the radicals, the leadership of the civil-rights movement has been faced with major decisions to be made about the movement's future direction. Current indications suggest that responsible leadership is looking toward a twofold program. (1) Intensified political action, involving voter registration and political education, in an alliance with labor and liberal professional elements in American society. Bayard Rustin, organizer of the March on Washington, August 1963, and of the first New York City school boycott, is the most outspoken advocate of this position, as expressed in his article, "From Protest to Politics: The Future of the Civil-Rights Movement" (Commentary, February 1965). (2) Intensified community- and social-welfare programs among Negroes in the North and South to overcome their social, economic, and cultural disabilities.

LUCY S. DAWIDOWICZ

Rightist Extremism

The events and circumstances of the 1964 presidential campaign brought the problem of extremism on the American political scene into sharp focus. An umbrella of respectability was provided to extremists during the campaign which enabled them to blend their efforts with those of legitimate political organizations and to recruit new followers. Propaganda further contributed to the substantial growth of many extremist organizations in the United States in 1964.

As debate raged in the Congress over the civil-rights bill (see p. 156), a coordinated effort to prevent passage of meaningful legislation by racists and extremists—united by their common opposition to civil rights for Negroes—became apparent. Thematically, both decried the use of Federal power to enforce civil rights for Negroes, and they sought to persuade Americans that the civil-rights struggle was part of a Communist conspiracy, extending from street demonstrations to Supreme Court decisions.

1 For the purpose of definition, extremists are those whose activity and program constitute a threat to the democratic process. Some common characteristics are attempts to suppress differences of opinion, impugn the motives of those with whom they disagree, undermine confidence in the government, intimidate, incite to violence, and disturb the peace in furtherance of their objectives. Rightist extremists are also obsessed with domestic Communism and attach great significance to their insistence that America is a republic and not a democracy.
ORGANIZED FORCES

The precise number of right-wing extremist organizations existed in 1964 varied from day to day, mushrooming in response to the stimulus of national and world affairs, and diminishing as the urgency receded. However, tens of millions of Americans were exposed to their propaganda, disseminated by an estimated four to five thousand weekly radio and TV programs; an uncalculated number of Americans were additionally exposed to films, books, pamphlets, magazines, flyers, bumper stickers, "anti-Communism" schools and "lectures," and editorials and newspaper columns furnished without charge to hundreds of weekly newspapers.

Coordinating Committee for Fundamental American Freedoms

Spearheading the campaign to prevent passage of the civil-rights bill was the Coordinating Committee for Fundamental American Freedoms (CCFAF), created and financed by various southern state-sovereignty commissions to prevent or delay Negro integration in their states. CCFAF was the coordinating force in marshaling opposition to the civil-rights bill. Incorporated in Delaware in September 1963 and directed by John Satterfield, described by the Washington Post (August 3, 1963) as a "leading segregationist lawyer," it did not become overtly active until 1964. Before the end of that year, it was formally dissolved.

In the spring of 1964, CCFAF inserted full-page advertisements in more than 200 daily newspapers attacking civil-rights legislation as a "black jack" and a "grasp for executive power." Additionally it mailed more than a million letters and pamphlets all over the country. In implementing parts of its program, CCFAF was aided and abetted by such extremist groups as the John Birch Society, Manion Forum of Public Opinion, and We The People.

John Birch Society

In 1964 the John Birch Society, founded by Robert Welch, dominated the extremist movement and was by far the most successful of its kind in growth, impact, and financial support. Birch Society leaders sat in positions of power in other extremist organizations, and the grass-roots membership doggedly heeded Welch's instructions to "keep working on the leaders of the local and regional patriotic and conservative organizations which have members of our required quality to come into the Society and bring the best of their members with them" (John Birch Society Bulletin, July 4, 1963).

Robert Welch was among the foremost denigrators of American democracy, boasting (JBS Bulletin, July 1964) that

...we have awakened hundreds of thousands of formerly complacent Americans to the dangers of a democracy, to the fact that our Founding Fathers themselves—like the really informed Romans of a thousand years before—feared a democ-
racy as the worst of all forms of government, and to what our Supreme Court was doing to convert our constitutional republic into a democracy as a help to the Communists in their insidious efforts to take over our country.

In December 1964 the Birch Society, six years old, ended the most successful year in its history, with income totaling $3.2 million, twice as much as in 1963. With a headquarters staff of 100 working at Belmont, Mass., the largest number of employees in its history, the society began a program of regional expansion, opening offices in White Plains, N.Y.; Houston, Tex.; San Mateo, Calif.; Chicago, Ill., and Washington, D.C. A council of 26 continued to serve as personal advisors to the founder, Welch. The society maintained what it called a research department, a lecture bureau, a monthly magazine, and more than 225 well-dispersed reading rooms or libraries stocked with extremist literature.

The society's program for 1964, aside from its deep but undeclared involvement in the election campaign as supporters of Barry M. Goldwater, included all-out efforts in support of the House Un-American Activities Committee and for the impeachment of Chief Justice Earl Warren and withdrawal of the United States from the United Nations. By its appeal for sympathy for local police departments, it was able to attract an unknown number of law-enforcement officials. By the end of 1964 policemen in Santa Ana, Calif.; Philadelphia, Pa., and Trenton and Newark, N.J., were revealed to be members. There was reason to believe that there were members in many more police departments as well.

Birch Society members were visibly strong in California, with nine identifiable Birchers entering the 1964 California Republican primaries, seven of whom were successful. The extent of Birch Society involvement in the presidential campaign was a matter of conjecture. Society member John Schmitz was elected to the California state senate. Assemblyman Kenneth J. Merkel, another member, was elected to the Wisconsin legislature. Welch proclaimed that a hundred members of the Birch Society had been delegates to the Republican national convention and "in political campaigns this spring all over the country . . . our members, as individuals, in many instances constituted the most important factor in determining the results . . ." (JBS Bulletin, January 1965). One staff member, quoted in the Houston (Texas) Post of July 22, 1964, maintained that the society's members kept a vigilant eye on the news media, "neutralized those reporters antagonistic to Senator Goldwater," and "worked in the precincts on door-to-door and telephone campaigns."

As the campaign progressed, the Birchers launched successful membership drives in such diverse sections of the country as Vermont and Texas, New Jersey and California.

The society's numerical strength remained a closely-guarded secret. Welch did state, however, that August 1964 was the most successful month for new chapters and members in the history of the society, that September figures were 27 per cent above August, and that October surpassed September by 37 per cent. Responsible sources estimated Birch Society strength at the year's
end to be between 60 and 80 thousand. At the time of writing the society’s campaign was well underway to improve its “image” from that of a super-secret, cell-structured organization to one consisting of dedicated, patriotic, normal Americans with nothing to hide.

**Manion Forum of Public Opinion**

The Forum’s founder, Clarence Manion, railed against the “confiscatory Marxist income tax,” “wanton foreign-aid squanders,” “socialist public-power destruction of states’ rights,” “Federal aid to education,” and “unrestricted labor bossism.” Based in South Bend, Ind., and supported primarily by industrialists, the Forum sponsored weekly TV and radio programs and published a monthly newspaper, tracts, and special reports.

**We the People**

Founded in 1955 in Chicago, Ill., We The People in 1964 claimed affiliations in over 1,700 communities throughout the United States. It issued home-study kits for the purpose of “educating individuals about the Communist menace in the United States” and published a monthly newspaper, *Free Enterprise*.

**Christian Crusade**

Not associated with CCFAF, but among the most zealous and energetic proponents of the “Save America from Communism” movements, was the Rev. Billy James Hargis’s Christian Crusade. The Christian Crusade in effect was Billy James Hargis. It reached millions of people through radio broadcasts over some 400 stations, public appearances, weekly newspaper columns, a monthly magazine with a claimed circulation of 130,000, books, tracts, pamphlets, sermons, tape recordings, and films. In speech and writing, Hargis ceaselessly preached that the national government was controlled or strongly influenced by Communists, their dupes, or their agents.

At the end of the year Hargis proclaimed that the Christian Crusade had made a financial comeback in 1964 after a serious slump in 1963. As a result of Goldwater’s candidacy, he said, “the whole conservative movement has come alive this year.”

**Southern-Based Organizations**

Continuous pressure by Southern Negroes for an end to second-class citizenship, passage of the Civil Rights Act in June 1964, and the efforts of young Northern civil-rights workers to register potential Negro voters in the deep South during the summer (see p. 174) helped revitalize the old Ku Klux Klan. It also brought about the beginning of a new, independent Klan in Mississippi, for the first time since the immediate post-Civil War period.
In the years preceding the active civil-rights struggle, Klan influence in the South appeared to be waning, but in 1964 the Klan made desperate efforts to reestablish its leadership in the segregation movement. It recruited intensely all over the South and in West Virginia, Indiana, Minnesota, Iowa, Ohio, Pennsylvania, Wisconsin, and California. Estimates of total Klan membership in 1964 ranged between 60 and 75 thousand which, if accurate, would mean an increase of approximately 20,000 since mid-1963.

The Klan became much more militant in 1964 than in previous years, when isolated outrages or acts of intimidation or violence were usually perpetrated by individual Klansmen acting on their own initiative, rather than in obedience to organizational directives. In 1964 considerable dissension between "moderate" Klansmen and those who openly advocated violence led to new affiliations and exchanges of membership.

The Ku Klux Klan was an overall designation for several autonomous organizations, which had frequently been competitive. In 1964, despite indications of a struggle for power among Klan leaders, there was evidence of some growing cooperation. The most active Klan groups on the scene included:

1. *United Klans of America*. This relatively new group was born in February 1963, when the then dominant U.S. Klans was badly split by a struggle for leadership. Calvin Craig, the Grand Dragon of Georgia, who first sought, unsuccessfully, to oust Robert Lee ("Wild Bill") Davidson as Imperial Wizard, subsequently left the U.S. Klans and organized a competing group, the United Klans of America. Within a short time Robert Shelton, leader of the then unaffiliated Alabama Knights of the Ku Klux Klan, joined Craig and brought his membership with him.

   Shelton, who ultimately became Imperial Wizard of the United Klans, strove for unity, money, and respectability, and made a strong effort to erase the Klan's image as a movement of uneducated ruffians with violence on their minds. At some United Klan meetings, members were turned away for failure to wear a tie and jacket.

   Shelton appeared to be successful in bringing together other fragmented Klan groups. The United Klans, originally confined to Georgia and Alabama, in 1964 was generally believed to be the nation's largest Klan, with some representation in North Carolina, South Carolina, Mississippi, Tennessee, and Louisiana, and a total estimated membership of 40 to 50 thousand. There were also reports of branches in some Eastern states and in California, though no identifiable Klan activity was recorded outside the deep South.

   Shelton's Klan was antisemitic and anti-Catholic as well as anti-Negro.

2. *National Knights of the Ku Klux Klan, Inc.* In 1960 a group of independent and splintered Klans organized a loose federation in opposition to the U.S. Klans, under the name of National Knights of the KKK, headquartered

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2 Grand Dragon Craig, in his first bid for the Georgia state senate in that state's September Democratic primaries, made a surprisingly good, but unsuccessful race.
in Atlanta and directed by a veteran Klansman, an Atlanta lawyer named James Venable. At various times the Dixie Klan of Chattanooga, the Association of South Carolina Klans, the Association of Georgia Klans, the Florida KKK, and other Klans were associated with the National Knights. The United Klans rejected affiliation with the group.

Until 1964 the National Knights was the second largest Klan in the country. However, during the year a serious falling out developed among its leaders. An attempt by the National Knights to rally a million Americans against civil-rights legislation, in cooperation with the American Nazi party, in Washington, D.C., on July 4, was a colossal failure.

3. Mississippi Klan. The rise of integrationist pressures on Mississippi (the summer student “invasion,” the passage of the Civil Rights Act, and court-ordered school desegregation) paralleled the rise of the Klan in Mississippi, until then a state with segregationist roots so deep that it felt no necessity for any formal organization dedicated to preserving the color line by force and violence. With the arrest of Byron de la Beckwith for the murder of NAACP leader Medgar Evers, the Klan became active in Mississippi. In April 1964, during Beckwith’s second trial, numerous crosses were burned in the Jackson, Natchez, and Mississippi Delta areas.

The first Klan inroads were made by the Louisiana-based Original Ku Klux Klan. In turn, its organizing efforts were preempted by the White Knights of the Ku Klux Klan, indigenous to Mississippi. By May 1964 the White Knights had eclipsed all of its rivals and, with an estimated 4 to 5 thousand members, was believed to be the largest Klan in Mississippi.

The White Knights adapted its Klansmanship to the native task. It was more secretive, more violent, and more aggressive than other Klan groups. White Knight recruiting, which started in Brookhaven, Miss., during February 1964, used a widely distributed leaflet directed at “Jews, Turks, mongrels, Orientals” and the “Jewish-Communist civil-rights movement.”

Because of the suspected implication of the White Knights in the murder of three civil-rights workers (see p. 185), Federal authorities cracked down on this state-wide organization. At the year’s end, the White Knights were largely operating in underground fashion. It was believed that some 3,000 hard-core White Knight Klansmen had formed into quasi-military units with military discipline, a tight table of organization, and a considerable cache of arms and ammunition.

4. Florida Klans. As in other areas of the South, Florida Klans were sharply divided, agreeing only on their hatred of Negroes, Jews, and the “Federal Bureau of Integration.” There were widespread differences in the ranks whether the Klan should be moderate or violent. (The moderates were those who just hated Negroes. Those calling for violence advocated arson and the use of guns and other weapons.)

The Klan claimed 3,000 members in North Florida. However, reliable estimates placed the total number of dues-paying Klansmen at 500. The former
chief of the Jacksonville, Fla., police department's intelligence unit characterized the Florida Klan as "a bunch of professional gunmen spouting off at the mouth, telling people what they are going to accomplish. But where the money goes no one knows" (New York Journal American, July 5, 1964).

5. Louisiana Klan. On January 18, 1964, more than 150 KKK crosses were ignited in southeastern Louisiana. Observers could determine no other reason for the sudden burst of Klan activity than the unexpected victory of the staunch segregationist John J. McKeithen in the Louisiana Democratic runoff primary for governor on January 11. The burning crosses signified, according to one participant, the start of "our fight for constitutional government and Christianity."

In late 1964 the Louisiana Klan was growing rapidly, but it remained a group of competing organizations. One disturbing aspect of the Louisiana Klan was its emphasis on arms and ammunition. Many Klan units in the state were known to be heavily armed.

6. North Carolina Klan. The Klan had been dormant in North Carolina since the 1959 conviction of Klan leader James "Preacher" Cole on a charge of incitement to riot (AJYB, 1959 [Vol. 60], pp. 49–50). In January 1964 the Klan was reactivated; reliable sources reported the existence of several Klaverns with an estimated membership of 650.

7. Texas Klan. On the whole, the Klan was inactive or defunct in Texas, although one Klavern in the southeastern corner of Dallas county showed signs of life. What Klan activity there was in the state originated in Texarkana, Ark., which straddles the state line. The Klan group, based on the Arkansas side, consisted of 30 or 40 Klansmen, half of whom lived in Texas.

OTHER SOUTHERN GROUPS

In addition to the Klans, other segregationist groups were operating in the South, particularly in Mississippi. Among the most active were the following:

White Citizens Councils. Once the strongest segregationist force in Mississippi, if not the entire South, the White Citizens Councils, with a claimed membership of 75 to 100 thousand in Mississippi and a national membership of a million, suffered a sharp decline in membership in 1964. The council, which at one time represented the only effective opposition to compliance with Federal integration decrees, lost influence and membership with the corresponding growth of the Ku Klux Klan. Most of the Citizens Councils' "upper-class members" yielded to the massive "Federal presence" in the South and resigned themselves to what they considered to be the inevitable. The more militant members of the Citizens Councils tended to join more aggressive groups.

With the decline of membership in the South, the Citizens Councils sought to expand their influences to other areas, notably California and Maryland. Organizational efforts were made in both of these states, but without great success.
Americans For The Preservation of the White Race. This totally new segregationist movement came into being in the latter part of 1963. By early 1964 it, too, benefited from the reaction to integrationist pressures on Mississippi and for a short time was successful in signing up recruits. By the middle of summer, it claimed a membership of 500,000 men in 30 chapters. Before the firm foothold established by the White Knights of the Klan, APWR was believed responsible for much of the terrorist activity in Mississippi. By the year's end, competent observers reevaluated its strength and membership and concluded that original claims had been grossly exaggerated; APWR was practically dormant.

National States Rights Party. The National States Rights party (NSRP) was active primarily in and around Birmingham, Ala. Emulating the American Nazi party, it boasted of a uniformed “elite guard.” Its principal activity consisted of publishing and distributing a monthly newspaper, The Thunderbolt. Normal circulation varied between 500 and 3,000, a figure far in excess of estimated party membership. The party boasted of units in Georgia, Arkansas, California, Montana, Illinois, Indiana, Missouri, Ohio, New York, Pennsylvania, New Jersey, and the state of Washington, but there was no evidence that these units existed there in anything more substantial than the name. NSRP members J. B. Stoner and the Rev. Connie Lynch, by their inflammatory and demagogic speeches before aroused segregationists in St. Augustine, Fla., contributed greatly to racial unrest as efforts were made to desegregate some of that city’s facilities in the spring of 1964. Both of these well-known antisemitic and violently racist agitators functioned as individuals rather than representatives of the party. The party’s income, by August 1964 appeared to have declined substantially from 1963 when, according to reports filed with the clerk of the House of Representatives pursuant to the Corrupt Practices Act, total NSRP receipts amounted to $44,201.

Antisemitic Agitators

The impact, effectiveness, and volume of antisemitic propaganda continued to decline in 1964. Under the stimulus of civil-rights activity in the deep South, however, temporary but localized flare-ups occurred. The dormant KKK in its many varieties, Klan-like groups, and terrorist movements circulated antisemitic literature of an inflammatory nature to persuade the uninformed that the civil-rights movement was dominated by Communist Jews. But even where antisemitism was used in the South, it was not of prime importance in stirring up resistance to civil-rights activity. Anti-Negro prejudice was so deep that violent resistance to Negro demands would have taken place in the absence of antisemitism.

Apart from the antisemitic material produced to discredit the Northern students’ voter-registration drive in the deep South, the routine propaganda consisted of hackneyed canards of Jewish domination, Jewish “manipulation” of the American Negro, and Jewish incitement of civil-rights activity for the sole purpose of mongrelizing white Christian America. The Jewish influence was seen as being responsible for the liberal pronouncements of Christian
clergy, and antisemites continued to promote the sale of the discredited but durable Protocols of the Elders of Zion.

Jack Ruby’s killing of Lee Harvey Oswald after the assassination of President John F. Kennedy was declared to be part of a Jewish-Communist plot to prevent the self-proclaimed Marxist from revealing incriminating details. The hate press invariably referred to Ruby as Rubinstein, and he continued to receive large quantities of antisemitic mail in his Dallas jail cell.

GEORGE LINCOLN ROCKWELL’S AMERICAN NAZI PARTY

The American Nazi party, based in Alexandria, Va., remained the creature of its Führer, George Lincoln Rockwell. Its meager fortunes continued to be inextricably tied to his personal activity. Membership fluctuated constantly and rarely, if ever, exceeded 175 in the entire nation.

Rockwell continued to enjoy a disproportionate amount of newspaper, magazine, radio, and TV publicity. He sought to enter the New Hampshire presidential primaries but was denied a place on the ballot by state authorities. His most successful area of activity continued to be personal appearances on the college campus. For a variety of reasons, the native Nazi was a much sought-after speaker by student groups, and during the course of the year attracted sizable though generally hostile audiences at Hofstra College, N.Y., and the universities of Minnesota, Michigan, California at Berkeley, Hawaii, and Washington. While his appearances had no significant effect on the students, the resultant publicity and lecture fees did much to keep the American Nazi party alive.

Other Rockwell-conceived ventures, generally executed with an imaginative flair and calculated to generate publicity, were such party activities as a picket line by uniformed storm troopers of the New York production of the controversial drama The Deputy (AJYB, 1964 [Vol. 65], p. 254), a boisterous, antisemitic “welcoming ceremony” for presidential candidate Barry Goldwater (New York Times, July 21, 1964) in the District of Columbia, and the insolent disruption of a hearing in the House Un-American Activities Committee on unauthorized travel to Cuba by a group of American students (September 3, 1964), when a storm trooper physically assaulted a committee witness.

Rockwell sought to organize a huge rally on July 4 in Washington, D.C., to protest against civil-rights legislation. The rally was called by one of his front organizations, the Committee of One Million Caucasians to March on Congress. Fewer than 300, half of whom were hecklers, attended it.

An attempt made to open a West Coast headquarters in Glendale, Calif., was met with firm resistance by city officials. At the year’s end, efforts were under way to organize an area headquarters for the party in Dallas, Tex.

GERALD L. K. SMITH’S CHRISTIAN NATIONALIST CRUSADE

Through his Cross and the Flag, with a monthly circulation of 30,831, and 140 additional items of literature, G. L. K. Smith continued to be one of the
most successful antisemitic propagandists. His Christian Nationalist Crusade's
gross receipts for 1964 were expected to total approximately $250,000.

Other nationally distributed antisemitic publications circulating during 1964
included the Winrod Letter, published by Gerald Winrod, son of the late Gor-
don Winrod, a notorious antisemite before World War II; Kenneth Goff's
Pilgrim Torch, and Common Sense, which continued to appear after the death
of its founder Conde McGinley. The circulation of Common Sense, the most
widely distributed hate sheet in the postwar period, had declined considerably
by the end of the year.

Other Splinter Groups

Other extremist "councils," "parties," and the like were the Committee on
American-Arab Relations, Congress of Freedom, Conservative Society of
America, Constitution Party, Freedom Forum, Liberty Lobby, Minutemen,
National Conservative Council, National Renaissance Party, Paul Revere As-
(Some were ephemeral.) All took part in the 1964 election campaign.

ELECTION CAMPAIGN

The 1960 presidential campaign had seen anti-Catholic bigotry on a large
scale, but the 1964 campaign was the most vicious and divisive within recent
memory (see p. 165). For the first time in American political history, paper-
back books became a chief source of campaign propaganda. About 17 million
copies of smear publications written by extremists of the right purported to
offer documentation that the Johnson administration was soft on Communism
and that the President was a man of little principle. J. Evetts Haley's A Texan
Looks at Lyndon, John A. Stormer's None Dare Call It Treason, and Phyllis
Schlafly's A Choice, Not An Echo were characterized by many observers as
scurrilous. Birch Society members and officials admittedly distributed millions
of copies.

The radical rightists apparently interpreted Goldwater's refusal to repudi-
ate extremist groups and organizations unambiguously as a signal to go ahead.
Abusive pamphlets, cartoons, newsletters and flyers with racial and reli-
gious overtones cropped up in all parts of the United States. Vilification of
public figures and even ordinary citizens known to oppose Goldwater's can-
didacy was commonplace. In New York, Philadelphia, and northern New
Jersey, citizens were urged to dial a telephone number to hear a recorded
message on behalf of "conservative Americanism." During the week of Au-
gust 11, dialers heard an anonymous voice attack Senator Jacob Javits (Rep.-
N.Y.) as 100 per cent pro-Communist. In Minneapolis-St. Paul, people who
had taken a public anti-Goldwater position received hate mail and crank tele-
phone calls in the middle of the night.

Shortly after the Republican convention Robert dePugh, national leader of
the small but militant Minutemen, an extremist group which advocated pro-
ficiency in guerilla warfare in order to "repel the Communist invaders," announced that his group would play an "active, though clandestine role in support of Senator Goldwater during the presidential campaign." DePugh said that the Minutemen would infiltrate President Lyndon B. Johnson's campaign headquarters around the country and, he added, "their task will be to sabotage efforts in behalf of the President." DePugh was further quoted as saying that "it is important to defeat President Johnson because he is a political opportunist who would sell the United States out to the Communists or anyone else" and that "Senator Goldwater is a patriot who will try to stop the drift towards a Socialist police state that has been accelerated under the present administration."

White Citizens Council support for the Goldwater candidacy was unofficial but prevalent. Richard D. Morphew, public-relations director for the Citizens Councils of America, the coordinating body of all White Citizens councils, endorsed the Republican presidential candidate. Roy B. Harris, formerly a political power in Georgia, publisher of the avidly racist Georgia Tribune, and president of the Citizens Councils of America, was an organizer of a Democrats-for-Goldwater group. Former Georgia Governor Marvin Griffin made frequent appearances before Citizens Council groups, endorsing the Goldwater candidacy. Jack Galloway, president of the Georgia Citizens Council, in commenting on his endorsement of Senator Goldwater, cautioned reporters not to "underestimate the power of the Citizens Councils in the ballot box."

While some followers of the Christian Crusade, like other extremist elements, had reservations about the extent of Senator Goldwater's conservatism, they were assured by their director, Billy James Hargis, that Goldwater's election would be a step in the right direction, that some of his positions on public issues had been modified only for campaign purposes, and that once elected he could be persuaded to move more to the right.

And then there was the worrisome background of Karl Hess, Goldwater's principal speech writer and author of the provocative statement in Goldwater's acceptance speech: "I would remind you that extremism in the defense of liberty is no vice. And let me remind you, also, that moderation in the pursuit of justice is no virtue." Hess had been listed on the masthead of the American Mercury magazine from December 1955 through March 1958—a time when the previously respected Mercury was under the direction of publisher Russell Maguire and was emerging as a patently antisemitic publication. Former Major General Edwin A. Walker, in a speech in August to Hargis's followers, came out for Goldwater.

The National Conservative Council, a coalition of ultraconservative groups from 21 states, met in Chicago soon after the Republican convention and voted unanimously to support the Goldwater-Miller Republican presidential ticket. Among other things, the Conservative Council sought reversal of the Supreme Court's decisions on reapportionment of state legislatures and banning school prayers; repeal of the Federal income tax; an end to public housing, urban renewal, disarmament, and coexistence, and a return to religion,
patriotism and morality. It hoped to achieve these objectives by the election of Senator Goldwater. At the Chicago meeting many delegates predicted that defeat in November could come either through the reelection of President Johnson or through the election and capitulation of Senator Goldwater. There were repeated assertions that a failure to reverse "the trend towards collectivism" in this country might ultimately lead to violence.

The antisemites Gerald L. K. Smith and Kenneth Goff backed the Goldwater bandwagon enthusiastically. In August Smith sought to impress upon his followers that the Republican party was a white Christian party and that "anyone of his followers who would disregard Goldwater because of his Jewish background would disregard Saul of Tarsus. . . . Goldwater was raised in a Christian environment and was a confessed Christian all of his life." In the same month Kenneth Goff predicted to his Soldiers of the Cross that the hour of decision was at hand and that those who opposed Goldwater's candidacy were part of a "devil-inspired conspiracy." The numerically small but viciously antisemitic New Orleans-based organization, Paul Revere Associated Yeomen, Inc., proclaimed that the destiny of America was at stake and they should, therefore, "fight like Trojans" to elect Goldwater as president. The racist, antisemitic weekly Jacksonville (Fla.) Chronicle, in announcing its support for Goldwater, predicted that President Johnson's support would come from Jews as well as Negroes and that the election of Barry Goldwater would start America on the "long march out of the political wilderness."

Although official KKK support was not forthcoming, high Klan officials such as Georgia Grand Dragon Craig and the Imperial Wizard of the United Klans of America, Shelton, publicly endorsed Goldwater. Venable, of the National Knights of the Ku Klux Klan, based his endorsement on the fact that Senator Goldwater had not been raised as a Jew and had never worshipped as a Jew.

Kent Courtney, publisher of the Independent American and the head of the Conservative Society of America, organized a "conservative headquarters" in San Francisco from which he promoted pro-Goldwater demonstrations on the Republican convention floor, while gaining notoriety for an extremist attack on Governor William W. Scranton of Pennsylvania. George Thomas, long identified with the Congress of Freedom movement, expressed some reservations about Goldwater but argued that there was no other leader in sight to whom conservatives might turn and urged that he should therefore be supported. Joseph P. Kamp, a veteran extremist pamphleteer whose material in the past had indulged heavily in antisemitic innuendo, emerged from semi-retirement to write a widely distributed pro-Goldwater tract. Liberty Lobby, an extremist pressure group, produced and distributed a considerable quantity of "smear" literature attacking President Johnson.

Such publications as the Dan Smoot Report, Human Events, and Free Enterprise consistently echoed the "traitors in government" theme in order to attack Johnson's candidacy. The Life Line Foundation, the Rev. Carl McIntire's "Christian Beacon," and the Twentieth Century Reformation Hour emphasized the same theme over 600 radio stations.
Allen A. Zoll, whose defunct American Patriots, Inc., was once described as fascist by the U.S. attorney general, and whose record of professional antisemitism dated back to the 1930s, was discovered to be a full-time staff worker in the headquarters of Citizens for Goldwater-Miller in Washington, D.C.

Third Parties

In 1964 two of the splinter parties that inevitably emerge on the political scene during every presidential election were racist and antisemitic.

The National States Right party offered the electorate a slate consisting of the racist John Kasper, a former convict, for president and the veteran Klansman and outspoken antisemite J. B. Stoner for vice-president. NSRP appeared on the ballot in Arkansas, Kentucky, and Montana, polling a national total of 6,980 votes. In Montana NSRP ran Jack Gunderson as its candidate for Congress. He polled 644 votes, 125 more than NSRP's national ticket.

The Constitution party, whose various state units consisted of an amalgam of antisemites, rightists, and extremists, ran Joseph B. Lightburn for president and Theodore C. Billings for vice-president. The party, committed to the concept that America is a Christian nation, recorded a total national vote of 5,060.

Goldwater's Jewish antecedents generated less antisemitic literature than might have been reasonably anticipated. Antisemitic attacks on Goldwater were limited, for the most part, to the dissemination of anonymous greeting cards, letters, and post cards, supplemented by literature from professional bigots. Material produced by Rockwell's American Nazi party and the antisemitic NSRP charged him with being a "kosher conservative" and the "Jewish candidate." Greeting cards with the Star of David read: "I am for B. Morris Goldwater," and "a Half Jew in the White House is better than...." A postcard with the slogan "Communism is Jewish" and the message that "Jews hope Barry makes the grade come November," and spurious "Jews For Goldwater" flyers promising that Goldwater could do for the Jews what "Kennedy did for the Catholics and Irish," were other widely distributed items. Other antisemitic anti-Goldwater propaganda pointed out that one of his daughters had spent a summer in an Israeli kibbutz, that he voted for the confirmation of Arthur Goldberg as a Supreme Court judge, and that he had publicly declared Admiral Lewis Strauss a great patriot.

President Johnson was similarly attacked because of his purported friendship with David Dubinsky and sympathy for Israel. A nationally distributed flyer bearing the imprint of "Labor for Goldwater" pointed out support of Johnson by "international bankers" and a businessmen's committee consisting of Sidney Weinberg, Ralph Lazarus, Robert Lehman, and Max Rabb, among others.

Local Campaigns

Some primary and local campaigns were marred by racial or religious factors.
In New York anonymous racists distributed a flyer captioned "The Kennedy NAACP Membership Application," and sought to link the senatorial candidate with Negroes on relief, a majority of whom, it implied, were dishonest.

The Committee on American-Arab Relations, a small but strident arm of the Arab propaganda effort, distributed flyers on the streets of New York City attacking Senator Kenneth Keating (Rep.-N.Y.) for his "extremist, pro-Israeli position," which it was alleged, had damaged American prestige in the Middle East. Later in the campaign the same group widely distributed a leaflet with the headline "KKK—Keating and Kennedy for Knesset," and the legend that "each candidate has done his utmost to express his love and devotion to Zionism and Israel, and hatred and opposition to the Arabs."

In a school board election in Dade county, Fla., a Jewish candidate was identified in his opponent's political advertisement as a former vice-president of the American Jewish Congress and was also charged with "still prosecuting lawsuits to ban Bible reading" in the public schools.

In the Maryland Democratic presidential primary, where Alabama's racist Governor George Wallace was an active candidate, a flood of racial and antisemitic mail came into the state in an unsuccessful attempt to turn the tide in his favor. Many Marylanders received a letter from Gerald L. K. Smith, which, after boasting that the Christian Nationalist Crusade had rendered a practical and effective service in the Wisconsin and Indiana primary elections said: "I am confident that my friends in Maryland will be as loyal to my friend Governor Wallace as they were in the two other states."

A newly created racist and antisemitic movement, the White party of America, a splinter from the American Nazi party, urged Wallace to "denounce the Democratic party" and "openly declare himself a candidate of a white man's party."

Several days before November 3, Election Day, an antisemitic newsletter with the imprint of an organization calling itself the Harlem Council For Economic Development pledged its support to a candidate who, the letter said, had been denied the Liberal party's support in a New York judicial election because "Zionists in the Liberal party have joined their ilk" in the reform Democratic clubs to repudiate him. The newsletter accused the Zionists of endorsing an opposition candidate in order to increase their grip on the courts.

A candidate for alderman in Chicago's 49th ward found the windows of his home, which displayed photographs of President Johnson, splattered with eggs and marked with swastikas. In addition, crude swastikas were glued to his doors and his windows.

In Westchester county, N.Y., persons identified in a newspaper as being anti-Goldwater received National Renaissance party "literature" which screamed: "You are being brainwashed by a pro-Communist, Jew-controlled press."
**CIVIL RIGHTS**

In June the Civil Rights Act was enacted into law over the vote of the Republican candidate for president. The intensity of a heated election campaign exacerbated existing tensions.

The brutal murder of three young civil-rights workers (see p. 185), two of whom were Jews, in the outskirts of Philadelphia, Miss., focused the world's attention on that state, but bitter resistance was evident in other parts of the deep South as well.

Between the passage of the Civil Rights Act, in June, and the election on November 3, there were at least 109 instances of Negroes being beaten or assaulted; 85 cases of Negroes being actually shot; 87 bombings against premises they occupied or worked in; 89 Negro victims of miscellaneous types of violence, and 858 arrests of proponents of civil rights.

To what extent the radical-right organizations shared culpability with southern extremists for the violence and harassment inflicted upon southern Negroes and northern civil-rights workers was conjectured. But by their wide distribution of intemperate and hysterical propaganda, which labeled the law as "immoral, ungodly, and unconstitutional," a "huge step forward by the Communists in their sinister schemes and plans for taking over America," they laid themselves open to blame, if only in part, for the summer's carnage.

**APPRAISAL**

Almost without exception, extremist groups were enthusiastic and diligent supporters of the Goldwater candidacy. They permeated and penetrated the various *ad hoc* Goldwater-Miller units that mushroomed into existence in almost every community in the United States. It was often the Bircher or other extremist zealot who rang doorbells, distributed handbills, heckled the opposition, mounted telephone campaigns, and served as a foot soldier in the army of campaign volunteers.

At the end of 1964 there were two and a half to six million people intensely determined to lead and carry on a fight to provide America with rightist leadership locally, in the states, and on the national level. It could be predicted that they would bring to future political activities equal or greater zeal, intensity, and enthusiasm. The John Birch Society promised renewed vigor in its drive to "educate" the people and kept its pledge by a rapid growth whose roots were known to reach into such sensitive agencies as municipal police departments. Post-election harassment by Birchers of libraries and institutions promoting the United Nations Children's Fund (UNICEF) was on the record.

The rightists, dominant in the Democratic party machinery of most southern states, appeared to be still firmly entrenched in the apparatus of the Republican party at various levels. They would not abdicate or yield hard-won influence without a fight. There was talk about the formation of a third po-
political party which would serve as an organ for the right-wing extremists, southern segregationists, racists, and bigots. More political action by the rightist extremists was likely.

Any notion that the Johnson landslide in the 1964 elections had eliminated or even seriously impaired the extremist movement was not warranted.

Milton Ellerin

Church and State

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.* . . .

The two recent Supreme Court decisions which applied this clause in the First Amendment to strike down a state-prescribed prayer and state-authorized reading from the Bible and recitation of prayers evoked a storm of controversy and hastened a process of searching and reappraisal about the meaning of the enigmatic phrases of the First Amendment and the role of religion in American society. The critical response to the Court's decisions did not come entirely from the Court's unreconstructed Southern opponents or from troglodytic rightists, but also from forward-looking civic and religious leaders and distinguished legal experts, many of whom were reluctant to draw the far-reaching conclusion that the juridical separation of church and state meant an actual separation of religion from society. John C. Bennett expressed this fear of the secularization of public life in an editorial in *Christianity and Crisis* (June 8, 1964), liberal interdenominational Protestant biweekly, saying "we cannot assume that the best policy for the nation is to establish inhibitions on religious expression in the context of public life."

Most religious institutions believe their function to be broader than providing religious guidance to their own memberships and feel it is their responsibility to inform the society at large with their moral and ethical values. Thus, they have striven to exercise moral authority and persuasion on government and the public at large in great social issues like civil rights and the war against poverty. A position of strict separation if applied to the social reality will, they fear, relegate them to an obscure corner of human life, without impact as a moral or spiritual force in society. Thus, Thomas G. Sanders, professor of religious studies at Brown University, in *Protestant Concepts of Church and State* (New York: Holt, Rinehart and Winston, 1964; x, 339

American church-state independence . . . is neither co-operation nor separation, but a free functioning of religious groups with which the government does not ordinarily interfere unless the welfare of society, religious freedom, or nonestablishment seem threatened or violated. Whereas no real separation lies between church and state as far as the influence of the churches on the state is concerned, one can genuinely speak of separation, but not a "wall," with respect to the influence on or support of the churches by the state [p. 295].

Instead of citing "separation" as a traditional aspect of church-state relations in America, many Protestants have begun to talk about "separation and interaction."

"Separation and Interaction of Church and State" was indeed the title of a statement of general findings issued by the First National Study Conference on Church and State, convened by the NCC in February in Columbus, Ohio, with delegates from 24 Protestant and Orthodox communions and observers from the Roman Catholic and Jewish faiths. The convocation of this conference was in itself precedent-setting in that the participating groups were prepared to undertake a serious reappraisal of long-held and loyally-defended positions. The conference discussed many problems affecting church and state including those of conscience and resistance to civil authority, religion as an element in civic life and an influence on public policy, and government aid to church-related educational and welfare institutions. The statement of general findings which was issued combined generality with ambiguity, since it attempted to reconcile the most diverse views. Nevertheless consensus was obtained on this reading of the First Amendment:

While it is not the business of government to underwrite religion or to use its coercive powers to sanction or compel acceptance of any religious creed or practice, neither should it sanction or promote secular creeds or ideologies. Government exceeds its proper authority if it shows hostility or even indifference to religion. It may appropriately recognize in its public practice and in its publicly supported educational programs the role of religion in American history and life.

While it is not the business of government to promote or support religion, it is government's role and duty to further religious liberty. The clause of the First Amendment prohibiting an establishment of religion must be balanced against the clause prohibiting interference with the free exercise of religion. These clauses operate in many situations to supplement each other but are sometimes in conflict. Any concept of "neutrality" must take into account the proper balancing of the establishment and free exercise limitations.

A similar interpretation of neutrality in the First Amendment has been advanced by Wilber G. Katz, professor at the University of Wisconsin Law School who is also chairman of the National Commission on Church-State Relations of the Protestant Episcopal Church, and who took part in the study conference. In his book Religion and American Constitutions (Evanston, Ill.: Northwestern University Press, 1964; vii, 114 pp.), Katz argued for a
distinction between the concepts of separation and neutrality, citing this passage from Justice Black's opinion in the *Everson* case:

>[The First] Amendment requires the state to be neutral in its relations with groups of religious believers and non-believers; it does not require the state to be their adversary. State power is no more to be used so as to handicap religions, than it is to favor them.

According to Katz, "provisions for religious services in the armed forces are not aids to religion which violate the neutrality principle. They are not designed to promote religion, but to protect the religious freedom of those whom the government isolates from civilian life." Under an interpretation of absolute separation, Katz believes, such provisions would be outlawed, as would any incidental aid to religion resulting "from measures which are not designed to promote religion and the benefits of which are not limited to religious groups" (pp. 12-13).

This exploration on the part of religious leaders for a better understanding of the more subtle distinctions between separation and neutrality and of the many-faceted relations between religion and society has drawn on the experience and expertness of various constitutional lawyers. For example, Paul G. Kauper, professor of law at the University of Michigan, has served as an active member of the Commission on Church-State Relations in a Pluralistic Society of the Lutheran Church in America. In *Religion and the Constitution* (Louisiana State University Press, 1964; ix, 137 pp.), he set down three possible interpretations of the First Amendment: (1) the no-aid or strict-separation theory; (2) the neutrality theory as advanced by Philip B. Kurland; ² (3) the accommodation theory (which he favors). Kauper holds that since both clauses of the First Amendment are interrelated, in some situations the government *must* and in some it *may* "accommodate its policies and laws in the furtherance of religious freedom" and in recognition of America's religious pluralism. Kauper's views on the constitutional aspects were clearly influential in the position paper *Church and State, A Lutheran Perspective: The Interaction of Religion and Law in a Pluralistic Society* (New York, 1963; ix, 47 pp.), prepared by the Commission on Church and State Relations in a Pluralistic Society of the Lutheran Church in America. This paper distinguished between institutional church-state separation and what it termed "functional interaction." Areas of functional interaction include church activity in furtherance of civic and political morality and in behalf of civic justice. The state, for its part, must ensure religious liberty for all, must acknowledge that the rights of man are not the creation of the state, and ought to provide "incidental benefits on a non-preferential basis in recognition of the church's civil services which are also of secular benefit to the community" and "financial aid on a non-preferential basis to church agencies

² In *Religion and the Law: Of Church and State and the Supreme Court* (Chicago, 1962): "The freedom and separation clauses should be read as stating a single precept: that government cannot utilize religion as a standard for action or inaction because these clauses, read together as they should be, prohibit classification in terms of religion either to confer a benefit or to impose a burden" (p. 112).
engaged in the performance of social services which are also of secular benef-
it to the community.”

The gradually changing climate in Protestant attitudes, particularly toward
church-state separation, has been the result of a genuine concern for religious
pluralism and the growing recognition that American society must be broad
enough to accommodate its diverse religious groups on an equal basis, shar-
ing privileges and obligations equally. Specifically this has meant that most
Protestants have come to realize that the public school is no longer their
vehicle for Protestant religious culture. The changing climate has also meant
a greater acceptance of Catholics and the kinds of institutions they choose
to maintain, rather than insistence on civic conformity.

Among Jews, too, some stirrings of a changing attitude have been apparent
but by and large Jews still favor a concept of the strictest separation of church
from state because states in which the church was dominant in the pre-
Hitlerian and pre-Soviet European past were more hostile to Jewish existence
than secular states.

The changing temper on church-state questions has manifested itself most
clearly in the area of Federal aid to education, where the shift in public
opinion appeared to have developed from a national concern to improve edu-
cation and educational facilities at all levels.

**FEDERAL AID TO EDUCATION**

1964 witnessed a significant shift in public opinion in extending Federal aid
to pupils in church-related schools and also a remarkable breakthrough in
hitherto obstructed programs of Federal aid to education because of the dead-
lock over aid to church-related schools. Though bills for Federal aid to edu-
cation have been introduced in every session of Congress since World War II,
no important bill had ever been enacted because bills that did not provide
for aid to parochial schools were blocked by Catholics, those that did were
blocked by separationists and anti-Catholics, and all were obstructed by
economy-minded congressmen who, opposing any Federal aid at all, took
advantage of the impasse created by the two apparently irreconcilable posi-
tions.3 But the concern for the quality of education and the need of financial
aid has produced a considerable change in opinion.

**Concern for Education**

On May 1, 1963, Walter Lippman in a television program, “CBS Reports,”
advocated Federal aid for all schools, including parochial schools, and de-
clared that a bill for Federal aid to education most urgently needed to be
enacted. Parochial schools, he said, were part of the American system of
education. Since it was important that they, too, should receive financial as-
sistance, “a way should be found of getting rid of this religious knot we’ve

3 A noteworthy account of the Congressional legislative unhistory of bills providing Federal
aid to education is Robert Bendiner, *Obstacle Course on Capitol Hill* (New York: McGraw Hill,
1964).
tied ourselves into.” Similarly, Robert M. Hutchins, president of the Fund for the Republic, at a conference on church-state questions at the University of Chicago on January 9, 1963, argued that “aid to all educational institutions that meet Federal standards would promote religious freedom as well as education. The overriding public purpose would be to improve education, including education under religious auspices.”

The liberal weekly The New Republic, too, on March 2, 1963, urged Federal aid for parochial schools with Federal controls:

The national interest is in better education for all children, regardless of race, creed, or parental income. Nobody needs to send his child to a private school; but millions do. No useful purpose is served if these children grow up knowing less history or less chemistry than children who attend public school. Ignorance, not the Catholic hierarchy, is the enemy.

Educators, too, have manifested growing sympathy for the educational needs of children in parochial schools. The American Federation of Teachers, a union-affiliated organization which for years had opposed Federal aid to nonpublic schools, reversed its position in a statement of its executive council released October 7, declaring that “Federal support must reach the child where he is. It must provide that the child shall have the benefit of such Federal support in any given educational situation where he or his guardians elect to have him.”

**Catholic Parochial Schools**

The growing awareness of the validity of different points of view held by different religious groups about religion and society, referred to earlier, has in some places been coupled with a willingness to take account of these differences in some suitable civic arrangement, specifically some form of constitutionally permissible aid to the Catholic parochial schools.

About 5.5 million Catholic children, 42 per cent of Catholic school children and 12 per cent of all school children in the United States, attend parochial schools. Many Catholic parents believe they unjustly bear a burden of double taxation for education. Some Catholics feel that their schools suffer because they do not enjoy the financial support that public schools receive, even though the parochial schools fulfill a public-welfare function by providing part of the school population with an education which the state would otherwise have to provide. The crisis situation of the parochial schools is generally acknowledged: most parochial schools are overcrowded, inadequately staffed, and financially unable to cope with the modern demands of education. Their financial plight was dramatized in September in the Catholic archdiocese of Cincinnati and its surrounding counties, when Archbishop Karl J. Alter closed the first grade in all parochial primary schools because of their financial inability to recruit qualified teachers. About 10,000 Catholic children were affected, 3,000 in Cincinnati alone where 19 classrooms had to be rented in community buildings and churches to provide for the new pupils in the public schools.
Catholics have insistently requested Federal and state aid for their schools. Citizens for Educational Freedom (CEF), a predominantly Catholic pressure group for Federal aid to parochial schools with a membership of over 30,000, at its fifth annual convention in August, heard assistant commissioner of the U.S. Office of Education, Peter Muirhead, compliment them for "leaving no stone unturned to find an equitable solution to providing equal educational opportunities for all the nation's youth."

**Shared Time**

The predicament of the Catholic schools has prompted educators and some Protestant groups to seek a just, legal, and charitable solution to what has been described as "our cold war in education." The most important proposal that emerged has been the idea of shared time, now more commonly called dual enrollment. Under this plan children would attend the public school for a certain period of time and study a certain portion of the curriculum—mathematics, languages, science, physical training. If their parents so desired, the children would attend a church school for other subjects. (A bill to provide Federal assistance for facilities to be used in shared-time programs was introduced by Congressman Adam C. Powell, Dem., N.Y., in the first session of the 88th Congress. Hearings on it were held during the second session, February and March, but the bill was not reported out and expired with the 88th Congress. The National Education Association submitted a study showing that shared-time programs have actually been in operation for some time in a small proportion of school systems—fewer than 300 out of 7,410, mostly in six states: Illinois, Michigan, Minnesota, Ohio, Pennsylvania, and Wisconsin—and have involved about 18,000 parochial-school pupils. Testifying before the Powell subcommittee, Francis Keppel, U.S. Commissioner of Education, said "there is a definite national need to strengthen and support such essential educational programs.")

The NCC's National Study Conference on Church and State, in February, referred to earlier, reaffirmed the right of parental choice in the selection of schools and the responsibility of the government to support education, concluding: "In recognition of the seriousness of the financial problem of the parochial schools, we propose shared time as the most creative measure for solving this problem and are willing to explore other legal methods for solving it."

On June 4, the NCC's General Board adopted a policy statement, "A Protestant and Orthodox Statement Regarding Dual School Enrollment," which approved further experimentation with dual-school enrollment:

> It is our hope that dual school enrollment may prove to be a means of helping our nation to maintain the values of a general system of public education, yet at the same time meeting the needs of those who desire a system of church-re-

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lated education, while upholding the historic American principle of the separation and interaction of church and state.

A notable relaxation appeared evident in the testimony before the Powell subcommittee of Franklin C. Salisbury, general counsel for Protestants and Other Americans United for the Separation of Church and State (POAU), the arch-separationist organization whose ardent defense of separation is matched only by its anti-Catholicism. He described POAU’s attitude toward shared time as “watchful waiting”:

... aware of the present financial problems of the parochial and independent schools, we are studying the various experiments in shared time to see if they will develop answers consistent with the needs of education and the freedoms secured by church-state separation.

Christianity and Crisis, in an editorial, May 11, urged experimentation with shared time, careful observation, and evaluation, declaring that the issues constituted “too fundamental a debate to be left to the ‘church-staters,’ who view all educational developments through the lens of their special interest.”

The United Presbyterian Church, at the closing session of its 176th general assembly, May 27, was the first individual Protestant denomination to endorse the shared-time concept of education, as “perhaps the most creative possibility of breaking the legislative stalemate on the urgent and vital issue of Federal aid for public elementary and secondary pupils in the United States.”

Jewish organizations have been more critical of shared time because of their deep commitment to the public school and their opposition to any measure that would appear to give government aid to religious institutions. The CCAR submitted a statement to, and the American Jewish Congress testified before the Powell subcommittee against shared time. Back in June 1962 the NCRAC had voted opposition to shared time, with the UOJC abstaining. Other Jewish organizations appeared to take a position of watchful waiting.

Limited Federal Aid to Church-Related Schools

In addition to favoring shared-time programs, several Protestant groups, further modifying their long-held separationist views, have now come to support other types of Federal aid to church-related schools. Thus, the NCC’s National Study Conference on Church and State also approved the use of Federal funds for the health and welfare programs of church-supported primary and secondary schools—school lunches and dental and medical care. (It rejected a motion opposing any Federal aid at all to parochial schools.)

In October the 61st General Convention of the Protestant Episcopal Church adopted a resolution on limited Federal aid to parochial schools which was a significant departure from the position of total opposition to any Federal aid to these schools, held by the church since 1949 and reaffirmed as late as 1961. The 1964 resolution, presented by a Commission on Church-State Relations, headed by Professor Wilber G. Katz, recognized “the propriety of including [private, parochial, or sectarian] . . . schools in general
public-health and public-welfare programs, such as, among others, the provision of standard textbooks and of equal bus transportation.”

Even among Baptists and Fundamentalists, for whom the principle of church-state separation has been their historic guarantee of freedom and whose anti-Catholicism arises out of a long history of persecution and suppression in Europe, some shift in opinion has been discernible, especially regarding the advantages to their own educational institutions in accepting Federal aid. Thus, W. E. Price, Jr., president of the general board of the North Carolina Baptist Convention, at the convention’s annual meeting in November, advocated the acceptance by Baptist colleges of Federal funds for construction. A year earlier he had opposed accepting such funds for new construction of the Baptist Hospital of Winston-Salem. Nonetheless the convention rejected the request which the Baptist college presidents favored and wanted badly. One of the consequences was widespread student protests and demonstrations at Wake Forest College where students flaunted “To hell with the Baptists” banners.

Jews are less prepared than Protestants to find some accommodation for the Catholic schools, largely because of their European experiences with established churches, and particularly with the Roman Catholic Church. Even today many Jews are suspicious and mistrustful of the instruction which pupils in Catholic parochial schools may receive about Jews and Judaism. But confronted with the problems of the growing number of Jewish day schools and their financial predicament, some Jewish groups have begun to have more sympathy for the Catholic position. Thus, self-interest and a growing perception of Catholic-school needs have had the effect of breaking down the seemingly monolithic Jewish position against any aid to nonpublic schools. A survey made in 1963 of the views of principals and directors of Jewish day schools affiliated with the National Association of Hebrew Day-School Parent-Teacher Associations showed them overwhelmingly in favor of Federal aid to day and parochial schools. (Under provisions of the National Defense Education Act, 32 Hebrew day schools have received $479,500, besides aid through school-lunch programs and purchase of surplus property.)

The UOJC has been bitterly divided over the question of Federal aid. At its 66th biennial convention in November, a resolution advocating Federal aid to day schools passed by one vote, with many abstentions. But a motion to reconsider was subsequently adopted. The Union planned to submit the question to referendum among its member congregations.

Enactment of Federal Aid

The deadlock in Federal aid to education was broken in 1963 when several bills providing aid for specific types of educational programs were enacted, the more significant being the Higher Education Facilities Act of 1963 (Public Law 88-204), providing grants and loans to public and nonpublic colleges for constructing and improving academic facilities; the Vocational Education Act of 1963 (Public Law 88-210), expanding the 1958 National Defense Education Act, vocational-training programs and aid to projects in

These laws, so successfully maneuvered through Congress that President Johnson characterized the first session of the 88th Congress as one that would go down in history as the "Education Congress of 1963," were a heritage of proposals made by the late President Kennedy's first education task force, appointed when he was president-elect, with Francis Keppel as its head. Keppel, then dean of Harvard's Graduate School of Education, became U.S. commissioner of education in 1962 and has remained President Johnson's chief education advisor. Also John W. Gardner, president of the Carnegie Corporation, has advised the President on educational matters, having chaired the 1964 presidential task force on education. By approaching specific educational problems and directing aid specifically to pockets of educational poverty, economically depressed areas, and dense concentrations of population, the first major breakthrough in Federal aid to education was accomplished. A lesser, though equally notable, innovation was provision of some Federal aid to church-related institutions of higher education with a minimum of public controversy.

The second session of the 88th Congress in 1964 continued this impressive legislative record, enacting a series of major and minor laws providing Federal aid to education. Two were of considerable scope: the Economic Opportunity Act of 1964 (Public Law 88-452), popularly known as the "anti-poverty law," and Amendments to the National Defense Education Act, Impact School Aid (Public Law 88-665), a three-year extension of the National Defense Education Act (NDEA) of 1958, a one-year extension of its impacted-area legislation, and a considerable expansion of the total program.

The Economic Opportunity Act, signed by President Johnson, August 20, 1964, embraces a variety of educational programs: Title I (Youth Programs) provides for basic education and vocational training for young people, 16 to 21, in conservation camps and residential training centers and for work-training and work-study programs. Title II (Urban and Rural Community Action Programs) grants $340,000,000 "to provide stimulation and incentive for urban and rural communities to mobilize their resources to combat poverty through community-action programs." Education was one such program.

During the hearings on the bill before the House Committee on Education and Labor, representatives of Protestant, Jewish, and nonsectarian civic organizations were particularly disquieted about a provision in Title II for general aid to education in all schools on the ground that "no child shall be denied the benefit of such a program because he is not regularly enrolled in the public schools." (The National Catholic Welfare Conference, on the other hand, had expressed regret that the bill did not provide for "the full utilization of all the educational resources of this nation in the war against poverty.") The House Committee amended the bill before reporting it to the Senate on July 21, by replacing that provision with a stipulation against gen-
eral aid for elementary or secondary education in any school or school system. Instead, remedial reading and noncurricular educational assistance for the poor were specified as programs eligible for aid.

Church-related institutions or students in such institutions are eligible for Federal aid under the law and may take part in community-action programs. Both the work-training and work-study programs of Title I stipulate, however, that no Federal funds shall be used to assist enrollees or students on projects involving “the construction, operation, or maintenance of so much of any facilities used or to be used for sectarian instruction or as a place for religious worship.”

On December 16 the Office of Economic Opportunity, which administers the Economic Opportunity Act of 1964, announced grants to parochial schools for programs under Title II in New Haven, Pittsburgh, and Detroit. The activities included remedial-reading centers, tutorial programs, prekindergarten programs, and supervised play and study centers. Conditions attached to grants going to church-related schools of school systems specify that none of the grant funds shall be used for the teaching of religion or religious proselytization; that the program shall be made available to all residents in the area; that participation in the community-action program shall not be used to induce participation in sectarian or religious activities or institutions; that textbooks shall be devoid of religious or sectarian content, and that facilities shall be devoid of religious or sectarian symbols and decorations. Grant funds shall not be used to release funds regularly expended by the school.

The NDEA, as amended in 1964 and signed into law by President Johnson on October 16, broadened the act to give aid to the improvement and strengthening of instruction in history, civics, geography, English, and reading. (NDEA aid had previously been limited to mathematics, the sciences, and foreign languages.) Assistance in these fields is extended, as in earlier NDEA aid, to both public and private nonprofit educational institutions, including church-related schools. The act provides for loans to students, including those in private schools; loans to schools, including private nonprofit schools, for equipment in the instruction of the specified fields; graduate fellowships and stipends, with the restriction that no fellowship be awarded for study at a divinity school for training in the ministry or any other religious vocation; aid for testing and guidance counseling available through the states to public and private schools; aid for the establishment of centers for language research and studies; aid to teachers in both public and private schools who wish to participate in advanced training institutes.

STATE AID TO EDUCATION

On November 30 hearings began in Annapolis, Md., on what is expected to become an epoch-making case in church-state educational questions. A year earlier the Horace Mann League, an organization whose primary objective is to foster and strengthen the public school and increase the esteem in which it is held, brought suit to enjoin the state of Maryland from appropriating
$2.5 million dollars to four church-related colleges for construction of facilities: $750,000 each to Notre Dame, Baltimore, and St. Joseph's College, Emmitsburg, Catholic colleges operated by religious orders, for science buildings; $500,000 to Western Maryland College (Methodist-related), Westminster, for a science building and dining hall, and $500,000 to Hood College (United Church of Christ), Frederick, for a dormitory.

Since the early days of the republic, Maryland has been allocating state funds to private educational institutions, regardless of religious affiliation, on the ground that they performed public functions. The colleges themselves contended in these hearings that their purposes were educational, not religious. The Horace Mann League has claimed that the state grant of funds violated the First Amendment because it "established" religion and the Fourteenth Amendment because it deprived taxpayers of their property without due process of law. The first witness for the defense, Manning M. Patillo, associate director of the Danforth Foundation, testified that 817 of the 1,189 private colleges and universities in the United States were church-related in some degree. The trial will continue into 1965. Leo Pfeffer, general counsel for the American Jewish Congress and chief counsel for the Horace Mann League, has predicted that the case will be argued before the Supreme Court. Obviously it will have the widest repercussions on the entire system of higher education, for church-related colleges and universities have been receiving Federal funds for a variety of specific purposes (designated as "categorical aid"), including the construction of science and research facilities.

**Bus Transportation**

In August, Dover, N.H., city attorney T. Casey Mohr ruled that the decision of the Dover School Committee to provide public bus transportation to students of a Catholic parochial high school was legal. Opposition to the city's provision of such service had been expressed by the Dover Ministers' Association.

In the general election, November 3, Anne Arundel county, Md. (county seat Annapolis), voted 27,648 to 21,604 in a referendum to repeal a 1963 state law providing for the use of public-school buses by children attending parochial schools in the county. POAU and the Maryland Baptist were influential in the repeal campaign. The county is largely Methodist and Baptist. (It voted also to repeal the state law forbidding discrimination in public accommodations; see p. 161.)

**Religion in the Public School**

Despite the Supreme Court's decisions outlawing Bible reading and the recitation of the Lord's Prayer in the public schools as well as the recitation of the New York State Regents nonsectarian prayer, a variety of these and other practices continued in many schools.

In Miami, on January 29, a Florida Supreme Court for the second time upheld a state law requiring Bible reading in public schools and permitting
religious programs in graduation exercises and religious holiday observances in schools, despite the fact that the Supreme Court had returned the case for further consideration in the light of the *Schempp-Murray* decision (AJYB, 1964 [Vol. 65], pp. 53–54). The following month, four parents of Miami schoolchildren appealed the case once again. On June 1, the Supreme Court, without hearing argument, reversed the Florida Supreme Court decision 8 to 1, citing the *Schempp-Murray* decision. The complaints about other school religious practices were dismissed on the ground that the plaintiffs had no standing to raise these issues.

Florida's state school superintendent Thomas Bailey provided the schools with the state attorney general's legal interpretation of what could and could not be done in the schools under the Supreme Court's decision. A report on school practices (Miami *Herald*, October 25, 1964) showed that compliance with the Supreme Court's ruling had been left largely to local authorities. In Dade county, where the case had originated, a period of meditation and the reading of inspirational and patriotic materials had been substituted for prayer and Bible reading. School boards in St. Lucie and Walton counties voted to continue prayer and Bible reading.

Surveys of practices in school districts in Indiana and in Kentucky similarly showed that prevailing local autonomy led to widespread disregard of the Supreme Court's rulings and that many schools and/or teachers encouraged "voluntary" or "spontaneous" prayers or Bible readings.

In Moscow, Idaho, a three-judge Federal court ruled in August, on the complaint of 35 Protestants, to "halt the practice of religious indoctrination," that a section of the Idaho code requiring compulsory daily Bible reading in the public schools was unconstitutional.

In two widely separated communities, Pueblo, Colo., and Olean, N.Y., the boards of education had agreed to accept Gideon Bibles for distribution upon request of the pupils' parents, but when challenged on the constitutionality of the practice, both school boards, in November, rescinded their approval.

**Teaching About Religion**

In writing the opinion for the majority in the *Abington v. Schempp* case, Justice Tom Clark said:

It might well be said that one's education is not complete without a study of comparative religion or the history of religion and its relationship to the advancement of civilization. It certainly may be said that the Bible is worthy of study for its literary and historic qualities. Nothing we have said here indicates that such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be effected consistent with the First Amendment.

Though there was no widespread rush to introduce the study of religion in the school curriculum (a UPI survey, New York *Times*, September 1964, showed considerable reluctance on the part of school administrators to introduce into the curriculum a subject calculated to affect many sensibilities), many educators and religious leaders expressed interest in the idea.
The Cincinnati Board of Education, late in 1964, approved a policy governing the interaction of religion and education in the public schools, which permitted certain practices, in connection with Christmas for instance, that it believed had become part of the community's cultural heritage, and provided for instruction about the role of religion in history and culture. In June 1964 the Maine Board of Education issued a policy statement permitting the public schools to use the Bible in literature and history courses. Pennsylvania's State Department of Public Instruction retained a tri-faith panel of five scholars to recommend a Bible course to be given in the public schools. Religious Education (November-December 1964) published a symposium "Religion in the Public Schools," to which 19 religious and educational leaders contributed, nearly all of whom favored an objective course of study about religion in the public schools (two of four Jewish participants disapproved).

A report by the Commission on Religion in the Public Schools of the American Association of School Administrators, Religion in the Public Schools (Washington, D.C., 1964; vi, 67 pp.), supported the idea of teaching about religion: "The Commission believes that the public school curriculum must give suitable attention to the religious influences in man's development." The commission strongly favored the production of high-quality material on the history of religion and of comparative religion suitable for use at the secondary level that would accent the role of religion in America's cultural heritage. The commission further expressed its belief that public schools should help develop "worthy moral and ethical values," and must take cognizance of the religious pluralism that is America. (In accepting religious pluralism, the commission also recommended that the public schools adopt a policy that "encourages reasonable recognition of Christmas" in the "spirit of exposition of the differing rites and customs of families, cultures, and creeds—each with deep meaning for its adherents, and in sum revealing the many different religious, philosophical, and cultural practices and beliefs held by Americans.")

The National Conference of Christians and Jews was working under a grant from the Ford Foundation to develop materials for the public-school curriculum dealing with the religious heritage. One study under way was being prepared in cooperation with the Pittsburgh school system, concerning material on the role of religion to be introduced in the social-studies curriculum of the Pittsburgh senior high schools.

**Campaign for a Constitutional Amendment**

From the start of the 88th Congress in January 1963, a number of congressmen had introduced resolutions to amend the Constitution so as to permit prayer in the public schools. These resolutions reflected the emotional response of many Americans that the court was somehow depriving them of their religion, indeed, of their traditional way of life. Because Rep. Emanuel Celler (Dem., N.Y.), chairman of the House Judiciary Committee, had scheduled no hearings on these resolutions, Rep. Frank J. Becker (Rep.,
N.Y.), a most vigorous advocate of a constitutional amendment who had proposed the first such resolution in the 88th Congress (and also a later amended version), filed a discharge petition on behalf of his proposal to take it out of the Judiciary Committee and bring it directly before the House. Becker had obtained only 167 of the 218 signatures required for discharge, but the enormous flow of mail to congressmen on behalf of an amendment made it appear likely that the pressure from their constituencies would induce others to sign Becker’s discharge petition. At this point, with 146 resolutions filed by 110 congressmen, Celler scheduled Committee hearings.

In advance of the hearings the Committee on the Judiciary issued a staff study of the proposed amendments. The study found that there were 35 versions of amendments among the 146, differing in language and scope, which could be classified in seven types:

1. To permit prayers in public schools (5 resolutions);
2. To permit prayers in public schools and other public places (19);
3. To permit prayers and Bible reading in public schools (12);
4. To permit prayers and Bible reading in public schools and other public places (30);
5. To authorize any state to permit the Regents prayer, declared unconstitutional in the Engel decision, to be offered in public schools and other public places (1);
6. To permit “any reference to belief in or reliance upon God” in any government or public document, proceeding, or ceremony or upon currency and coinage (1);
7. To permit prayers, Bible reading, and references to belief in God in public schools, other public places, and in governmental matters (78).

Congressman Becker’s second resolution (H.J. Res. 693) was in this last category; 60 Congressmen filed the identical text in individual resolutions.

After the Committee hearings began, several Congressmen continued to file resolutions. In all, 117 Congressmen filed resolutions to amend the Constitution. Several filed two resolutions and Congressman Robert W. Hemphill (Dem., S.C.) filed three. 65 were Republicans, 52 Democrats. The South provided the largest single bloc of 43; the Northeast 36, the North Central states 24, and the West 14.

An analysis in Report from the Capital, a bulletin published by the Baptist Joint Committee on Public Affairs in March gave the religious identity of the

6 H.J. Res. 693 reads:

“Nothing in this Constitution shall be deemed to prohibit the offering, reading from or listening to prayers or biblical Scriptures, if participation therein is on a voluntary basis, in any governmental or public school, institution, or place.

“Nothing in this Constitution shall be deemed to prohibit making reference to belief in, reliance upon, or invoking the aid of God or a Supreme Being in any governmental or public document, proceeding, activity, ceremony, school, institution, or place, or upon any coinage, currency, or obligation of the United States.

“Nothing in this article shall constitute an establishment of religion.”
then 110 sponsors of amending resolutions: 95 Protestants (25 Presbyterians, 21 Methodists, 16 Baptists, 8 Episcopalians, 7 Congregational Christians, 3 Lutherans, 2 each of the Christian Church and the Evangelical Free Church of America; one each of the following denominations: Apostolic Christian Church, Church of Christ, Evangelical and United Brethren, Latter-day Saints, Schwenkfelder, 6 unspecified “Protestants”), 13 Roman Catholics, one Jew (Congressman Charles S. Joelson, Dem., N.J.), and one Unitarian.

Public Opinion

A Gallup poll released August 1963 showed that 70 per cent of the respondents disapproved of the Supreme Court's decision against prayer and Bible reading in the public schools (24 per cent approved and six per cent had no opinion). A poll by Louis Harris taken in the closing days of the presidential election campaign (New York Post, October 30, 1964) showed that 88 per cent of the voters interviewed supported Barry Goldwater's position that prayers in the public schools should be restored. The Minnesota Poll (Minneapolis Tribune, June 28, 1964) showed 61 per cent of Minnesotan respondents favoring a constitutional amendment to permit prayer and Bible reading in the public schools. (Nevertheless, 77 per cent believed that even if the amendment were passed, it would not make much difference in the United States.)

The mail campaign on this question overwhelmingly favored a constitutional amendment by even larger margins than the public-opinion polls. A spot check of congressional offices, according to Congressional Quarterly, May 1, 1964, showed record amounts of mail pouring in, nearly all of it favoring a constitutional amendment. Some of the mail was nationally solicited, but much seemed to be locally stimulated or spontaneously conceived.

Pros and Cons

The House Committee on the Judiciary held hearings on school prayers from April 22, 1964, to June 3, 1964. A long line of witnesses appeared to testify for and against the proposed amendments and an enormous quantity of opinion was entered in the record.

Leading constitutional lawyers appeared to testify against a prayer amendment. Many taught at outstanding American law schools and included highly respected Protestant and Catholic lay leaders, like William B. Ball, prominent New York and Pennsylvania lawyer and Catholic layman; Paul A. Freund, Harvard University; Wilber G. Katz, University of Wisconsin; Paul G. Kauper, University of Michigan Law School; Rev. William J. Kennedy, S.J., Boston College Law School; Philip B. Kurland, University of Chicago Law School. Erwin N. Griswold, dean of Harvard Law School, who had bitterly

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7 Congressman Joelson's proposal differed from H.J. Res. 693 in one respect. It specified "listening to nonsectarian or nodenominational prayers or such Biblical Scriptures." He was, presumably, concerned to exclude Christological matter that would be offensive to Jews.

8 U.S. Congress, House of Representatives, Committee on the Judiciary, Hearings on Proposed Amendments to the Constitution Relating to Prayers and Bible Reading in the Public Schools (Washington, D.C., 1964).
criticized the court's position as "absolutist" on church-state questions, wrote the committee opposing the constitutional amendments.

The division between proponents and opponents of a prayer amendment was political rather than religious. To some, adoption of a constitutional amendment symbolized an assault on the Supreme Court, a means of curbing its authority, and a retribution for its decisions on civil rights. Others favored a constitutional amendment perhaps only because it would enact into law, and force compliance with, a code of behavior that appeared to be vanishing. Like Fundamentalist Protestants a half century ago who enacted state and local Bible-reading and anti-evolution laws to enforce Protestant morality, many Fundamentalist Protestants and like-minded Catholics saw in a possible constitutional amendment an opportunity to use the authoritative power of government to enforce an old-fashioned kind of religious morality that they believed was unfortunately passing from our society.

This campaign for a prayer amendment showed the compatibility between religious and political conservatism. The 1964 Republican party platform—the most conservative and controversial in many years—supported a constitutional amendment permitting those individuals and groups who choose to do so to exercise their religion freely in public places, provided religious exercises are not prepared or prescribed by the state or political subdivision thereof and no person's participation therein is coerced, thus preserving the traditional separation of church and state.

The Democratic party platform did not mention the subject at all. Its silence was criticized as "utter disregard for God" by Republican presidential candidate Barry M. Goldwater in a campaign speech at the Salt Lake City Mormon Tabernacle on October 10.

Civic groups favoring a constitutional amendment included the Catholic War Veterans, U.S. Junior Chamber of Commerce, American Farm Bureau Federation, local branches of the Daughters of the American Revolution, Sons of the American Revolution, General Federation of Women's Clubs, Veterans of Foreign Wars, and the American Legion. Ad hoc citizens groups like the Constitutional Prayer Foundation (Baltimore, Md.), Massachusetts Citizens for Public Prayer, Committee for the Preservation of Prayer and Bible Reading (St. Petersburg, Fla.), and Project Prayer (Los Angeles), which came into being to stimulate and organize public pressure on behalf of a prayer amendment, appeared to be rightist. Sam Cavnar, executive director of Project Prayer, according to his own testimony at the hearings, had been executive director for Project Alert, a West Coast anticommunism school, one of whose lecturers had once declared that Chief Justice Earl Warren ought to be hanged. Charles W. Winegarner, who testified for an amendment on behalf of a Citizens Congressional Committee (Los Angeles), has been on Gerald L. K. Smith's staff. Governor George C. Wallace of Ala-

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bama, too, testified before the Judiciary Committee, inveighing against the Supreme Court’s decision ruling out prayer as “part of the philosophy of socialism elevated to the dignity of law” and “part of the deliberate design to subordinate the American people, their faith, their customs, and their religious traditions to a godless state.” (Robert E. Van Deusen, public-relations secretary of the National Lutheran Council, in his monthly Washington Memorandum to Lutheran church leaders, April 1964, had characterized the advocates for an amendment as more strongly motivated against the growth of federal power and the intervention of the Federal government in civil rights than by concern for the religious aspects of American culture.)

**Religious Groups**

Only a minority of religious groups and religious leaders favored a prayer amendment, though a substantial number had disagreed with the Supreme Court’s ruling and held that it would have been preferable had the Court not ruled at all on matters they felt best left to local consensus or agreement.

**Protestants**

Nearly all major Protestant denominations and their influential leaders opposed a prayer amendment and testified against it: Episcopalians, Presbyterians, Baptists (including the Southern Baptist Convention), Lutherans (including the conservative Missouri Synod), Methodists, Disciples, and Seventh-Day Adventists. Few nationally known Protestant church leaders favored a prayer amendment, the most notable being Daniel A. Poling, editor of the conservative nondenominational Christian Herald, and Bishop Fred Pierce Corson, president of the World Methodist Council.

Only three segments of Protestants could be identified as favoring an amendment:

1. The Eastern churches—the largest and most outspoken being the Greek Orthodox Church in North and South America, headed by Archbishop Iakovos—coming out of a tradition of a close interrelation of church and state and originating in countries where political leaders were closely aligned with ecclesiastical authorities and changes in civil government were followed by comparable changes in the ecclesiastical hierarchy. The criticism by these Eastern churches of the principle of separation of church and state in America is largely a consequence of their close ties with the mother churches overseas and the fact that, as an immigrant religion, they are still in a fairly early stage of American acculturation.

2. The theologically more conservative Fundamentalists and evangelicals affiliated with the National Association of Evangelicals (NAE). The NAE itself, founded in 1941 because its members thought the NCC was too liberal theologically and politically, early in January issued an official policy statement endorsing a prayer amendment, and its former president Robert A. Cook, chairman of its Evangelical Action Commission, testified for an amendment before the Judiciary Committee. The National Holiness Association, 14 evangelist denominations affiliated with NAE, adopted a resolution at its an-
nual convention in April, urging its affiliates to "bring all possible pressure to bear upon Congress" in favor of a prayer amendment. Also some individual Episcopalian, Presbyterian, and Baptist churches belonging to NCC-affiliated denominations but maintaining their own NAE membership because they find its theology and politics more compatible than NCC's, testified or submitted statements favoring an amendment.

Yet, even the NAE conservatives were divided. Christianity Today editorialized, on June 19, against the Becker amendment because it threatened the First Amendment whose "precise definition of church-state separation stands as a unique American contribution to government, basic to our most precious liberties and worthy of being preserved intact." Billy Graham, too, failed to testify on behalf of the Becker amendment, even though he had once expressed support for it.

3. Carl McIntire, president of the International Council of Christian Churches, Collingswood, N.J., one of the earliest and perhaps the most adamant foe of liberal Protestantism, as well as the NCC's most vitriolic critic, testified in favor of a prayer amendment. McIntire, who considers the NCC communist and subversive, also holds that the NAE is too liberal. His son, Carl Thomas McIntire, is national chairman of International Christian Youth in the United States of America, which is actually the youth commission of his father's International Council of Christian Churches. This group sponsored Project America, a national petition campaign to "return the Bible to the schools," and claimed to have collected a million signatures asking for a constitutional amendment. At Judiciary Committee hearings, Larry Miller, Project America's national director, stated that his undertaking was not the same as a Project America sponsored by Liberty Lobby, a right-wing organization dedicated to abolishing the income tax by constitutional amendment, which coincidentally also supported a constitutional prayer amendment.

Catholics

Though Catholics had been vociferous in condemning the Supreme Court decisions and three out of five Catholic cardinals had loudly voiced their disagreement with the Court's rulings on religion in the schools (Richard Cardinal Cushing, Francis Cardinal Spellman, and James Francis Cardinal McIntyre), no leading Catholic ecclesiastic supported a constitutional amendment. The only ranking church leader who appeared before the Judiciary Committee was Bishop Fulton J. Sheen, who testified in support of school prayer but did not actually endorse an amendment. As a matter of fact he said he believed "our first amendment and ninth amendment presently are preferred [to H.J. Res. 693 or any of the other proposed amendments] and would preserve prayer in school and the liberties of the people of the United States."

America, the Jesuit weekly, had long opposed amending the First Amendment; an editorial on April 18 adduced a new argument: that a prayer amendment would not solve questions affecting the relationship between religion and education—specifically Federal aid to parochial schools—and "might freeze the court's Church-State doctrine as it now stands." Ave Maria (June
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6, 1964), a national Catholic weekly, surveying the views of editors of Catholic publications, found that 35 of 48 opposed a prayer amendment. The editors gave the following reasons for their opposition: "Reluctance to resort to constitutional amendment, concern over weakening of chances for aid to parochial schools should the amendment be enacted; the view that public school devotions with proper concern for all involved are a practical impossibility; and the fear that many parents would consider public school prayers as adequate religious instruction for their children."

On June 16, nearly two weeks after the Judiciary Committee's hearings had ended, the legal department of the National Catholic Welfare Conference urged caution on amending the Constitution: "The department continues to believe the present clauses in the Constitution are of incalculable benefit to religion. . . . In combination, the 'free exercise' and 'no establishment' clauses are guarantees too vital to be tampered with lightly." This statement so infuriated Becker that he charged the NCWC did not speak for the Roman Catholics of the United States. He then undertook to poll the 229 Catholic bishops, but apparently received too few replies to publicize them.

Jews

Jews were practically unanimous in opposing Becker's amendment and others like it. Rabbi Menachem M. Schneerson, the Lubavitcher rabbi who favored nondenominational school prayer like the Regents prayer, opposed sectarian prayer and Bible reading, and sent a statement to this effect to the committee. Major national Jewish organizations testified or submitted statements against the proposed prayer amendments: the American Jewish Committee, American Jewish Congress, Anti-Defamation League, Synagogue Council of America, Union of American Hebrew Congregations, and National Community Relations Advisory Council.

The Outcome

While the hearings were still under way, public opinion reversed itself. Mail to Congressmen began to run heavily against the amendments. After the hearings the Judiciary Committee took no further action on any of the amendments, and Becker was unable to obtain more signatures for his discharge petition. All amendments died with the 88th Congress.

CHURCH AND STATE AT THE VATICAN COUNCIL

On September 14, the third session of the Second Vatican Council convened. High on the agenda was a draft declaration on religious liberty which had been prepared for the previous session by the Vatican Secretariat for the Promotion of Christian Unity, headed by Augustin Cardinal Bea, with the participation of John Courtney Murray, S.J., Catholic philosopher and foremost American Catholic authority on church-state relations. The draft declaration stressed that religious liberty must be recognized and respected by all, that
it is unlawful for the state to discriminate against religion, and that it must protect and encourage religious liberty. The debate was launched on September 23 by Richard Cardinal Cushing, Archbishop of Boston, in his first speech since the Council opened in 1962. Saying that he spoke for "practically all the bishops of the United States," he declared that "the church must become the champion of religious freedom. We must insist on this declaration because it is so important for all nations. . . . It is something the Catholic world and non-Catholic world alike have been waiting for." Opposition to the declaration came from some of the Italian and Spanish prelates, particularly from the conservative wing led by Alfredo Cardinal Ottaviani, secretary of the Supreme Congregation of the Holy Office.

On November 17 the document on religious liberty was distributed to the members of the Council with the promise that it would be voted on the 19th, but on that morning Eugene Cardinal Tisserant, Dean of the Sacred College, announced that the vote would be delayed (the Council was to close within 48 hours). That announcement precipitated an extraordinary reaction among the Council Fathers, particularly the Americans to whom this declaration, like the one on the Jews, had become of the utmost actual and symbolic importance. Commotion broke out on the Council floor, with people milling around. Albert Cardinal Meyer, Archbishop of Chicago, began to remonstrate with Cardinal Tisserant. Then, Bishop Francis Reh, rector of the North American College in Rome, asked for paper. He, with Cardinal Meyer, Joseph Cardinal Ritter, Archbishop of St. Louis, and Paul-Emile Cardinal Léger of Montreal, hastily drew up a petition to present to the Pope, asking him to reverse this ruling "lest the confidence of the world, both Christian and non-Christian, be lost." Within an hour, they had over 800 signatures and eventually about 1,400, more than half of the Council Fathers. But to no avail. F. E. Cartus, a pseudonymous Catholic observer at the Council, wrote in *Commentary*, January, 1965, that the prevailing disillusion over the maneuvers to set aside the declaration on religious liberty forced the conservatives to allow the declaration on the Jews to come to a vote on November 20, even though they had intended to block its passage too (see pp. 126-27). It was expected that at the final session of the Vatican Council in 1965 the discussion on religious liberty would be resumed, and the declaration which the overwhelming majority clearly favored would most likely be adopted.

**Government Aid to Church Schools**

On November 17 Cardinal Spellman opened the debate on a draft declaration on Christian education in which he proposed the following amendment:

Parents should be free to choose the schools they wish for their children. They should not in consequence of their choice be subject to unjust economic burdens which would infringe upon this freedom of choice. Since it is the function of the state to facilitate civil freedoms, justice and equity demand that a due measure of public aid be available to parents in support of the schools they select for their children.
Moreover, if these schools serve the public purpose of popular education, the fact that they may be religious in their orientation should not exclude them from a rightful measure of public support.

Cardinal Ritter, on the other hand, said that the problem of government aid to church schools was complicated by the "relationship of church and state in each country, a delicate matter better solved country by country."

SUNDAY CLOSING LAWS

Numerous local and state ordinances and laws affecting Sunday closing were enacted, repealed, appealed, criticized and debated. Most problems arose over questions of economic competition and confusing contradictions in the regulations, while only few related to questions of religious conscience.

In March, the Massachusetts Legislature passed a measure permitting a person solely in control of a business to operate it on Sunday if for religious reasons he cannot do so on Saturday. The bill was supported by the Massachusetts Council of Churches, the Roman Catholic Archdiocese of Boston, and the Boston Rabbinical Association.

CHURCH-STATE BITTER-ENDERS

Extremists on either side of the church-state question continued to try to force their points of view upon the community. Thus, Mrs. Madalyn Murray, a militant atheist whose suit against the Baltimore school board had resulted in the elimination of the recitation of prayer in the schools, demanded in April that the Baltimore Board of Education delete the reference "under God" from the pledge of allegiance. (The board refused.) A suit challenging the inclusion of "under God" in the pledge as a violation of the Constitution had been brought in 1956 in New York on behalf of the Freethinkers of America; on June 10 the Court of Appeals, New York's highest court, sustained previous lower court decisions upholding the pledge's inclusion of "under God." The Freethinkers of America nevertheless carried the case to the Supreme Court which, on November 23, unanimously refused to review the New York ruling.

At the other extreme, Fundamentalists in several parts of the country challenged the teaching of evolution as a deprivation of their religious freedom, nearly 40 years after the Scopes trial had made a laughing stock of William Jennings Bryan's defense of Fundamentalist beliefs about the origin of the world. Two housewives in Orange county, Calif., backed by Fundamentalist organizations, demanded that at least the textbooks should be edited to contain statements that evolution was only a "theory." (The California State Board of Education refused.) Rev. Aubrey L. Moore, a Fundamentalist Baptist minister in Phoenix, Ariz., had petitioned the Arizona State School Board to eliminate the teaching of evolution. After his petition was denied, he tried, unsuccessfully, to collect signatures to bring the issue to a public referendum. In May, 43 Methodist ministers and the president of the
Phoenix Rabbinical Council issued a statement urging people not to support Moore’s initiative petition. (Moore responded: “It was the Jews who crucified Christ. Jews don’t believe in the Bible. And neither do those hypocritical Methodist ministers”—Arizona Republic, Phoenix, May 23, 1964.)

In Houston, Tex., Fundamentalists belonging to several denominations started a drive in August against the use of several standard biology textbooks whose preparation had been sponsored by the National Science Foundation, but in November the Texas State Board of Education voted 14 to 6 to adopt them for use in the public schools. The New Mexico State Education Department in December also recommended these books despite the opposition of the New Mexico (Southern) Baptist Convention to the teaching of evolution “as a fact rather than a theory.”

Early in November, Mayor John F. Knowlan of Hasbrouck Heights, N.J., authorized the flying of a pennant with the motto “One nation under God” under the American flag outside the town’s municipal building. The suggestion had come from a local Knights of Columbus council and a Holy Name Society. In a short while, the pennants became a center of community controversy in several New Jersey and Connecticut towns, the pro-pennant side regarding the display of pennants as a symbol that religion had not been outlawed from public life and the anti-pennant side regarding the display of the pennants as a sign of defiance against the Supreme Court decisions.

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