IN THE SHADOW OF FEAR

AMERICAN LIBERTIES 1948-49

AMERICAN CIVIL LIBERTIES UNION
170 Fifth Avenue New York 10, N. Y.

29th Annual Report *August 1949*

CONTENTS

Record of the Year 11
The Loyalty Purge 11
Those Un-American Activities 15
Rights of Communists 18
Political Rights 21
Aliens' Rights 21
Violence 24
Freedom in Schools and Colleges 25
Racial Minorities 28
Negroes 29
Japanese-Americans 31
Indians 32
Mexican-Americans 33
Censorship 34
Radio 38
Monopoly in Communications 38
Labor's Rights 39
Civil Rights in the Courts 40
Freedom of Speech and Assembly 42
Conscientious Objectors 44
Wiretapping 45
International Civil Liberties 46
Occupied Countries 47
Colonies 49
Balance Sheet of Civil Liberties 51
Pending Issues 64
Organization Personnel 68
Policies 69
Finances 72
Treasurer's Report 75
Publications 83
National Committee 84
Board of Directors 84
Officers 85
Local Committees 85
State Correspondents 86
Committees of the Union 88

A supplement for lawyers and students with references to all court cases noted will be available for 10¢ on request.

In the Shadow of Fear

The Year; A Summary to August, 1949

THE imagined insecurity of the strongest democracy in the world in the face of the cold war with Communism has created an atmosphere in which fear makes the maintenance of civil liberties precarious. Not only the liberties of real or suspected Communists are at stake. Far beyond them, the measures to protect our institutions from Communist infiltration have set up an unprecedented array of barriers to free association, of forced declarations of loyalty, of black-lists and purges, and, most menacing to the spirit of liberty, of taboos on those progressive programs and principles which are the heart of any expanding democracy.

The nervous conservation responsible for the failure of a Congress elected on a liberal program to enact a single civil rights measure to date, or to remove the shackles of the Taft-Hartley act from labor's political and civil rights, reflects correctly the dominant spirit of the country, beset by fear of war, Communist expansion and espionage. The feverish building of the greatest peacetime armaments in the world's history on the heels of the greatest of wars, coupled with military and economic alliances to contain Communism abroad and exceptional security precautions at home, admit of only incidental attention to buttressing democracy by substantial reforms.

Yet despite the overwhelming preoccupation with security, efforts for such reforms have shown considerable strength, both on the national and international fronts. The Administration's civil rights program, which played a not inconsiderable part in the unexpected election of the Democratic ticket in the fall, shows increasing vitality, though bogged down in Congress at the moment; race equality under law advances steadily; labor's resistance to legal restrictions of its rights has negated much of the repressive force of the Taft-Hartley act; the courts, particularly the U.S. Supreme Court, have continued to stand by and even to

extend the principles of the Bill of Rights; and on the international front, the United Nations has for the first time in history laid a working basis between the nations and peoples for enforceable universal civil rights and international freedom of communication.

AGAINST these somewhat encouraging tendencies must be pitted the far more ominous tendencies to outlaw or exorcise every manifestation of Communist influence—and with it inevitably a large area of democratic liberty. The Communist Party is threatened with outlawry either by federal legislation which would in effect accomplish it or by the government's current prosecution of its leaders under the sedition act of 1940, charging a criminal conspiracy solely for advocating historic Marxism as interpreted by the Communists. Bans on Communists and those associated with agencies held to be under Communist control, past or present, have been rapidly extended during the year to cover not only all federal employees, but thousands of employees in private firms working on government defense orders, all those receiving atomic energy fellowships and all registrants for the draft.

Leading educators and associations have banned Communists alone from the teaching profession in moves unprecedented in academic life in singling out membership in one political party as a disqualification in itself, without regard either to other equally valid disqualifications or to the consequences of discouraging independence among teachers or of encouraging heresy-hunters and informers.

Adding to the excitement over Communist activity, real or imagined, the several legislative committees on "Un-American Activities" in Congress and the states have pursued their inflammatory and irresponsible exposures, though with apparently less effect, due to their own excesses. The Congressional House Committee has been somewhat curbed. Its chairman's demand on the colleges for text-books in the social sciences to discover possible "subversion" was met with overwhelming condemnation. The over-zealous head of the California Senate's committee was

forced to resign by his colleagues and the committee's procedures were confined by fixed rules. The joint committee in Washington, whose chairman was defeated in the November election, was discontinued. So far as our records show no new inquisitorial body was created by any state legislature.

Aliens charged with Communist connections were ordered deported in increasing number. Aliens seeking entry as visitors to international conferences were denied it when suspected of Communism. Even the United Nations staff has not been immune from unsubstantiated attack in Congress as an alleged center of Communist espionage and subversion—evidently on the rather obvious ground that the United Nations and its staff admit Communists.

The excessive and jittery concentration on the Communist danger, so little justified by any activities at home but dramatized by Communist expansion abroad, has inevitably resulted in strengthening the conservative anti-Communist forces and those arms of the government devoted to security. The military influence in government, strong during and since the war, has certainly not diminished. The FBI's functions have been expanded under laws now penalizing opinions and associations, risking for the first time in our history the creation of a secret political police system with its array of informers and under-cover agents. The Attorney General's arbitrary listing of subversive organizations totalling now about 160—intended solely as a guide to loyalty boards—has been grossly misused to stimulate the search for heretics and to encourage local officials all over the country to deny rights to agencies on the list.

In foreign policy, and in relation to occupied Germany and Japan, the same tendencies to resist change for fear of playing into the hands of Communists has produced a reliance on conservative anti-Communists and a disinclination to support progressive forces for democratic reforms. The notion that any move toward nationalization under any auspices tends toward Communism, together with insistence on free enterprise alone as a democratic economic system, have tended to weaken those centrist forces on which democratic liberties so largely depend.

The same conservative influences which are responsible for this policy abroad are hostile at home to democratic movements to accomplish far-reaching economic reforms. Under cover of the anti-Communist crusade they have been aided measurably in creating a climate favorable to the status quo and inhospitable to any substantial challenge to it.

THE essence of the philosophy of civil liberty is of course its role as the necessary instrument of peaceful change. Without advocating any economic or political cause, the Civil Liberties Union has continued to stress the principle that civil rights are indivisible; what goes for one cause goes for all. Only in a free market can peaceful change be assured. The excitements of the last year have made even more difficult of public acceptance that principle as applied to Communists. Especially difficult is the defense of the rights of those who reject the principle, as the Communists do for their opponents. Equally difficult it is to win understanding for the Union's exclusion of Communists from its councils when it opposes discrimination against them in law for their political views. But the exclusion of anti-democratic elements from a private organization dedicated to democratic liberties rests on a quite different base from exclusion from public rights presumably valid for all persons, whether they are pro- or anti-democrats.

The Union makes no distinction between the rights of Communists and others, except to recognize that employment in so-called sensitive positions in the public service where questionable loyalty is involved may fairly be denied. The Union's position on the employment of Communists as teachers and on the application to Communist propaganda of the legal "clear and present danger" test will be found on page 71.

A GLANCE at the Balance Sheet of Civil Liberties on pages 51 to 63 covering mainly court decisions and legislation will show a more favorable record than the general temper of these days warrants, although the unfavorable items outnumber the favorable three to two. The favorable items, it will be noted,

are not in the area of sharpest controversy; they concern mainly racial minorities, defendants in the courts and censorship. No court decision was favorable to the rights of Communists, and only one or two to the rights of trade unions. The most favorable action in these areas was in those state legislatures which refused to be stampeded into repressive legislation.

The unusually numerous closely divided opinions, both of the Supreme Court and the lower courts, reflect the divided attitudes of the country, with the courts on the whole taking the more liberal view. But much damage is inevitably done to civil rights in the initial stages of repressive action long before the higher courts can void it by corrective decisions.

Both the encouraging and discouraging developments of the year will be found under the several sections of the report. In general the encouraging items will be found only in race relations under law and in the tendencies in the colonial possessions toward greater autonomy and civil rights. The unfavorable items will be found not only in the sections dealing with Communists, but labor's rights, conscientious objectors, and censorship, among others.

FURTHER evidence of the condition of civil rights throughout the country, not included in the body of the report, was obtained through the annual check-up by questionnaires to local correspondents. They brought replies in the spring of 1949 from 75 cities in 39 states to a series of questions covering the whole civil rights field. On the question as to whether general trends are more or less favorable to civil liberties, half answered that conditions are unchanged from a year ago, a fourth that they are more favorable and in ten cities less. Over half the cities reported increased support of civil rights, especially for racial minorities. Of the influences hostile to civil rights, private pressure groups headed the list in over half the cities—the American Legion and Catholic agencies leading—with local police running close behind.

Striking in the returns was the almost universal comment that race relations are improving. From 24 cities came reports of decreased segregation with only one reporting an increase, and with

41 noting it as unchanged. Most of the instances of violations of racial legal rights which came to public attention were in the midwest.

Increased intolerance of anything associated with Communism was reported from 40 cities. 22 correspondents said it was unchanged. Half reported the view that Communists alone were the targets; half that intolerance extended to liberal forces also.

Remarkably little interference with labor's rights was reported, with the few instances mainly in the South. Only scattering references were made to any form of censorship, with those affecting chiefly comic books. Nor did the issues of academic freedom or state-church relations in education score more than occasional reference. Released time was cited as an issue in only 11 cities out of 61.

It would seem to be a fair conclusion from these reports by qualified observers,—if so few can be regarded as representing the country as a whole,—that the national controversies reflected in the press and radio have not struck deep root in local communities. At least they appear not to have resulted as yet in more than usual overt interference or repression. Against adverse trends or unchanged conditions in other fields the generally reported local response to efforts for extended racial rights is heartening.

THE major pending civil rights issues actually in the courts or in prospect in which the Union is participating, cover (1) a test of the state and municipal censorships of motion pictures, which is planned with a view to Supreme Court appeal, (2) a test of the requirement of a poll-tax in Virginia as a condition of voting, in the hope of again reaching the Supreme Court, (3) a test of the constitutional power of Congress to create the Un-American Activities Committee, dealing with the field of opinion in which Congress is barred from legislating, (4) the renunciation of citizenship under duress by Japanese-Americans held in war-time concentration camps, (5) the right of local governments to impose loyalty tests on employees, (6) the loss of citizenship by Japanese-Americans stranded by the war in Japan,

(7) the legality of any tapping of telephones, (8) the rights in occupied countries of native citizens or U.S. personnel to review by U.S. courts of detention by U.S. authorities, and (9) the denial of citizenship to alien conscientious objectors refusing all military service, combatant or non-combatant.

Other important issues not in the courts cover the denial of entry of foreign visitors to international conferences because of their suspected connections; the reform of the federal loyalty procedures both in government employment and in contracting firms; and the efforts to combat varied forms of private pressure censorship of publications and motion pictures.

IN the internal affairs of the Union, no controversy arose over public policies requiring a referendum vote of the Corporation. Several major policies were restated in the light of current conditions (see page 69). Membership increased to a new high; income exceeded any year in the Union's history, though still at a very modest figure considering the extent of activities. The year ended with a balance in all funds, and with the largest reserves for contingencies.

The Union received during the year the unexpected compliment of being invited by the Department of the Army to send a delegation of three to Germany to survey and report on civil rights under the Occupation (see page 48).

RECOGNITION of the hysterical atmosphere in which the efforts for civil rights are conducted was voiced not long ago by the President, who was quoted as remarking that the country has passed through such periods before and will do so now. Our experience prompts the added observation that every such period brings its damages to civil rights which take long to repair. The present exceeds in its severity, intolerance and fears any such period in the Union's 29 years of activity; and the dangers of enduring damage are therefore the greater, as well as the obligation to combat them.

The Union's long struggle for civil liberties finds its justification in the continuing strength of a body of alert and determined private citizens organized for the collective liberties of all. If encouragement for the validity of that purpose is needed, it is to be found in the ceaseless reiteration, now for the first time on a universal scale in the United Nations Declaration of Human Rights, of the principles to which the Union has adhered without compromise these many years, and to which it will continue to devote its ablest effort.

POST-HALL SYNDICATE, INC.

World Powers No. 1 and No. 2

Record of the Year

THE LOYALTY PURGE

UNDER the pressure of cold war hysteria against everything conceived to be Communist, the efforts to distinguish the loyal from the disloyal in all public positions were expanded beyond anything ever known before in American life. The President's executive order of 1947 affecting federal employees has been extended in principle to all registrants for the draft, to all workers handling classified materials on contracts for the government, and to applicants for atomic energy scholarships.

The futility of the proceedings was demonstrated by the check-up of government employees, by which only a handful (83 out of 2,457,000 up to June 1949) were found to merit discharge. The difficulty of determining Communist associations and beliefs which, in the minds of the officials, constitute the only real form of disloyalty, was apparent in the arbitrary blacklisting of an array of organizations, membership in which was held to be a substantial bar to public employment and to service in the armed forces.

The original source of the listings was that provided in the President's executive order. New organizations were added by Attorney General Clark during the year, bringing the grand total to 159. Although the lists were announced without any opportunity for hearings by the organizations affected, and solely for the purpose of guiding the loyalty boards in determining one factor in the evidence, they were widely used throughout the country by newspapers, public officials and others to condemn out of hand anyone connected with them. All over the country the lists were accepted as authoritative in determining disloyalty for quite other purposes than those intended by the Attorney General.

The Union repeatedly urged on the Attorney General that hearings be given to organizations which protested their inclusion.

Although the Attorney General promised informal hearings, no regular procedure for so doing has been adopted. Although one or two informal hearings have been held, requests for such hearings are almost always denied.

Several organizations resorted to the federal courts to challenge the right of the Attorney General to characterize them without hearings. The Union has filed a brief in one case before a Circuit Court of Appeals. Federal district courts have so far held that the organizations have no right to contest the determinations of the Attorney General.

The Union, by letter and in conferences with the Attorney General, has urged wholesale reforms in the loyalty program, notably to confine it solely to so-called sensitive positions where conflicts in loyalty may be a disqualifying factor, and to abandon publication of blacklists based on findings without hearings. The Union has also urged bringing under the procedures, unsatisfactory as they are, the four departments where because of security considerations disloyalty charges may under the law result in summary dismissal—the Army, Navy, State and Atomic Energy.

The Attorney General has indicated his willingness to consider reforms, but it is doubtful, considering the political pressures on the government, whether substantial changes can be made. The Union's lawyers in Washington have constituted a panel to aid persons charged, and free legal service has been given to all those who cannot afford counsel. The high quality of the personnel of the Loyalty Review Board has resulted in a number of significant reversals of departmental discharges.

PRESSURE was also brought to bear by the Union on the office of the Secretary of Defense for reforms in the procedures of the Industrial Employment Review Board which controls discharges for disloyalty and security reasons among thousands of employees of firms working on government defense contracts who have access to classified information. The procedures followed by the IERB have been high-handed. Not only are they as unfair as the procedures followed for government employees, but in addition, attorneys present are required to destroy any

notes they make of the secret proceedings. The office of the Secretary of Defense has under consideration the various proposals made.

Similarly the Union has put up to the Secretary of Defense a revision of the questionnaires filled out by all draft registrants, in which they are required to state whether they are or have been associated with a long list of so-called subversive organizations, most taken from the Attorney General's lists. Those who admit membership are disqualified for military service. Those who falsify their statements are subject to prosecution, presumably in military courts. In view of the fact that draft act operations are temporarily suspended, no issues have arisen.

THE discovery that one university student who held an atomic energy scholarship was a Communist Party member set off a furious debate in Congress over the use of any federal funds for students with such political views. The Commission responded by agreeing to deny scholarships to such students and requiring them to take loyalty oaths. Congress has before it a bill to make mandatory the exclusion of such students. The Union is opposing the bill on the ground that present security checks are sufficient to cover all students working on defense projects. The political views of others, the Union holds, have no relation to their scientific work.

One case to attract considerable public attention was the dismissal of James Kutcher, a legless veteran holding a job in the Veterans' Administration, solely because of his membership in the Socialist Workers Party,—followers of Trotsky,—which is on the Attorney General's blacklist. The Union is assisting in an appeal to the courts on the ground that a mere listing without a hearing by the Attorney General is not a ground for discharge, when no fact other than membership is shown.

LOCAL applications of the loyalty purge proceeded further in California than in other states. The State Civil Service Commission adopted a rule excluding from public service persons

belonging to a long list of organizations, so carelessly drawn up that it included the wholly non-political Authors' League of America. The Union, among other agencies, protested to the Governor and to the Commission, so far without result. In Los Angeles County where employees were subjected to the same control under an even more extensive blacklist of prohibited agencies, several employees dismissed brought suit in the federal courts, aided by the Southern California Branch of the Union. The lower courts upheld the dismissals and sustained the rule. The U.S. Supreme Court has taken two cases for review.

In Detroit, a police commissioner inspired by the loyalty purge, undertook to require oaths of loyalty from all newspaper men receiving police cards giving them access through police lines. The procedure was opposed by the Newspaper Guild, one of the Detroit newspapers, and vigorously and publicly by the Union, which engaged in a futile exchange of correspondence with the commissioner. However, no reporter seems to have been denied a police card.

DECLARATIONS of loyalty from public employees were required in bills in the 1949 legislatures in many states. They were defeated in most. New York passed a bill requiring the Board of Regents in control of the state schools to draw up a list of organizations, membership in which lays a basis for disqualifying a teacher for employment. The Board of Regents is currently wrestling with the formulation of an almost impossible task. Ohio enacted a unique and patently absurd law requiring a loyalty oath from applicants for unemployment insurance. The Union will bring a court test based among other points on lack of relevance to any legitimate purpose and on unwarranted discrimination against unemployed workers. Massachusetts forbade the state from hiring any "subversive" employees.

All the loyalty measures taken together represent the widespread public fear and alarm at the alleged infiltration of Communist influence in public employment, of which only trifling evidence has been found. Little account is taken of the futility of proceedings which do not in fact accomplish the results aimed

at, and which, on the contrary, so damage freedom of opinion and expression as to weaken the morale and impair the independence of public servants generally. It is little considered that those who are in fact disloyal by holding a superior loyalty to a foreign country do not hesitate to take an oath or conceal their attachments, while those are sacrificed who either are conscientiously opposed to taking oaths or who openly support the legitimate purposes of one of the many blacklisted agencies. The difficulty of confining "subversive" to explicit categories makes it inevitable that many persons who do not conform to the prevalent orthodoxy are held suspect.

The Union's position on these measures has been to oppose all such tests except for security reasons in "sensitive" departments of the government, either where protection of confidential information is imperative, or where the responsibilities of office justify a searching scrutiny of undivided loyalty to the United States.

THOSE UN-AMERICAN ACTIVITIES

THE House Committee on Un-American Activities, now in its twelfth year, has shown some slight signs of restraint since the November election. The Democratic leadership of the House has restricted its membership to lawyers, thereby removing one of the most obnoxious of its members, the Hon. John Rankin of Mississippi. Under the chairmanship of Hon. John S. Wood of Georgia, who headed the committee in a previous year, the Committee has proceeded with less spectacular and unfair methods than under the chairmanship of Republican Hon. Parnell Thomas of New Jersey.

The procedures of the Committee, however, have not been formally changed although considerable pressure in and out of Congress has been brought to do so. The Union has urged on the Committee and on Congress a set of principles in dealing with witnesses and evidence and has supported a bill in the Senate to regulate the conduct of all committees. Though some reforms appear to have been accepted by the Committee in practice, the damage it can do was plainly indicated by the request

sent to 103 American colleges on the sole authority of its chairman—acting on a petition by the Sons of the American Revolution—demanding textbooks in the social sciences in order that the Committee might scrutinize their conformity to the Committee's notions of Americanism. The Union of course protested such an unlawful request. Many colleges stoutly resisted. The furor it caused prompted condemnation even by members of the Committee. The project was dropped.

The House Un-American Activities Committee has yet to permit a number of witnesses to answer charges broadcast throughout the country. The most notorious case is that of Dr. Edward Condon of the Bureau of Standards, who has waited over a year to be called. However, Dr. Condon was recently asked to testify before a Senate subcommittee considering a bill to reform committee procedures.

The cases of witnesses who a year ago refused to answer questions as to their personal beliefs or to produce records, proceeded in the courts in the District of Columbia. Two reached the Supreme Court. One, the case of Communist Gerhard Eisler, in which the Union filed a brief on the sole point of challenging the constitutional existence of the Committee in view of its invasion of the field of political opinion in which Congress is barred by the First Amendment from legislating. The other was that of Harold Christoffel. Because of Eisler's escape from the United States, the Supreme Court deferred decision. The Court reversed Christoffel's conviction because less than a quorum of the committee was present when Christoffel allegedly committed perjury by denying he was a Communist.

Convictions of two of ten Hollywood writers cited for contempt were sustained by the D.C. Circuit Court of Appeals and will presumably go to the Supreme Court. So too will the convictions of the chairman of the defunct Federation for Constitutional Liberties and the secretary of the Joint Anti-Fascist Refugee Committee. The Union has participated only in the Eisler case, but will challenge again in the Supreme Court in an appropriate appeal the Committee's constitutional powers.

THE one legislative proposal by the Un-American Activities Committee in all the years of its existence, the so-called Mundt-Nixon bill, which died in the Senate last year after passing the House, again appeared in the Senate in new bills, one by Mr. Mundt, now a senator, and one by Senator Ferguson. The bills follow the same lines, which in effect would outlaw the Communist Party by making the advocacy of Communism a crime, although its proponents profess that it provides only for registration and supervision. The Union, along with many other agencies, opposes the bills.

The stormy career of the House Un-American Activities Committee, which has contributed to repressive hysteria all over the country, appears to have been somewhat quieted by attacks upon its excesses. The Department of Justice has opposed its excursions into the executive and judicial arenas. The Democratic leadership has put on some brakes. Hope for abolition is remote. Its appropriations, greater than that of any standing committee in the history of Congress, continue. The Union, despite the improbable prospects, has advocated from its beginning the abolition of the Committee as a dangerous and improper agency of Congress because it deals not with acts but with opinions, on which Congress is barred by the Constitution from legislating.

Some of the worst features of the House Un-American Activities Committee have recently been duplicated by a Senate judiciary subcommittee headed by Senator Pat McCarran of Nevada. Statements of an unidentified U.N. employee to the effect that Trygve Lie is "a tool of the Communists" were given nation-wide publicity, without investigation and in the absence of Dr. Lie abroad. The acting Secretary General of the U.N. termed the story "the nuttiest I have heard yet."

THE imitations of the House Committee in several states ran into obstacles caused largely by their own excesses. In California the legislature tabled a whole series of bills sponsored by the Senate investigating committee under the chairmanship of Senator Jack B. Tenney of Los Angeles. The senator

was roundly condemned by his colleagues and by wide sections of the press for his far-reaching and intemperate proposals, among them loyalty oaths for all California lawyers. Opposition of these powerful interests forced the senator's resignation as chairman. In addition the legislature adopted a code of fair procedures for the committee.

The so-called Tenney committee in its voluminous report scored the Civil Liberties Union as a Communist front without ever making an inquiry, granting a hearing or calling a witness. The Northern California Branch made public a challenge to the senatorial members to repeat the charges out of the legislature where they do not enjoy immunity from suit. None took it up.

The year was marked by the discontinuance of two state committees on un-American activities. The notorious "Broyles Committee" in Illinois is now defunct, after every one of the bills it introduced was defeated in a stormy fight led by the Union's Chicago Division. The joint committee of the House and Senate of the state of Washington was discontinued. Although the Senate itself set up such a committee, no money was appropriated for it. The head of the joint committee, Rep. Albert F. Canwell, was defeated for re-election in November along with two other members of the committee. The attitude which marked the committee's patriotic zeal may be inferred from the reported statement of Mr. Canwell that "If a person says that in this country Negroes are discriminated against and there is inequality of wealth, there is every reason to believe that person is a Communist." It is to be assumed from the record that the state committees, like the Congressional committee, will operate in the future with greater restraint. As pointed out by one observer, there is evidently "a law of diminishing returns in red-baiting" when it extends beyond demonstrable Communists.

RIGHTS OF COMMUNISTS

DESPITE the unprecedented hostility to everything associated with Communism the actual casualties so far have been

remarkably few. No Communist has been imprisoned for political views or activities; no papers have been suppressed. A number of alien Communists have been deported "voluntarily." A few Communist teachers have been dismissed. Some Communists have been convicted for refusal to testify before grand juries or other bodies as to their associations. However, many more have doubtless lost jobs in public and private employment or have been forced to resign.

But a trial which threatens the legality of all Communist activity began in New York in January 1949, when eleven leaders of the party faced conspiracy charges of violating the so-called Smith Act making criminal a conspiracy to advocate the overthrow of the government by force and violence. The Union condemned the resort to the Smith Act, which it opposed in Congress and challenged in the only two previous conspiracy trials under it—one involving a group of Trotskyites in Minneapolis, and the other a group of alleged pro-Nazis in the District of Columbia. Acting on the belief that the act is unconstitutional, the Union filed a brief challenging the indictment. The court declined to quash it. The Union has had no further occasion to intervene during the course of the lengthy trial, reserving future participation to the constitutional question on appeal. In a statement on the trial issues, the Union warned that if a conviction was obtained and upheld, it would outlaw the Communist Party by making its historic propaganda criminal.

IN Denver, the Union aided three alleged Communists cited for contempt and held without bail for refusing on grounds of self-incrimination to tell a Grand Jury whether or not they were Communists. After Union intervention, Supreme Court Justice Wiley B. Rutledge ordered their release on bail pending appeal.

In Los Angeles, ten persons refused to reveal their associations to a federal grand jury investigating Communist activities and were held without bail. They were aided by the Southern California branch in contesting the denial of bail. The case is now on appeal.

Bills in the 1949 state legislatures aimed to outlaw the Communist Party or to place upon it special restrictions constituted almost an epidemic. Only a few were adopted. Maryland passed the most sweeping measure modeled after the Mundt-Nixon bill which would in effect outlaw the Communist Party. It was opposed by the Maryland Civil Liberties Committee along with many other agencies. Bills aimed at excluding Communists from public office and outlawing the Communist Party and its sympathizers created a furore in Illinois where the Chicago Division of the Union led the successful fight against them.

NOTABLE among increased restrictions throughout the country on Communist activities was the action of the Board of Education in New York City in excluding from use of the schools the International Workers Order, a fraternal body under Communist leadership, which had been conducting Hebrew classes for many years. Solely because it was on the Attorney General's subversive list, the Board of Education withdrew permission for the classes to continue. The Union joined in the unsuccessful protest. The action of the Board was surprising in view of its liberal stand in refusing a year ago to adopt a resolution denying the use of schools to organizations alleged to be Communist, Nazi or Fascist.

New Jersey adopted an unprecedented law requiring a loyalty oath from all candidates for public office. If they refuse to take it this year, that fact will be noted beside their names on the ballots in 1949; but in 1950 and thereafter they will not be allowed to run for office. The ACLU is supporting a test case of this unique law, which also requires loyalty oaths from teachers and lawyers.

The Massachusetts Civil Liberties Union in a brush with Mayor Curley of Boston came off victor when the mayor agreed he was obliged by law to grant a permit for a Communist meeting against which the City Council had adopted a resolution.

POLITICAL RIGHTS

MINORITY parties in the political campaign of 1948 met comparatively few obstacles to getting on the ballot. The Socialist Party ran into difficulties in Ohio where the law requires a wide distribution of petitioners. It attempted unsuccessfully to challenge the law. In Illinois, a similar requirement, carried in an unsuccessful test case to the U.S. Supreme Court, prevented the Progressive Party petitions from being accepted. Comparatively little interference was reported with election campaign meetings of any party, though the Progressive Party, because of its Communist support, encountered unusual obstacles.

THE poll tax as a requirement for voting in seven Southern states was challenged in a proceeding in Virginia, brought by counsel for the Union in the federal courts on the ground that it was adopted as a means for restricting the Negro vote. It is hoped the case may move along so that an appeal may be taken to the U.S. Supreme Court. Proceedings have been blocked by maneuvering in the courts and also by an inclination to await Congressional action on the requirement of the poll tax in federal elections.

In three Southern states—Virginia, South Carolina and Texas, —the legislatures moved to submit the issue of the poll tax to the people by referendum or constitutional amendment. Tennessee acted to lift the burden of requiring the payment of past poll taxes as a condition of voting in current elections.

ALIENS' RIGHTS

ALIENS suspected of Communist beliefs and associations had a harder time getting into the U.S. during the year and an easier time getting out. Almost all civil liberties issues involving aliens had to do with alleged Communists. In the hysterical atmosphere of anti-Communism it is inevitable that law and regulations concerning entry and deportation have been much more rigidly enforced.

Delegates to international conferences in the U.S. were repeatedly refused admission where Communist associations were alleged or suspected, even when they were coming to meetings of trade unions strongly anti-Communist. Thus delegates from Canada to the CIO United Automobile Workers and Amalgamated Clothing Workers conventions were turned back at the border. Protests to the Attorney General by the Union were unavailing in getting him to use his legal discretion to admit these delegates.

An international furore was created over the refusal of visas to attend a conference on peace at the Waldorf-Astoria Hotel in New York in the spring of 1949. Though it was evident that the auspices were strongly pro-Soviet—since the conference was endorsed by agencies of the Soviet Union and its satellite countries—visas were granted for the official delegates from those countries but denied to unofficial delegates from others who were alleged to be Communists or sympathizers. Even delegates admitted were denied by the Department of Justice a tour of inspection throughout the country under the somewhat surprising auspices of the super-respectable National Ass'n of Manufacturers. The Department held that they had been admitted solely to attend the conference.

Other refusals of entry involved the so-called "Red Dean of Canterbury," the Rev. Hewlett Johnson, when scheduled for a lecture tour under the auspices of the Nat'l Council of Soviet-American Friendship; and two foreign "progressives" alleged to be Communist sympathizers, booked for a speaking tour of the country with Henry Wallace in the interests of "peace."

Under pressure the Department of Justice cancelled the American appearance of the internationally-known pianist, Walter Gieseking, after his arrival in New York, though he held a valid visa. Opposition to him as a Nazi sympathizer was the obvious ground, although he had played freely without incident during the last year in countries overrun by the Nazis and in England. He returned home "voluntarily" rather than test the exclusion ruling.

The Union was involved in practically all of the cases and issues affecting entry, insisting that U.S. policy should permit the entry of any visitor for any lawful purpose regardless of political views. A significant commentary on cold war government policy is to be found in the ready admission of refugees from the Soviet Union illegally entering, and permitted to remain as visitors under the discretionary power of the Department of Justice.

In order to test the right of aliens claiming legal entry to a hearing to contest exclusion, the Union is assisting a German war bride who came with a valid visa but who was refused entry on grounds not disclosed. Her appeal is pending before the Supreme Court, backed by the Union on the contention that some hearing should be provided, as it has not been, to challenge all arbitrary exclusions.

THE Department of Justice, under pressure of the high anti-Communist temperature, has moved to deport an exceptional number of long-resident aliens charged with Communist associations. Most of the deportations were contested in the courts by sympathetic defense agencies on the ground that no Supreme Court decision has yet held that membership in the Communist party alone, aside from personal advocacies, constitutes the prohibited doctrine of overthrow of the government. While the litigation was pending, a number of aliens free on bail were picked up by the Department and held at Ellis Island without bail. One was later freed by court order.

The Department thus appeared to be anticipating action by Congress on the so-called Hobbs bill, backed by the Department, to provide indefinite detention on order of the Attorney General of those alien Communists who cannot be deported for a lack of passports or visas to other countries. No country can be found to accept some hundreds ordered deported, and the Department maintains that they should not be let loose indefinitely around the country, especially if Communists. The Union has opposed both the arrests and the bill, maintaining that supervision of deportable aliens is adequate to protect the country and that indefinite detention without a court order is unconstitutional.

The Union has not so far participated in any of these court contests, although opposing deportations solely for political associations. One developing court case challenging the Department of Justice will be aided by the Union, involving members of the Greek Federation of Maritime Unions discharged in the port of New York and not allowed by our immigration officials to ship out again as seamen. The Department is attempting to deport them to Greece where they allege they would be subject to severe penalties as opponents of the Greek regime. The Federation denies that it is a Communist-led organization, though the Attorney General says he has information to justify its blacklisting by the Greek government.

TWO citizenship cases enlisted the Union's aid. One is that of a teacher, Dr. Samuel M. Wixman of Los Angeles, denied citizenship by a federal court on the ground that he advocated collectivism. On appeal to the U.S. Supreme Court, even the Department of Justice supported by a brief the contentions of the Southern California Branch. The Court sent the proceedings back to the lower court with instructions to admit to citizenship if nothing was found in the record more substantial than favoring collectivism. On a second hearing, citizenship was again denied on the ground that Wixman had not affirmatively proved that he did not hold Communist views! Another appeal will be taken.

The other case involved a naturalized citizen who lost his citizenship by remaining away from the U.S. more than the five-year limit fixed by law. The Union assisted by filing a brief, challenging the distinction between the legal rights of native-born and naturalized citizens. The D.C. Court of Appeals, however, upheld the statute.

VIOLENCE

THE resurgence of the KKK, notably in Georgia, Alabama and Florida, produced vigorous opposition even among officials. The Atlanta City Council by an almost unanimous vote adopted an ordinance making it a crime to wear masks in public.

A similar law was adopted by the Alabama legislature. Proceedings were also instituted in Alabama to revoke the Klan's charter. Over a score of night-riding terrorists were arrested and prosecuted by the Attorney General after repeated incidents, marked by the unusual feature that many of the victims were white. The Union's Southern representatives were active in assisting the authorities.

Only one lynching of a colored man was reported during the year, that of Robert Mallard at Lyons, Georgia in November, 1948. A lynching of a white man, William Turner, occurred in Georgia.

FREEDOM IN THE SCHOOLS AND COLLEGES

UNPRECEDENTED stir over fear of Communist infiltration into schools and colleges aroused a nation-wide debate on policy which sharply divided the educational profession, and in less degree the supporters of civil liberties on principle. The issue boiled down to whether or not Communist Party members are disqualified as teachers solely because of membership. The National Education Association held that they are; the American Association of University Professors took the contrary position. The Academic Freedom Committee of the Union published in a pamphlet its position upholding the right of any teacher to belong to any legal political party, maintaining that personal conduct alone should be the ground for judging fitness to teach.

The most publicized of the issues arose at the University of Washington as a result of a legislative committee's investigation, where the Regents dismissed three professors, and put three more on probation for admitted or proved Communist party membership, past or present. (In one case, membership was inferred.) At Oregon State College a teacher was dismissed for writing that the biological theories of a Russian Communist scientist should be studied. The Union's Committee joined in protesting the action in both instances. The dismissals stood.

At Olivet College, Michigan, a private institution, an upheaval took place, not over Communism but over the alleged radicalism

of some teachers, one of whom had been a national candidate on the Socialist ticket. The Union made an on-the-spot investigation, concluding that the principle of academic freedom had been violated in not renewing contracts solely because of teachers' opinions regarded as offensive to trustees and supporters. Over half the faculty either resigned or was let out.

Progressive Party adherence was the apparent cause of non-renewal of contracts in six reported instances. One teacher was actually discharged for presiding at a Progressive Party meeting, held to be offensive to the community of Evansville, Indiana, where Evansville College (Methodist) is located. The Union joined in the futile protest at the action.

The New York State legislature of 1949 also fell victim to the hysteria. It adopted with little debate a sweeping law requiring the State Board of Regents to list subversive organizations, present membership in which lays a basis for disqualifying a teacher. Though the law is aimed primarily at the Communist Party, the Regents cited for their first hearing also the Socialist Workers' Party, the Workers' Party, the Industrial Workers of the World and the Nationalist Party of Puerto Rico. The Union took the lead in the unsuccessful efforts to get Gov. Dewey to veto or hear opponents before approving the Feinberg bill.

The year was marked by an epidemic of state legislative proposals to require stringent loyalty oaths from teachers, all opposed by the Union. Such proposals were defeated in Nebraska, Ohio, Oklahoma, Illinois, but were passed in several states,—including Kansas, New Jersey, Maryland, Washington and Arkansas. A summary of recent legislation shows six states which forbid teachers to join "subversive" agencies, and twelve which require discharge for what is variously—and vaguely—defined as disloyalty. A unique loyalty oath bill passed by the Texas legislature requires university teachers and students to declare themselves non-Fascist and non-Nazi as well as non-Communist. It awaits the Governor's signature. Another unique bill was passed by the Oklahoma legislature which requires deans and the President of the university to certify that the staff is not Communist.

As might be expected, the pressures for conformity by teachers began to turn up evidence of informers, and indeed of the cooperation of educational administrators with the F.B.I. and other government investigative agencies, in an effort to spot Communists. So great have grown the pressures under the fear of Communist infiltration that the minority voices of educators opposed to the ban on them have been played down or silenced. Uneasiness over the threatened inroads on academic freedom in the search for heresy is evident, but it appears at the moment unlikely to express any effective resistance.

Released time for religious instruction continues to be an issue in the public schools in those few states where the Supreme Court's decision of a year ago has not been interpreted to bar all religious instruction in school buildings or on school time. In New York state challenges to the use of school time, not buildings, were taken into the courts by the Free Thinkers of America and by a group of agencies in New York brought together by the Union to back two protesting parents. Because the Free Thinker's suit seemed less likely to succeed it was withdrawn on appeal in favor of the more substantial suit. It has been somewhat delayed because of pre-trial maneuvers adopted by counsel for N. Y. City.

In Westport, Conn. the Union will institute a court test of the continued use of school buildings for instruction of school children by priests and nuns. An extreme instance of the control by religious forces over the public schools marked the little town of Dixon, New Mexico, where the public schools had become virtually parochial schools, with nuns teaching religion from religious textbooks paid for out of school funds. A forthright decision by a state court in the spring of 1949 in a suit brought by Protestant taxpayers outlawed all the practices by a sweeping injunction from which the state evidently will not appeal.

A unique law in Hawaii challenged by the Union forbade teaching children in foreign languages,—aimed at the Japanese, Chinese and Korean foreign language schools. A. L. Wirin of Los Angeles handled the court test for the Union and private clients, carrying it to the U.S. Supreme Court. The court held that relief should have been sought through territorial courts in Hawaii.

RACIAL MINORITIES

FOR the first time in years, civil rights for racial minorities took a major place in national politics. The Democratic victory in November was doubtless due in considerable part to the President's forthright championship of his civil rights program,—which he had presented to Congress in ten measures,—embodied in the Democratic platform and defended in the campaign against the attacks of the Southern Dixiecrats. Hopes that action would follow in Congress unhappily have been dimmed by the inability of the nominal Democratic majority to maintain the party program against a combination of Southern and Republican opposition. Hearings on most of the civil rights bills have been held and committee reports made in one or both houses of Congress, without, however, immediate prospects of passage. Only the anti-poll tax bill got so far as passage by one house. The greatest hurdle to overcome for the major controversial bills—anti-poll tax, anti-lynching and FEPC—was only slightly lowered in the Senate by a change in the rules to overcome filibusters. The efficacy of the new rules has not been tested.

The Civil Liberties Union took an active part in the effort to speed action on the legislation. The President was urged in a public appeal signed by many distinguished citizens enlisted by the Union to make it the first order of legislative business. While adhering to the program, the President has evidently not exerted pressure in view of critical international issues and the obstacles to favorable action in the present session. The Civil Liberties Clearing House in Washington, D.C., composed of representatives of national organizations supporting civil rights, rallied forces around the legislation, maintaining constant vigilance. The Union's Washington representative, Mrs. Mary A. Baldinger, is secretary of the Clearing House. Union representatives have appeared at practically all the hearings.

IN the state legislatures in 1949, the Union and its local affiliates were involved in many efforts to promote racial equality in law, notably by fair employment practices acts. They were adopted in seven states,—Indiana, Massachusetts, New Mexico,

Oregon, Rhode Island, Washington, and Wisconsin. FEPC legislation failed in ten states,—California, Colorado, Illinois, Michigan, Minnesota, Montana, Nebraska, North Dakota, Ohio, and Pennsylvania. A temporary commission to investigate fair employment practices was established in Kansas.

New York widened its anti-discrimination laws to forbid questions on place of birth of applicants for civil service examinations, and California prohibited discharges in the civil service because of race, creed, sex, marital status or blindness. The Connecticut legislature unanimously adopted a civil rights law; New Jersey widened its civil rights laws.

New York enacted (in 1948) the first fair educational practices act in the country, under which all colleges and schools, except those under religious auspices, are prohibited from discriminating in applications on the ground of race, religion or nationality. A similar bill was introduced in Connecticut, but did not come to vote. The New Jersey civil rights law now contains effective procedures to halt discrimination in education.

IN California a notable obstacle to racial equality was removed when for the first time the California Supreme Court held unconstitutional a statute barring marriages between members of the Caucasian and other races. The legislature followed suit by repealing the law. The Southern California branch of the Union filed a brief challenging the statute as unconstitutional. The 4 to 3 decision stands as law, since the state took no appeal. Legal bars remain in twenty-six other states. The Union is supporting additional test cases in the hope of taking one of them to the U.S. Supreme Court.

Negroes

THE gathering momentum of the many-sided movements to extend the rights of Negroes was expressed in numerous court cases, legislation, administrative rules, and liberalized policies in quasi-public organizations.

In Georgia, a notable gain was secured when its supreme court

ruled that in accordance with numerous United States Supreme Court decisions, counties with substantial Negro populations must put Negroes on their jury lists. However, the Georgia legislature passed a bill, admittedly aimed at Negroes, which would disqualify voters who cannot answer certain "knowledge" questions. The author of the bill himself was unable to answer all the questions.

The U.S. Supreme Court refused to review, thus upholding, a decision of a three-judge federal court in Birmingham, Ala., holding unconstitutional an amendment to the Alabama Constitution designed to keep Negroes from voting by requiring them satisfactorily to explain as well as read the Constitution of the United States.

The principle of segregation met severe attack. The U.S. Supreme Court has before it a petition to review a decision of the Texas Supreme Court holding constitutional the requirement of separate law schools for Negroes. If the Supreme Court grants review, the Union will file a brief attacking the principle of segregation itself as unconstitutional. The Supreme Court had earlier ruled that Oklahoma must provide equal facilities in segregated law schools to Negroes. When Oklahoma failed to do so, it was obliged to open to Negroes white university facilities. The plaintiff, Mrs. Sipuel, then entered the University of Oklahoma, although "segregated" in the school itself but in the closing hours of the legislature, Oklahoma ruled that although Negroes may sit in the university cafeteria, they cannot sit in the same classrooms with whites. Missouri moved toward opening its state universities to Negroes, although the bill to accomplish this is not yet law. Indiana passed a law to ban by 1954 racial segregation in all public schools. A bill to repeal Maryland's Jim Crow law on railroads and steamships passed one house of the legislature but was defeated in the other.

Segregation in the National Guard of the states, after first being abolished by the New Jersey Constitution two years ago, has been abolished by legislation in Massachusetts, New York, Pennsylvania, and Wisconsin. The New York and Pennsylvania laws are so worded that their effect is disputed.

Progress was made towards reducing segregation in all branches of the armed forces under an order of the President. Although the Army has not submitted a plan to bar segregation, the Navy and Air Force have. The Union appeared at hearings in Washington at which testimony was taken on the effects of segregation.

Segregation at restaurants in the National Airport in the District of Columbia was abolished by an administrative order, but the Airport authorities defied the order and a suit, still pending, was filed in the federal courts.

In the housing field, the Supreme Court decision of a year ago removing the support of law from restrictive housing covenants aided in the expansion of Negro residential districts. An issue in New York City in which the Union participated with the NAACP and the American Jewish Congress involved a racial ban in the Stuyvesant Town project built through aid of tax exemptions. The New York Court of Appeals, by a 4 to 3 decision, refused to hold the ban unconstitutional; an appeal to the United States Supreme Court is planned. The New Jersey Supreme Court has agreed to review a decision holding unconstitutional the denial of municipal housing facilities to Negroes. Connecticut and Pennsylvania both forbade by law racial and religious discrimination in public housing.

Japanese-Americans

THE persistent struggle of the Japanese-American minority for equality before the law and in repairing the damages of the war-time evacuation scored successes, particularly through the courts. After winning last year from Congress a claims commission to settle the huge property losses resulting from the evacuation, and stays on the deportation of treaty merchants and others no longer legally in the country, organized effort in the courts and legislatures registered:

(1) a decision of the Oregon Supreme Court voiding the law denying ownership of land to "aliens ineligible to citizenship," aimed primarily at the Japanese;

(2) decisions of the federal courts in California holding that some 5,000 Japanese-Americans who renounced their citizenship

while confined during the war had surrendered their rights under duress and are still U.S. citizens. Though the government has appealed, the courts have held that their rights may meanwhile be exercised. In one case the appellate court has held adversely on technical grounds;

(3) decisions of federal courts in California that Japanese-Americans stranded in Japan at the outbreak of the war, who sought to regain disputed American citizenship, did not lose their U.S. citizenship. The cases affected Nisei girls who had voted in a Japanese election,—the court holding that occupied Japan is not a foreign country within the meaning of the statute,—and a Nisei youth drafted into the Japanese army, which the court held was under duress. California polished off the decision of the U.S. Supreme Court voiding a California war-time law excluding Japanese aliens from fishing rights by repealing the law.

Both the Northern and Southern California Branches as well as the national office were involved in the various court cases. The major efforts, however, in behalf of the Japanese minority were conducted by the Japanese American Citizens League through its Anti-Discrimination Committee, with its main office in Washington. Efforts there were largely concentrated on securing passage of a bill in effect repealing the oriental exclusion act of 1924, and thereby opening U.S. citizenship to resident Japanese aliens as well as other orientals not covered by the war-time exceptions for the Chinese, Indians, and Filipinos. The bill passed the House but got hung up in the Senate Judiciary Committee where a general revision of immigration legislation is under study. The bill is one of the President's civil rights bills. It was backed not only by the JACL, but by a special Committee on Equality in Naturalization in which the Union actively participated.

Indians

THE Union's activities in behalf of Indian civil rights are directed to legislation and court cases. Its activities are geared into the efforts of the other more specialized organizations dealing with Indian affairs through a coordinating committee in New York. The Union aided in the litigation in both state and federal courts which finally resulted in gaining for the new Mexico and Arizona Indians the right to vote. They were the last two states to deny it. An attempt was made in the New Mexico legislature to overcome the court decision by legislation which was however fortunately vetoed by the governor on the urging of the Union and other agencies.

Arizona and New Mexico also deny their Indians social security payments like other citizens on the ground that Indians are federal wards. Payments have therefore come out of special Congressional appropriations, not from the Social Security Board and the states jointly. A challenge to the position, brought in the District of Columbia courts by the Congress of American Indians, resulted in what appears to be favorable action, at least so far as concerns the Social Security Board's obligation to make the payments. It is uncertain yet how far Arizona and New Mexico will go to meet their share.

The rights of Alaskan Indians have also enlisted efforts by the Union's Committee on Indian Civil Rights. The main issue is the assignment to Indian villages of their historic timber, hunting and fishing lands, most of which are now administered by the Forest Service. Inability to reach agreement between the Interior Department and the Forest Service has blocked progress. Decisions of the U.S. Supreme Court granting other Indians title to lands historically used may go far to settle the Alaskan claims, which will probably be brought to the courts. One claim to fishing rights, in which the Union joined, was upheld by the United States Supreme Court (in May 1949).

Mexican Americans

ALTHOUGH the civil rights of the three and one-half million Mexican-Americans in the U.S. are marked by many forms of discrimination and repression, they are still without an effective champion. Efforts are being made, however, through the National Farm Labor Union, the League of United Latin-American Citizens and other leaders among Mexican-Americans to deal with the problems of peonage, illegal entry, contract labor, segregation and discrimination in its many forms throughout

the Southwest and in California. With the much more widespread distribution of the Mexican-American population, the problem in recent years has become national and of increasing concern to wider circles. The Union's activities in the field have been incidental.

CENSORSHIP

WHILE a not unusual number of censorship issues arose in the attempts of public agencies to censor books, movies, plays or periodicals, the stronger pressures arose from interference by private agencies. Pressure both on the industries and on public officials by these self-appointed guardians of public morals increased markedly. Not only religious pressures for conformity to their moral codes increased, but also those by racial minorities.

In an effort to counteract these censorial pressures, the National Council on Freedom from Censorship undertook to form a national coordinating organization of all the agencies, in and out of the industries, opposed to censorship both public and private. Numerous conferences were held at which lively expressions of interest showed the need of common action. Obstacles arose, however, to forming an organization composed of these diverse agencies because of by-law requirements of many organizations that all action must be approved at each step by Boards of Directors, and because the tax-exempt status of some might be jeopardized by legislative activity. It was therefore agreed to expand the National Council itself by adding individual members from the various industries and agencies.

WHAT the Union had hoped would be a landmark in court decisions on alleged obscenity turned out in the Supreme Court to be a conventional ruling when it upheld 4 to 4 the conviction in New York of "The Memoirs of Hecate County," a novel by Edmund Wilson. The Union had filed a brief in support of the unusual contention that the "clear and present danger test" should apply to obscene literature as well as to utterances on political matters.

Judge Curtis Bok in Philadelphia, however, took precisely that view in a memorable decision clearing nine novels of obscenity charges brought in wholesale raids on book stores last year. Notable also was a decision in Boston in which Judge Charles Fairhurst in the Superior Court cleared two novels, "Serenade" and "God's Little Acre," charged by the Attorney General with being obscene. His ruling should considerably discourage the local censors. The Jersey City police, not surprisingly, effectively censored a number of novels by threatening prosecution of newsstand owners if they did not remove the books from their stands. Protests by the Union and the National Council brought only the interesting reply that the obscenity of the books already censored would be investigated. Sioux City, Iowa, distinguished itself by seizing three current novels held to be indecent,—"Tobacco Road," "God's Little Acre" and the "Passionate Witch."

Other noteworthy instances of censorship included the censoring of "Replenishing Jessica" and "Divorce Bait" in many Massachusetts towns; the prosecution of "The Amboy Dukes" (later made into the successful motion picture "City Across the River") by a private committee in Washington, D.C., and its banning in Milwaukee, Wisconsin.

The pressure of certain misguided Jewish interests in New York was responsible for a demand on the New York City Board of Education for the removal from school libraries of "Oliver Twist" and the "Merchant of Venice." The Board refused to respond and a private suit was filed in the courts. The Union is backing the Board.

PRE-CENSORSHIP of motion pictures continues in the seven states with censorship boards, though no instances arose justifying court tests. The Union had been prepared to bring to the courts the banning by the Maryland Board of Censors of a Polish documentary on the ground that it was Communist propaganda; but the overruling of that ban by the Attorney General made such action unnecessary. One important case was carried over from the previous year in Memphis, Tenn. where the Motion Picture Association of America challenged the municipal

censorship of the film "Curly," banned for showing white and Negro children playing together. The case was lost on technical grounds in the lower court and has been appealed in the hope that it can be carried to the U.S. Supreme Court to test pre-censorship in principle. The industry, along with the Union, desires to get an effective appeal before the Supreme Court to determine whether motion pictures have the same protection from prior censorship as the press. The court indicated in an anti-trust case a year ago that the constitutional protection might be so extended. Fearing that the Memphis case is not likely to reach the court, the National Council has sought an exhibitor willing to make a test, or failing that, will exhibit a film itself to test the law in one of the seven states.

Pressures by private Jewish agencies in New York have been responsible for keeping from the American public the British film "Oliver Twist," shown widely abroad. Repeated public appeals by the chairman of the Council, Elmer Rice, have brought only the response that the opposing Jewish interests will not recede from their position that the film is anti-Semitic and therefore unsuitable for American audiences. The American distributors still maintain that the film will be shown.

The showing of the old film on post-Civil War days, the "Birth of A Nation," was effectively prevented in Syracuse, New York, when the mayor advised a local exhibitor that it would be best not to show it. The mayor reportedly acted after being deluged with phone calls protesting its supposed anti-Negro propaganda, although the film now contains a prologue and epilogue appealing for the brotherhood of man. The National Council protested the mayor's action, and offered free legal aid to the exhibitor should he experience reprisals. Pending further developments, the distributors will exhibit it in a neighboring community.

The U.S. Customs Bureau was involved in only two reported cases of contested censorship of a foreign film, both because of excessive nudity. The French film "Pattes Blanches" was released after Union intervention, with only ten inches cut out. An Italian film was released with eight feet out.

THE only major play reported to have run foul of the censors was "The Respectful Prostitute" by Jean Paul Sartre, which had a long run in New York but which was too strong for the morals of the Chicago police. The Chicago Division of the Union protested the ruling, and presented the play at a private showing which received wide publicity. Together with the publication of a pamphlet on the Chicago censors, it resulted in breaking the police ban. The play thereafter had a short but substantial run.

NATION-WIDE protests against the influence of comic books on children, on the ground that they encourage crime, resulted all over the country in attempts to censor them. A bill in New York was vetoed by the governor on the ground that the Supreme Court had already voided laws making criminal the portrayal of "bloodshed, lust and crime." The Union took part in the efforts throughout the country to oppose all legislation attempting to bar or regulate comics on the ground that control of their use was primarily a matter for parents and teachers and should not be made a subject of legislation. All attempts to regulate comics failed, although New York did authorize hearings to determine the need for legislation in the next session.

One periodical, "The Nation," was the object of an exceptional attack when the New York City Board of Superintendents removed it from the school libraries because of a series of articles held objectionable to Catholics. Every effort to revoke the ban, in which the Union aided the "Nation," proved unsuccessful, and the issue is now headed for the courts.

A UNIQUE censorship issue arose in Baltimore, Md. where the City Court rules for ten years have barred comment by press or radio on pending court cases before trial. Three radio stations were cited for contempt for carrying news stories concerning a defendant. The Union, together with the American Newspaper Publishers Association and the National Association of Broadcasters appeared in opposition to the rule. The Union's affiliate, the Maryland Civil Liberties Committee, however, supported the court on

the ground that the protection of defendants justified the rule. The contempt citations were appealed to the Maryland Court of Appeals which in a 5 to 1 decision held void the objectionable sections of the court rules. The Union was represented throughout the litigation by James Lawrence Fly, former chairman of the Federal Communications Commission.

RADIO

THE chief event in federal policy toward radio was the reversal by the Federal Communications Commission in the spring of 1949 of what is known as the "Mayflower decision," under which station-owners have been forbidden to express their own viewpoints on controversial and political issues. The Commission had held that radio, unlike the press, which does not exist by public franchise, is not free to editorialize. The Union has supported the principle of the Mayflower decision and appeared before the Commission to oppose efforts of the industry to change it. The Commission, however, by a vote of 4 to 1, in effect reversed the rule, permitting stations to editorialize but requiring them to do so within the framework of balanced programs, giving equal consideration to other views. The practical implementation of such a policy appears impossible. The Union has urged the Commission to reconsider the policy, and has also urged Congress to direct the Commission to change it.

An alleged exclusive contract between a network and a forum type of program was challenged before the Federal Communications Commission by the Union on the ground that no network should give exclusive privileges to any forum. After considerable correspondence the network assured the Commission that its interpretation of the contract had not given the forum exclusive privileges.

MONOPOLY IN COMMUNICATIONS

AFTER several years of exploratory inquiry, the Union regretfully agreed during the year that no practical effort within its means could be undertaken to attack the various forms of

monopoly in the communications field which restrict either the sources or distribution of news and opinion. One of the chief difficulties is the lack of qualified personnel to make the necessary technical inquiries. In an effort to attract persons who might undertake them, a course in communications was organized at the New School for Social Research with an underwriting by the Union to the extent of $2,500, made possible by the generosity of several special donors. The expected technical interest did not develop although the course was well attended. The effort will be resumed when personnel is available and clear lines of effort are agreed upon.

LABOR'S RIGHTS

CIVIL rights in labor relations revolved around the administration of the Taft-Hartley law, a major issue in the 1948 election campaign with the Democratic Party's pledge for its total repeal. Maneuvering in Congress between the conservative and liberal forces indicates that total repeal is at present remote. The Union, concerned only with those provisions involving civil rights, has urged repeal of the restrictive sections of the law and inclusion of provisions to promote internal trade union democracy. Support of the Union's representations was expressed for the first time both among Senators and Representatives who are not hostile to labor's rights, and whose support of internal democracy is therefore genuine.

Participation by the trade unions in the 1948 political campaign was apparently not much restricted by the Taft-Hartley provision against union contributions to campaign funds, nor by the prohibition on either supporting or opposing candidates. A federal court in New Haven, however, upheld the act's ban on political expenditures by labor unions. Unions found devices for political action by which the provisions of law could be circumvented, as they commonly are by corporations.

The injunctive provisions of the Taft-Hartley act, which brought about an increasing number of court orders on employers' petitions, were the occasion of study by the Union's

counsel as a basis for entering test cases where the injunctions interfered with the civil rights of labor. No occasion however arose for intervening in the higher courts.

Restraints on picketing where no violence occurred nor access to struck plants was prevented, enlisted the Union's interest. Support on appeal will be given against a court order enjoining peaceful picketing at the Lucky Stores in Los Angeles, California, where left-wing groups demanded racial quotas of Negroes and whites among store employees. While strongly disapproving the object of the picketing, the Union sustains their right to picket.

A UNIQUE issue in which the Union participated was the challenge to a New Jersey law authorizing the governor to seize public utilities whose operations are blocked by a strike. The Union opposed the law because it affected both private and publicly-owned utilities, and imposed compulsory arbitration without adequate standards. A brief was filed in the State Supreme Court in support of the contentions advanced by the Telephone Workers' Union. The Supreme Court in June 1949 held the law invalid on the ground that no standards were laid down by which arbitrators might be governed.

CIVIL RIGHTS IN THE COURTS

THE rights of defendants in criminal cases are frequently the object of Union intervention. Outstanding among them during the year was the appeal of Samuel Titto Williams, of Brooklyn, N. Y. convicted and condemned to death by the judge, though the jury recommended leniency. The judge based the death sentence on police and probation reports which the defense had no chance to contest. Through the voluntary services of John F. Finerty of the Union's Board, an appeal was taken to the highest court in New York state and thence to the U.S. Supreme Court. The Supreme Court in a divided opinion, 7 to 2, held that a judge could constitutionally impose the death penalty even in the face of a jury's recommendation by consideration of evidence not

available to the defense. Efforts to secure a rehearing were unavailing. An effort was made by the Union in the New York State legislature to correct the procedure by a bill requiring a judge to follow a jury's recommendation. It was passed, but Gov. Dewey vetoed it.

THE Pittsburgh Civil Liberties Committee performed a valuable service in resisting the extradition to Georgia of a Negro who had escaped some years ago from what was called a chain gang,—although chain gangs are now abolished in Georgia,—and who had lived for some years in Pittsburgh under an assumed name. Arrested for some minor offense, his identity was revealed, and Georgia sought to return him. The case was taken into the federal courts. The Circuit Court of Appeals at Philadelphia voided the extradition, denying to a state the right to take back a prisoner who had undergone "cruel and unusual punishment."

SIX Negro youths in Trenton, New Jersey condemned to death for the murder of a shopkeeper, attracted wide attention when a Communist-led defense agency came to their aid and exploited the "Trenton Six" as the "Northern Scottsboro case." The Union's New Jersey counsel examined the record, found no evidence of racial prejudice, but considerable of extorted confessions. When the case was argued in the Supreme Court of New Jersey, the Union aided by a brief urging a new trial on the ground of extortion of confessions and denial to the defense of the right to examine the murder weapon for fingerprints. The Supreme Court in a unanimous opinion upheld the contentions and ordered a new trial.

IN New York a court case which dragged on from last year attracted considerable attention because of an appealing humanitarian issue. A father and mother who had returned to Soviet Armenia sought to get their three younger children from Catholic institutions so they could join them in their native

country. The Union's counsel, Raymond Wise, represented them. The courts consistently refused to release the children from the institutions, which claimed that the American-born children would be better off under their care from the point-of-view of both their religious and patriotic needs. The case is awaiting decision by New York's highest court.

EFFORTS joined in by the Union to secure pardons from the President for the 18 members of the Socialist Workers' Party convicted in Minneapolis in 1943 for advocating the overthrow of government by force and violence were wholly unavailing. Although their sentences have been served, a pardon would restore their civil rights.

FREEDOM OF SPEECH AND ASSEMBLY

AN issue which aroused the sharpest controversy over the limits of free speech was that decided by the U.S. Supreme Court in the spring of 1949, when it upset in a 5 to 4 decision the conviction of the Rev. Arthur Terminiello, a then-suspended Roman Catholic priest and associate of Gerald L. K. Smith, for disturbing the peace in Chicago two years ago. His conviction was sustained by the Illinois Supreme Court, one of the grounds being that expectation of his intemperate language in a private hall caused a near-riot by hostile demonstrators outside.

The U.S. Supreme Court's sharp division was reflected among those outside who had taken part in the case,—notably the Union for the defense and the American Jewish Congress for the prosecution, both of which filed briefs. The essence of the controversy was an interpretation of the limits of permissible speech. The language used by the speaker was as intemperate an expression of anti-Semitism as can be imagined, but the decision supported speech "likely to arouse anger." Opponents hold that it gives free rein to utterances likely to cause disturbances of the peace The Union sees it as a protection for speakers from loose charges based on their views, however obnoxious.

WHILE the political campaign in the fall of 1948 brought few instances of interference with meetings, the Progressive Party, because of its Communist support, met difficulties in several places, notably in the South. None called for Union intervention. As an aftermath of the campaign one Wallace supporter, O. John Rogge, was denied a meeting place in Syracuse, an incident marked by the arrest of a Syracuse University student who allegedly used intemperate language in announcing by loudspeaker on the street a change of location. He was given thirty days in jail for disorderly conduct. The Union protested the denial of the meeting and is aiding in the pending appeal from the conviction of the student.

TWO issues arising under New York City laws of long standing are headed for what appears to be a final decision in the courts. The Union sponsored a test case of the constitutionality of the requirement of permits for religious street-preachers, now before the New York Court of Appeals, the state's highest court. On the other issue, that court ruled recently that the requirement of permits for speakers in public parks is constitutional. The case is being handled by Union counsel. The decision is being appealed to the U.S. Supreme Court.

SOME interference was aroused with the lecture tour of Prof. Harold J Laski of the London School of Economics on the erroneous ground that he is a Communist sympathizer. The City Council of Cambridge, Mass. denied the use of a high school auditorium for the Harvard Law School Forum to hear him, resulting in a much larger meeting in a Harvard auditorium. Authorities at the University of California also restricted his meetings.

SOUND-TRUCKS as an adjunct of public assembly seem to be headed either for judicial restriction or prohibition. The U.S. Supreme Court upheld a total ban on "loud and raucous" sound-trucks in Trenton, N. J. in a case in which the Union filed a brief.

In an earlier case the court had held that permits for trucks could not be required. The law is thus confused. Apparently cities can regulate sound and location, but may not require permits. Whether they can ban them altogether is still an open question.

CONSCIENTIOUS OBJECTORS

ALTHOUGH the draft act has been suspended, conscientious objectors refusing to register continue to be prosecuted. Efforts were made by the Union and others to avoid prosecution by having registration made by other persons on behalf of non-registrants. It was not until May, 1949 that the Attorney General advised district attorneys that under the law they might take such registrations. It is expected that the Attorney General's suggestion will result in avoiding prosecution of sincere religious objectors, a large number of them Quakers, who regard any co-operation in enforcing the draft act as violating their scruples against conscripted service. Over forty men were in prison on July 1, 1949 for refusing to register, over half of them Quakers.

The Union has not aided these non-registrants in the courts on the ground that no practical legal service can be rendered admitted violators of law. The Union has, however, endeavored to prevent prosecution and to expedite paroles.

Aid has been given in two cases of persons prosecuted for counseling non-registration where the advice did not result in violation of law. In one case, that of Larry Gara, a Quaker teacher in a Mennonite College, the Union has aided on appeal from a conviction merely for telling a non-registrant student to "stand by his principles." He is serving an 18 month sentence, and is denied bail on his appeal.

In another case the Union is aiding the defense of a step-father who unsuccessfully advised his step-son not to register, but who conscientiously advised the Department of Justice of his counsel. The Massachusetts Civil Liberties Union is aiding the appeal of pickets arrested in Boston for carrying signs at registration places urging non-registration, and convicted of disorderly conduct.

The Union holds that peaceful picketing, whatever the views expressed, cannot fairly constitute "disorderly conduct."

THE Union opposes military conscription in time of peace. It has therefore sought a court test of the constitutionality of the present draft act by some man who would register and then contest it. No such plaintiff has yet been found. The act is however being tested by the Union's Southern California branch on the ground that it discriminates against non-religious objectors. The conviction of a non-registrant in the Federal District Court is being appealed.

CITIZENSHIP for alien conscientious objectors has continued to be an issue, despite the recent ruling of the Supreme Court that refusal to bear arms or to render non-combatant service is not a bar. The Department of Justice, however, narrowly interprets the court's opinion to cover only those aliens willing to render non-combatant service, because the test case involved a man who was willing to do so. Naturalization examiners therefore recommend adversely the applications of those refusing all service. The result has been that some alien objectors have been admitted by some courts and rejected in others. Efforts to get a uniform practice have so far been unavailing. The Department of Justice admitted its apparent doubt of its own position by declining to take an appeal in two cases in which a man was admitted to citizenship despite his refusal to agree to render any service. The issue may soon be resolved, however, by the U.S. Supreme Court which is being requested to review a Kansas Supreme Court decision denying citizenship to a man refusing all non-combatant service.

WIRE TAPPING

THE tapping of telephone wires to get evidence became a lively issue both in the federal jurisdiction and in New York City. The head of the FBI, J. Edgar Hoover, after publicly admitting to limited wire-tapping to secure evidence was fol-

lowed by the Attorney General who sought from Congress permission by law to do what Mr. Hoover admitted was being done. The Attorney General anyhow claimed the right under decisions of previous Attorneys General to authorize wire-tapping in limited cases. The Union took the contrary view,—that the Federal Communications Act prohibits all wire-tapping. After a public exchange of letters, in which the Americans for Democratic Action participated with the Union, the Attorney General withdrew his request for extended powers, although reaffirming his authority.

The U.S. Supreme Court in a 4 to 4 decision refused to declare the use in a state court of evidence obtained by wire-tapping a violation of the Federal Communications Act. The case was handled privately, not for the Union, by Union counsel Arthur Garfield Hays and Osmond K. Fraenkel.

Extensive evidence of abuse under the New York law has been uncovered by the Criminal Courts Bar Association. New York law permits wire-tapping only by officials acting under court orders. Reported abuses became so extensive that the Union urged the governor to have an investigation made. The governor did not respond. He later approved a bill making private wire-tapping a crime. The Union assisted in one noteworthy case where the police had secured evidence against two young women, allegedly prostitutes, by tapping their wires. A brief has been filed in the Appellate Part of Special Sessions contending that the use of this evidence is a violation of federal law.

INTERNATIONAL CIVIL LIBERTIES

UNPRECEDENTED advances in securing international agreement on universal standards of civil rights marked the year. The United Nations General Assembly in Paris in December, 1948 adopted a convention on genocide,—the systematic killing of persons because of race or religion. It adopted the first Universal Declaration of Human Rights in history, subscribed to by 48 of the 58 nations, a document without the force of law but a foundation for later enforcible covenants. Conferences on international freedom of information by press, radio and newsreels were held, and an agreement drafted which will be shortly submitted to the nations for signature.

The genocide convention is already before the U.S. Senate for ratification, with considerable opposition by those opposed to yielding national sovereignty to any international jurisdiction. The freedom of information convention will presumably come before the Senate following the General Assembly in September.

The Union's Committee on International Civil Liberties has made numerous suggestions to the State Department and to U.S. representatives in regard to these issues, as well as cooperating with other national agencies through the Joint Committee on Human Rights. The Union also affiliated during the year with the International League for the Rights of Man, one of the 83 international agencies recognized by the United Nations as consultants to the Economic and Social Council.

The Union was represented on the world tour of "The Town Hall of the Air" in the summer of 1949 by Alfred A. Albert, counsel for the Massachusetts Civil Liberties Union, and for some years a consulting member for the Massachusetts Union on the Union's Board of Directors.

OCCUPIED COUNTRIES

THE difficult problems of establishing democratic liberties under military occupation in Japan, Germany, Korea and Austria became the concern of a special committee organized by the Union which drafted and published in the early fall of 1948 a document on "Civil Rights in Occupied Areas," widely distributed and publicized. Standards were set forth with comment concerning changes in occupation policy to promote democratic rights. Conferences were held with officials of the Army and State Departments concerned with these problems. A number of minor changes in policy suggested have been adopted, although the international situation postponed relaxation of many controls. Emphasis on economic recovery to relieve American taxpayers of heavy continuing costs of food in a deficit economy

has tended to encourage native conservative forces both in Germany and Japan—and thus to weaken the democratic center on which the maintenance of civil liberties so largely depends.

The Department of the Army in the summer of 1948 invited the Union to send a delegation of three to Germany to make a survey of civil liberties for the Occupation; General Lucius D. Clay in addition extended a personal invitation to Roger Baldwin to make an inquiry. The Union designated Arthur Garfield Hays, Norman Cousins and Roger Baldwin as its representatives.

Mr. Hays and Mr. Cousins travelled together in Germany in the early fall of 1948, and later Mr. Baldwin and Mr. Hays. Mr. Baldwin remained for some time after Mr. Hays' return to cover the British and French zones as well as the American, and made a brief trip to Austria.

Recommendations were made to General Clay in Berlin, and, on the return of the delegation, to the Army and State Departments. Continuing aid has been given to a group in Frankfurt committed to forming a German Civil Liberties Union. The Union has also undertaken the obligation of sponsoring the tour of a group of Germans in the U.S. in the fall of 1949, sent by Occupation authorities to study methods of promoting civil rights for application in Germany.

Assistance was also given to the Japanese Civil Liberties Union, formed at the time of Mr. Baldwin's visit to Japan in 1947 as the guest of General MacArthur. Contracts were maintained with Occupation officials, and with the responsible agencies in Washington in efforts to promote expansion of civil liberties.

As a result of Mr. Baldwin's trip to Austria, representations were made to the Army and State Departments concerning U.S. participation in one of the most sweeping censorships of mail, telephone and telegraph in existence anywhere in peace time, and conducted almost exclusively for the benefit of the Soviet authorities. Although the Union urged that the U.S. withdraw from such controls, the government departments held that however objectionable the function, no change could be made in the arrangements under the Four Power agreement until a peace treaty is written.

The long-debated question of the legal rights of both U.S. personnel and the inhabitants of occupied countries moved a step nearer solution when the D.C. Circuit Court of Appeals in the spring of 1949 held that any persons confined anywhere by U.S. authorities might seek writs of habeas corpus in U.S. federal courts, directed to the responsible American officials. The decision may be appealed to the U.S. Supreme Court.

COLONIES

WHEN Puerto Rico elected its first governor in November, 1948, one of the first effects was to settle the long-fought question of language teaching in the public schools. The U.S. had for years imposed English as the language of instruction, which the island teachers long resisted without effect. The Union had helped unsuccessfully in contesting in the courts the compulsory instruction in English. The new commissioner of education appointed by the elected governor at once established Spanish as the language of instruction, although making English study compulsory.

Political strife in Puerto Rico before the election had resulted in a student strike at the University of Puerto Rico because of alleged discriminatory denial of university quarters for political meetings. The university was practically closed down for some months as a result. The Union, whose intervention was sought by the students, declined to send investigators to the island because no impartial body could be found on whom to rely. The Union urged the university authorities to settle the issue by banning all political meetings on university property. The rules were so changed. Politically-minded students protested the rule to the Union, which the Union justified, since meeting-places were readily available off university property and no interference with student political organizations had marked the controversy. An offer of aid was made in case discrimination of any sort became an issue.

Efforts to get citizenship and civil government for Guam and Samoa, long proposed and long blocked mainly by resistance of the Navy Department, finally won recognition when the President ordered government departments to prepare by September 1, 1949 plans for civilian control of Guam within a year and of Samoa within two or three years. Citizenship awaits the action of Congress.

POST-HALL SYNDICATE, INC.

'Maybe It's A Solution To The Unemployment Problem'

BALANCE SHEET OF CIVIL LIBERTIES

FAVORABLE

Favorable in U.S. Supreme Court

1. The 5 to 4 decision holding that a speaker may not be punished for disorderly conduct even though he stirs people to anger.

2. The refusal to review — thus upholding — a decision of a special three-judge district court in Birmingham, Alabama, holding unconstitutional as racial discrimination an amendment to the Alabama Constitution designed to keep Negroes from voting by requiring them to explain satisfactorily the U.S. Constitution.

3. The 5 to 4 decision that a person may not be punished for perjury committed before a Congressional committee if less than a quorum was actually present.

4. The 6 to 3 decision holding that a company may not bar a labor union from holding organizing meetings in a company-owned hall when it is the only meeting hall in a company-run town.

5. The reversal of a decision of the U.S. Circuit Court of Appeals in San Francisco which barred admission to citizenship of an alien believing in a form of collectivism.

6. The unanimous decision holding that a conviction in a state court where defendant had no counsel must be reversed if the trial court committed errors which prejudiced the defendant.

7. The 6 to 3 decision holding that a confession obtained when a defendant is deprived of counsel and held illegally, may not be used in evidence in a state prosecution.

8. The 6 to 3 decision holding inadmissible in a federal criminal case any evidence obtained through an illegal search by state officers if a federal officer joined in the search before an effective seizure of evidence.

Favorable in Lower Federal Courts

1. The decision of the U.S. Circuit Court of Appeals at Philadelphia holding that Georgia may not extradite an escaped prisoner because it had subjected him to cruel and unusual punishment in violation of the federal Constitution. (to be appealed)

2. The decision of a special three-judge federal court in New Mexico ruling that a state constitutional provision denying Indians the right to vote is contrary to the federal constitution.

3. The decision by the D.C. Circuit Court of Appeals that both aliens and citizens held by U.S. authorities in occupied countries have a right to writs of habeas corpus in U.S. courts.

4. The unanimous decision of the Circuit Court of Appeals in New York City that an alien who has applied for citizenship may not be deported until his application for citizenship has been denied.

5. The decision of the Federal District Court at Los Angeles holding that Japanese-Americans did not lose their citizenship by voting in a political election in Japan, on the ground that occupied Japan is not a foreign state.

6. The decision of the Federal District Court at Los Angeles holding that a Japanese-American did not lose his citizenship by serving in the Japanese Army, since he had served under duress.

7. The decision of two Federal District Courts admitting to citizenship, despite opposition by the Department of Justice, pacifists not willing to render non-combatant military service.

8. The decision of the Federal District Court in Massachusetts that former membership in the Italian Fascist party and anti-Semitic expressions are not a bar to citizenship, since loyalty must be judged from actions only.

Favorable in Congress and Federal Agencies

1. The submission of plans by the Navy and Air Force, under an order from the Secretary of Defense, for ending racial segregation in those services.

2. Passage by the House of Representatives of the anti-poll tax bill.

3. The granting of social security rights to New Mexico and Arizona Indians under pressure of a D.C. court test case.

4. The order of President Truman providing for the transfer of Guam and Samoa from naval to civilian administration in the near future.

5. The order of the Attorney General to U.S. district attorneys to register otherwise those religious objectors who refuse to register for the draft.

Favorable in State Courts

1. The decision of the New Jersey Supreme Court reversing the conviction of six Negro youths in Trenton on the grounds of forced confessions and denial to the defense of the right to examine the murder weapon.

2. The decision by the Maryland Court of Appeals voiding a rule of the Baltimore City Court barring publication of unauthorized news concerning pending criminal cases.

3. The unanimous decision of the New Jersey Supreme Court holding unconstitutional an act authorizing state seizure of public utilities involved in labor disputes and imposing compulsory arbitration without adequate standards.

4. The decision of the Oregon Supreme Court voiding the alien land law barring orientals ineligible to citizenship from owning land.

5. The decision of the California Supreme Court voiding the anti-miscegenation law.

6. The decision of the Georgia Supreme Court that Negroes cannot be excluded from juries.

7. The decision of Judge Bok in the Court of Quarter Sessions in Philadelphia that literature is not obscene unless pornographic,

and is to be penalized only when there is reasonable cause to believe that a crime will be the likely result.

8. The decisions of Judge Fairhurst in Boston Superior Court clearing "Serenade" and "God's Little Acre" of obscenity charges.

9. The decision of a lower court in New Jersey holding unconstitutional a racial ban in municipal housing projects (on appeal).

10. The decision of the District Court in Dixon, New Mexico, that it is unconstitutional to have public schools in church buildings, or use sectarian textbooks in public schools, or employ teachers in clerical garb in such schools.

11. The decision by the Circuit Court in Shelby County, Tennessee, reversing a conviction of literature agents of the Socialist Labor Party for disorderly conduct and soliciting without a license.

Favorable in States and Colonies

1. The defeat in Illinois of all bills intended to outlaw the Communist Party and make criminals of Communists and Communist sympathizers.

2. The abolition of Un-American Activities Committees in Illinois and Washington, and the passage of a bill controlling their procedures in California.

3. The defeat of teachers loyalty oath bills in at least four states.

4. The defeat in the Illinois legislature of a resolution to punish the University of Chicago and Roosevelt College for alleged un-american activities by taking away their tax exemption.

5. The defeat of an Oklahoma measure to investigate Communism in Oklahoma educational institutions.

6. The passage of FEPC laws by seven states.

7. The abolition of segregation in the national guard in Connecticut, New York and Wisconsin.

8. The passage, or improvement, in four states of civil rights laws.

9. The passage by the Oklahoma State Legislature of a law opening the State University Law School to Negroes for courses not taught at a segregated law school.

10. Repeal by the California Legislature of a war-time law denying commercial fishing licenses to aliens ineligible to citizenship (Japanese).

11. The pocket veto by the governor of New Mexico of a bill which would have deprived reservation Indians of the vote.

12. Enactment in New York of a law making criminal unauthorized possession of wire-tapping equipment.

13. The veto by Gov. Dewey of New York as unconstitutional of a bill designed to outlaw publications aimed at comic books portraying "bloodshed, lust or heinous acts."

14. The lifting of the police ban on the play "The Respectful Prostitute" in Chicago.

15. The decision of a magistrate in New York City upholding the right of political candidates to use sound-trucks without police permits.

16. Passage by the Alabama state legislature of a law, directed at the Ku Klux Klan, prohibiting the wearing of masks in public places.

17. The veto by Governor Luis Munoz-Marin of a bill which would have set up a system of press censorship in Puerto Rico.

18. The ruling by the new Commissioner of Education in Puerto Rico that all instruction in the schools should be in Spanish, the native tongue.

Favorable Before International Agencies

1. Adoption by the General Assembly in Paris in December 1948 of a convention, unanimously approved, to outlaw the crime of genocide — the deliberate mass extermination or killing of people because of their race, religion or nationality.

2. Adoption by the same General Assembly of the first Universal Declaration of Human Rights, approved by 48 of the 58 nations present.

3. Adoption by the General Assembly in New York in the spring of 1949 of the first convention on international freedom of press, radio and news reels—for later action in enforceable form by signatory nations.

UNFAVORABLE

Unfavorable in U.S. Supreme Court

1. The 5 to 4 decision upholding the constitutionality of a Trenton, New Jersey ordinance banning loud and raucous sound-trucks.

2. The refusal to review, thus affirming, cases in New York and Virginia convicting Jehovah's Witnesses for distribution of literature in privately-owned apartment houses.

3. The refusal to review, thus affirming, a decision by the California Supreme Court holding the California legislative committee on un-american activities constitutional.

4. The 5 to 4 decision indefinitely deferring action pending his return to this country in the case of Gerhard Eisler charged with contempt of the House Un-American Activities Committee.

5. The decision holding constitutional an Illinois statute affecting petitions for new parties, which in effect barred the Progressive Party from a place on the Illinois ballot.

6. The 4 to 4 split which upheld a New York obscenity conviction of Edmund Wilson's novel, "Memoirs of Hecate County."

7. The refusal to review, thus affirming, a conviction for sending an allegedly obscene book, "Waggish Tales," through the mails.

8. The 6 to 1 decision holding that tribunals sentencing war criminals in defeated countries are not tribunals of the U.S. and that therefore that court has no power to review their decisions.

9. The 5 to 4 decision that states may regulate so-called "coercive conduct" of unions such as calling frequent meetings during work-time as a means of forcing employers to accept wage demands.

10. The decisions that nothing in the Wagner Act, nor in the Taft-Hartley Act which supplanted it, impairs the right of states to restrict union security contracts or to outlaw closed shops.

11. The 7 to 2 decision holding that a judge may disregard the recommendation of life imprisonment by a jury and sentence defendant to death on police and probation reports which the defendant had no chance to contest.

12. The dismissal on technical grounds of a case involving the constitutionality of a Hawaiian law prohibiting the teaching of foreign languages to children below the fourth grade.

13. The 6 to 3 decision holding that evidence obtained through an illegal search and seizure may be used in a state court prosecution.

14. The 6 to 3 decision reaffirming the doctrine that federal officers may make a valid search without a warrant if probable cause for the search exists.

15. The 4 to 4 split which upheld the use of evidence obtained by wire-tapping in a state prosecution.

Unfavorable in Lower Federal Courts

1. Affirmance by the D.C. Circuit Court of Appeals of the conviction of two Hollywood film writers for refusing to tell the House Committee on Un-American Activities whether or not they were or had been members of the Communist Party. (to be appealed)

2. The decision by the U.S. Circuit Court of Appeals at Philadelphia affirming the conviction of a man for sending an allegedly obscene letter to his wife. (on appeal)

3. The decision by a three-judge federal court in Oklahoma

that the University of Oklahoma may constitutionally segregate a Negro in its classes.

4. The decision of the D.C. Circuit Court of Appeals holding that it is not unconstitutional to deprive naturalized citizens of citizenship, because of remaining abroad beyond the legal limit of five years, while imposing no such penalties upon native-born citizens.

5. The decision of the U.S. Circuit Court of Appeals in San Francisco holding in two cases that renunciation of citizenship by Japanese-Americans at the Tule Lake relocation center were not invalid because the complaint of duress was not supported by the facts, and because no denial of a substantial right was before the court.

6. The refusal of a Federal District Court in New York to dismiss the indictment of twelve Communist leaders for conspiracy to violate the sedition act of 1940 by advocating the overthrow of the government by force and violence.

7. The two decisions by the D.C. District Court that the loyalty program and its present procedures are constitutional, and that the courts cannot review the decisions of the Loyalty Review Board. (one on appeal)

8. The decision of several Federal District Courts that the Attorney General may constitutionally list an organization as subversive without a prior hearing. (one case on appeal)

9. The conviction for criminal contempt in the Federal District Court in Los Angeles of three alleged Communists who refused to tell a grand jury whether or not they were Communists. (on appeal)

10. The convictions for contempt in a Federal District Court in Denver, Colorado of three individuals for refusing to tell a Grand Jury whether or not they were Communists. (on appeal)

11. The refusal by the U.S. District Court in Los Angeles to grant citizenship to an applicant who failed to prove non-affiliation with Communist organizations. (to be appealed)

12. The conviction in the Federal District Court in Puerto Rico of a group of Puerto Ricans for refusing to register under the Selective Service Act, although Puerto Rico is not represented in Congressional law-making. (to be appealed)

13. The decision in the Federal District Court in Los Angeles that under the federal civil rights statute, private parties cannot sue for damages for violations of their civil rights by other private parties. (on appeal)

14. The ruling of a Federal District Court in Baltimore that racial segregation in interstate railroad dining cars is constitutional.

15. The decision of a Federal District Court in New Haven, Connecticut upholding the Taft-Hartley law's ban on political spending by labor unions.

16. The conviction in the Federal District Court at Philadelphia of a pacifist for unsuccessfully advising his stepson not to register for the draft. (on appeal)

17. The conviction in a Federal District Court in Ohio of a Quaker teacher for telling a student to stand by his principles in refusing to register for the draft. (on appeal)

18. The conviction in a Los Angeles Federal District Court of a conscientious objector denied exemption because he did not believe in a Supreme Being. (on appeal)

Unfavorable in Congress and Federal Agencies

1. The continued failure to make any improvements in loyalty proceedings affecting federal government employees and employees of private concerns working on defense contracts.

2. Action by several members of the House Un-American Activities Committee to investigate college text-books, subsequently repudiated by the full Committee.

3. The requirement by the Atomic Energy Commission of loyalty oaths as a condition of granting all atomic energy fellowships.

4. The continued refusal of the House Committee on Un-American Activities to give a hearing to Dr. Edward U. Condon on charges of disloyalty.

5. The continuation of the practice of the State and Justice Departments in denying visas to unofficial visitors to international conferences when suspected of Communist connections.

6. The arrest and detention without bail by the Department of Justice of aliens charged with being Communists, while their deportation cases are pending.

7. The arrest of Walter Gieseking, German concert pianist, by the Department of Justice upon his arrival in New York despite clearance by U.S. authorities abroad.

8. The failure of President Truman to act on a petition to restore civil rights to eighteen members of the Socialist Workers' Party convicted in Minneapolis in 1943 under the Smith Sedition Act of conspiracy to advocate revolutionary doctrines.

9. The dismissal of James Kutcher, legless veteran, from his job with the Veterans Administration on the sole basis of his membership in the Socialist Workers' Party, upheld by the Loyalty Review Board. (to be appealed to courts)

10. The overruling by the Federal Communications Commission of its prior Mayflower decision, thus permitting radio stations to editorialize.

11. The continued practice of the Attorney General and the Department of Justice of wire-tapping in cases involving national security.

12. The continued failure of the Army to submit a plan for the elimination of racial segregation in accordance with an order from the Secretary of Defense.

13. The refusal of the authorities at the National Airport in Virginia to obey the order of the Civil Aeronautics Administration to end segregation in the airport restaurants, now pending in a federal court.

Unfavorable in State Courts

1. The decision by the California Supreme Court holding constitutional the requirement of loyalty oaths for all Los Angeles county employees. (on appeal)

2. The decision by the California Supreme Court upholding an injunction restraining peaceful picketing to secure proportional employment for Negroes. (on appeal)

3. The decision of the Court of Appeals of New York, its highest court, holding constitutional a requirement of permits for speakers in parks. (on appeal)

4. The decision of the Michigan Supreme Court that a student in a state university could be constitutionally expelled without a hearing because of off-campus political activities. (on appeal)

5. The decision of the Kansas Supreme Court denying citizenship to an alien conscientious objector, who refused to agree to take non-combatant military service. (on appeal)

6. The 4 to 3 decision of the New York Court of Appeals holding constitutional a racial ban in Stuyvesant Town, a privately owned housing project aided by state funds. (on appeal)

7. The decision of the Washington Supreme Court holding constitutional a law providing for compulsory arbitration of labor disputes in publicly-owned utilities.

8. The decision by the Appellate Division of the Supreme Court of New York, that the father of a child may not regain custody to take him to Soviet-Armenia, but must leave him in an institution for the child's welfare. (on appeal)

9. The decision by the Appellate Division in New York that the requirement of a permit for religious street preaching is constitutional. (on appeal)

10. The decision by a local court in Memphis, Tenn. dismissing on technical grounds a suit brought by the Motion Picture Association to test the constitutionality of local motion picture censorship. (on appeal)

11. The conviction in a local court in Syracuse, N. Y. of a student for making a street speech marked by allegedly abusive language. (on appeal)

12. The decision by the Supreme Court of New York sustaining the state Department of Education in granting released-time periods for school children to receive religious instruction off school grounds. (similar case now pending)

Unfavorable in the States and Colonies

1. The enactment of a law in New York State requiring the removal of "subversive persons" from the school system and authorizing the Board of Regents to list subversive organizations, membership in which lays a basis for barring such persons from employment.

2. The passage in Maryland of a law outlawing the Communist party and making membership in that party a criminal offense.

3. The passage of teachers loyalty oath bills in at least five states.

4. The requirement by the police commissioner of Detroit that all newspaper men sign loyalty certificates in order to receive fire and press cards.

5. The investigation by a state legislative committee in Illinois of the University of Chicago and Roosevelt College for alleged subversive activities.

6. The dismissal of three professors at the University of Washington solely on the ground that they were Communist Party members, and the dismissal from Oregon State College of a professor because he urged a thorough investigation of the genetics theory of a Russian scientist.

7. The barring by the New York City Board of Education from public schools of after-school classes in Jewish culture organized by the International Workers' Order, solely because that organization is on the Attorney General's black-list.

8. The continued refusal by the New York City Board of Education to reinstate "The Nation" in public school libraries.

9. The veto by Gov. Dewey of a bill passed by the New York State Legislature requiring judges to impose a sentence of life imprisonment if a jury so recommends in a murder case.

—Fitzpatrick in the St. Louis Post-Dispatch

Reckless Winds

CHIEF ISSUES PENDING IN THE COURTS

United States Supreme Court

1. Petition to review affirmances of convictions in the D.C. Circuit Court of Appeals of two Hollywood film writers for refusing to tell the House Committee on Un-American Activities whether or not they were or had been members of the Communist party. (similar case also pending)

2. Appeal from the decision of a three-judge Federal Court in New York upholding the anti-Communist oath provision of the Taft-Hartley Act.

3. Appeal from a California Supreme Court decision holding constitutional the requirement of loyalty oaths for all Los Angeles county employees.

4. Appeal from a California Supreme Court decision upholding an injunction restraining peaceful picketing to secure proportional employment for Negroes.

5. Petition to review the New York Court of Appeals decision holding constitutional the requirement of permits for speakers in parks.

6. Appeal from the Circuit Court of Appeals decision at Philadelphia affirming the conviction of a man for sending an allegedly obscene letter to his wife.

7. Petition to review the decision of the Circuit Court of Appeals at San Francisco that a state court could deny the right to broadcast a criminal trial to one radio station while granting it to another.

8. Two appeals involving the right of a state to segregate students in its university classes on the basis of race.

9. Petition to review the New York Court of Appeals decision holding constitutional a racial ban in Stuyvesant Town, a privately owned housing project aided by state funds.

10. Petition to review the Supreme Court of Kansas decision denying citizenship to an alien conscientious objector who refused to agree to take non-combatant military service.

11. Appeal from the U.S. Circuit Court of Appeals decision in New York holding that an entering alien is not entitled to a hearing on his admissability into the U.S.

12. Petition to review the Circuit Court of Appeals decision in Philadelphia holding that Georgia may not extradite an escaped prisoner because it had subjected him to cruel and unusual punishment in violation of the federal constitution.

13. Petition to review the decision of the Michigan Supreme Court that a student in a state university could be constitutionally expelled without a hearing because of off-campus political activities.

Lower Federal Courts

1. In the U.S. Circuit Court of Appeals at San Francisco, an appeal from the conviction for criminal contempt of three alleged Communists who refused to tell a grand jury whether or not they were Communists.

2. In the U.S. Circuit Court of Appeals in Denver, appeals from the convictions for contempt in a Federal District Court in Denver, Colorado of three individuals for refusing to tell a Grand Jury whether or not they were Communists.

3. In the D.C. Circuit Court, an appeal by the Joint Anti-Fascist Refugee Committee from a district court decision refusing to enjoin the Attorney General from listing the organization as subversive.

4. In the U.S. Circuit Court of Appeals at Boston, an appeal from the conviction of a group of Puerto Ricans who refused to register for the draft on the ground that the draft act could not constitutionally apply to a colony without a vote in the legislature which enacted it.

5. In the U.S. Circuit Court of Appeals at San Francisco, appeal from a decision of a district court restoring citizenship to

Japanese-Americans who had renounced their citizenship while confined at the Tule Lake center in war time.

6. In the U.S. Circuit Court of Appeals at San Francisco, an appeal from a decision that under the federal civil rights statute, private parties cannot sue other private parties for violations of their civil rights.

7. In the U.S. Circuit Court of Appeals at San Francisco, an appeal from the conviction of a conscientious objector denied exemption because he does not believe in a Supreme Being.

8. In the U.S. Circuit Court of Appeals at Philadelphia, an appeal from the conviction of a Quaker teacher for telling a student to stand by his principles in refusing to register for the draft.

9. In the U.S. Circuit Court of Appeals at Philadelphia, an appeal from the conviction of a pacifist for advising his stepson not to register for the draft.

10. In a federal district court in New York City, the trial of twelve Communist leaders indicted under the Smith Sedition Act of 1940 for conspiring to advocate the overthrow of the government by force and violence.

11. In the New York Federal District Court, a suit by the Screenwriters Guild against major producing companies charged with conspiracy to restrain trade by their blacklisting of alleged "subversives". (similar case pending in the Federal District Court in Los Angeles)

State Courts

1. In the Supreme Court of Tennessee, an appeal from a dismissal on technical grounds of a suit brought by the Motion Picture Association to test the constitutionality of local motion picture censorship.

2. In the New York Court of Appeals, an appeal from a decision that the requirement of a permit for religious street preaching is constitutional.

3. In the New York Court of Appeals (highest court), an appeal from a decision that the father of a child may not regain

custody to take him to Soviet-Armenia, but must leave him in an institution for the child's welfare.

4. In the Supreme Court of New Jersey, an appeal from a decision holding unconstitutional a racial ban in municipal housing projects.

5. In the intermediate courts in New York, an appeal from the conviction by a local court in Syracuse, N. Y., of a student for making a street speech marked by allegedly abusive language.

6. In the Circuit Court of Maryland, a case to test the constitutionality of the Ober Law outlawing the Communist party and making Communists criminals.

7. In the Virginia lower courts, a case to test the constitutionality of the poll tax.

8. In the Superior Court of New Jersey, an action to enjoin the printing of the words "Refused Oath of Allegiance" under the names of candidates for public office who refuse to take a loyalty oath.

9. In the lower courts of Ohio, cases to test the constitutionality of the requirement of loyalty oaths before unemployment compensation can be received.

10. In the Supreme Court of New York, a case testing the constitutionality of the practice of the State Department of Education in granting released-time periods for school children to receive religious instruction off school grounds.

11. In the lower courts in Connecticut, a case to test the constitutionality of religious instruction in school buildings in Westport after hours.

12. In the Supreme Court of New York, an action to bar "Oliver Twist" and "The Merchant of Venice" from the New York City school libraries.

ORGANIZATION PERSONNEL

National Committee and Board of Directors

THE National Committee of 75 members distributed throughout the country constitutes with the Board the membership of the corporation. Four new members were elected at the annual election for a three-year term—Charles S. Johnson, President of Fisk University, Nashville, Tenn.; J. Robert Oppenheimer, President of the Institute for Advanced Study, Princeton, New Jersey; Edward J. Sparling, President of Roosevelt College, Chicago, and Mrs. Dorothy Tilly of Atlanta, Ga., former member, President's Committee on Civil Rights.

The terms of John M. Coffee of Tacoma, Washington and Jennings Perry of Nashville, Tennessee expired at the annual election in March. Dr. William Draper Lewis resigned because of age. Felix Morley of Washington, D.C. resigned because of differences with Union policies which he believed favor undue extension of federal bureaucratic powers.

The Union lost two long-time members of the National Committee by the death of Mrs. Kate Crane Gartz of California, long active in behalf of civil rights, and Powers Hapgood of Indianapolis, regional director of the C.I.O.

There were two resignations and four additions in the Board of Directors during the year. Laurence Duggan resigned in the fall of 1948 because of inability to attend meetings. He continued up to his tragic death a few months later to serve as chairman of the committee on Civil Rights in American Colonies. Dean Harry Carman resigned because of the pressure of his duties at Columbia University. Frederick E. Robin, former assistant director of the ACLU, presently secretary of the Committee on the Nation's Health; Mrs. Katrina McCormick Barnes, former publisher, Jonathan B. Bingham, attorney, and Merle Miller, associate editor of *Harpers Magazine,* were elected to the Board. The membership of the Board totals thirty-three out of a maximum of thirty-five provided by the by-laws.

In the office staff, Clifford Forster was granted a year's leave

of absence because of the demands of family business. He has been replaced by Herbert M. Levy as acting staff counsel. Milton Bentz resigned as assistant director in June, 1949, and has been replaced by George E. Rundquist as acting assistant, after serving for a year as a volunteer on the staff.

Local Committees

LOCAL affiliated committees maintaining headquarters with full or part-time secretaries continue their activities in Los Angeles, San Francisco, Chicago, New York, Boston and Baltimore. A branch of the Union was organized at the University of Oklahoma during the fall of 1948 with Prof. Don E. Howard of the University of Oklahoma as president and Robert Blackstock, also of the University, as vice-president.

Cooperation

THE Union has formal connections or representation in the Joint Committee of American Agencies for Human Rights, the National Council for a Permanent FEPC, the Coordinating Committee on Indian Affairs, the Civil Liberties Clearing House of Washington, D.C., and the International League for the Rights of Man.

Cooperation was continued in defense cases in the courts with the Japanese American Citizens League and the National Association for the Advancement of Colored People.

POLICIES

NO controversy during the year required a referendum vote of the entire corporation, an unusual record. One advisory vote was taken of the National Committee on affiliation with the International League for the Rights of Man, a United Nations consultative body. Affiliation was overwhelmingly approved, since the principles of the League are almost identical with those of the Union.

A ballot for a straw vote among the contributing members was sent out with the annual report in September and brought in

867 returns on five controversial issues which had been before the Corporation the previous year. The returns showed:

1. For peacetime conscription 281; opposed 586
2. For compulsory disclosure by law of all agencies influencing public opinion 609; opposed 194
3. For loyalty tests for public employees, with adequate protection 503; opposed 323
4. For special restrictions on Communist beliefs and associations 109; opposed 619
5. For restrictions on the political activities of trade unions, imposed by the Taft-Hartley Act 88; opposed 746.

The returns supported the positions taken by the Corporation on all except one issue, that of general disclosure by law of the essential facts regarding all agencies seeking to influence public opinion. On that the contributing members expressed a contrary view. The subject was then further debated by the Board and became the leading topic at the Annual Conference in March. Members present showed a majority in support of the Corporation's position. The Board of Directors later reaffirmed that position on the general disclosure proposal, but agreed to examine and support special forms of disclosure related to specific public purposes.

The resolution adopted in 1940 concerning the Union's governing personnel, disqualifying those associated with anti-democratic movements, was again the subject of disagreement. After requiring compliance by new affiliated local groups, the Board queried the established local groups as to their willingness to accept it. Four (Northern and Southern California, Massachusetts and St. Louis) declined to do so, largely on the ground that they oppose being bound by any general declaration. Their practices, however, conform.

Greater participation by affiliates in policy-making was proposed at the conference held in New York in March and generally agreed to, though the precise form remains to be worked out. At

present the affiliates are consulted on all matters of policy, but their votes are only advisory.

In order to clarify the Union's stand on the rights of Communists and toward Communist propaganda, the Board of Directors adopted a declaration reading: "The ACLU as a champion of civil liberties is opposed to any governmental or economic system which denies fundamental civil liberties and human rights. It is therefore opposed to any form of the police state or the single-party state, or any movement in support of them, whether fascist, Communist or known by any other name. In opposing those dictatorial, totalitarian systems, the Union takes no position on their economic, social or political practices or policies not affecting civil liberties."

The controversial issue of Communists as teachers brought from the Academic Freedom Committee a declaration approved by the Board, reading:

1. The ACLU opposes as contrary to democratic liberties any ban or regulation which would prohibit the employment as teachers of any person solely because of political views or associations, even when characterized as Fascist or Communist.
2. The ACLU will not defend teachers discharged after proof of misusing their position to attempt indoctrination of students with their personal political views.
3. The ACLU may intervene in appropriate cases of college teachers discharged where decisions have not been based upon the judgment of their colleagues, as distinguished from trustees and administrative officials, and in contested cases of public school teachers where the principles of tenure are not observed.

In order to spell out precisely the position of the Union on the application of the legal test of clear and present danger, which the Union supports, the Board of Directors adopted the following statement. Its relation to several current court proceedings is apparent.

1. Advocacy and expressions of opinion, whether made in public or private, are protected by the First and Fourteenth Amendments, except:

   (A) When they become an integral part of conduct violating a valid law; or

   (B) When they are a direct incitement to specific and immediate violation of law; or

   (C) When they threaten a danger of unlawful acts so great and so immediate that time is lacking for society to take adequate protective measures against the threatened acts.

2. Secrecy or anonymity in expressions of opinion or in advocacy is not in itself a barrier to the protection of the First and Fourteenth Amendments.

3. Conspiracy is not properly chargeable to persons associated together in the expressions of their opinions or in advocacies except where incitements to or plans for specific unlawful acts create the clear and present danger of such acts.

4. The foregoing principles protect anti-democratic propaganda equally with pro-democratic.

5. The test of clear and present danger should be applied by legislatures and courts with great restraint. The American Civil Liberties Union will construe it in the interest of the widest possible freedom of public discussion and advocacy.

FINANCES

To the close of the fiscal year, January 31, 1949.

THE income of the Union for all purposes was $72,430, compared with $64,844 the previous year. Expenditures totaled $72,474 as against the previous year's $64,477. Both income and expenditures were the largest in the Union's history.

The $72,430 income was made up of, (1) dues and contributions from members to Operating Fund, $58,474, (2) sale of pamphlets, $338, (3) contributions to Special Funds, $10,278, (4) interest on investments and profit on the sale of securities, $3,340. Of this last item $355 was received by and added to the McMurtrie Fund, and $2,984 by and to Trust Funds. In addition, the Union received $9,165 in bequests, placed in reserve funds. (See detailed report in Reserve Funds.) Net assets as of February 1, 1949, covering reserve funds and current balances, were $101,015, compared with $91,478 on February 1, 1948.

Operating Fund income, made up chiefly of membership contributions, was $58,812, compared with $53,179 the previous year. Operating expenditures were $57,946 against the previous year's figure of $51,361. Operating income, greatest in the Union's history, more than met expenditures for overhead operations which were also the highest in history due to increased costs and salaries. The staff numbered fifteen, one more than during the previous year.

For Special Funds outside the budget, income was $10,278 and expenditures $10,926, as compared with income of $11,665 and expenses of $13,115 the previous year. Balances in Special Funds at the beginning of the year more than covered the excess of expenditures over income. (See detailed report in Special Funds.)

A special trust fund was set up to pay the salary of the director, Roger Baldwin, for the indefinite future in whatever role he may continue to serve the Union. The bequest of Maxine Hilson, formerly a volunteer worker in the Union's office, was set aside for the purpose, to be drawn on both as to income and principal. Mr. Baldwin's salary was thus removed from the annual budget expenditures and is not shown in the Operating Fund report. It appears in the report on trust funds.

Since the close of the fiscal year January 31, reserve funds were largely increased by a bequest of $47,640 from the estate of Betsy Davis of Pearl River, New York, long a member of the Union.

MEMBERSHIP in the Union increased to a total of 8,148 on February 1st, 1949. This does not include the several thousand additional members of local branches, of which the largest are the two affiliates in California, the Chicago Division and the Massachusetts Civil Liberties Union.

Over 8,650 separate contributions were made, an increase of 600 over the previous year. By amounts they were: 75 at $100 and over; 87 between $50 and $100; 331 between $25 and $50; 1,723 between $10 and $25; 3,512 between $5 and $10; and 2,950 of less than $5. The average contribution was $7.96, 16c. larger than during the previous year.

Contributors of $200 and over were: William Prescott Allen, Texas; Mrs. Geraldine Boone, New Jersey; Edward T. Cone, New Jersey; Gardner Cowles, New York; Mrs. Margaret DeSilver, New York; Henry G. Ferguson, Washington, D.C.; Miss Gloria Gartz, California; International Ladies Garment Workers Union, New York; Corliss Lamont, New York; Mrs. Thomas W. Lamont, New York; Albert D. Lasker, New York; Miss Florina Lasker, New York; Mrs. Mary Woodard Lasker, New York; the Robert Marshall Civil Liberties Trust, New York; George D. Pratt, Jr., Connecticut; Mrs. Jane A. Pratt, Connecticut; Sherman Pratt, New York; Miss Evelyn Preston, New York; J. H. Reinfeld, New York; Harold Renfield, New York; Renfield Importers, Ltd., New York; William G. Riley, Washington, D.C.; Irvin Shapiro, New York; Miss Annie L. Thorp, Massachusetts; Norman Williams, Jr., New York; together with two anonymous contributors of $1,300 and $250.

TREASURER'S REPORT

Fiscal Year ending January 31, 1949

OPERATING FUND

Balance, February 1, 1948		$ 8,041.61
INCOME:		
Membership dues and contributions	$58,474.10	
Sale of pamphlets	337.90	
Total income		58,812.00
Total		$66,853.61
EXPENDITURES:		
Executive salaries* (three employees)	$12,274.03	
Office salaries (seven employees)	11,928.35	
Membership department salaries (four employees)	8,564.20	
Membership department maintenance	5,144.69	
Literature and pamphlets	4,727.02	
Postage	2,767.59	
Stationery and printing	2,629.55	
Office supplies and expenses	2,472.34	
Rent	2,460.00	
Telephone	918.42	
Audit	870.00	
Newsclippings, books and subscriptions	801.79	
Social security taxes	715.32	
Mailing company	596.02	
Dinners and meetings	355.91	
Telegrams	289.30	
Travel	263.99	
Bank charges	126.44	
Insurance	32.64	
Binding	8.75	
Total expenditures		57,946.35
Balance, January 31, 1949		$ 8,907.26

*The director's salary was met from trust funds.

SPECIAL FUNDS

1. Summary

	Income	*Expenditures*
Academic Freedom	$ 204.63	$ 204.63
Book Fund*	7.85	4.50
Monopoly in communications	7.50	1,412.84
Censorship	476.45	476.45
Defense in courts	5,228.69	3,769.08
Legislative campaigns	1,800.24	1,800.24
Local, affiliated and cooperating committees	771.49	1,364.68
International civil liberties	731.16	738.96
Organizational expenses	881.16	926.99
Race Discrimination Committee	55.00	113.21
Labor Relations Committee	114.32	114.32
	$10,278.49	$10,925.90
Balance, February 1, 1948		$1,806.04
Balance, January 31, 1949		$1,158.63

NOTE: (1) In each of the above accounts where expenditures exceeded income, overall balances at the beginning of the year covered them. (2) Balance shown as of February 1, 1948, is after transfer of the earmarked Civil Liberties Educational Fund from Special Funds to Trust Funds, similarly restricted.

*As a result of two minor transactions the Book Fund balance increased during the year from $102.82 to $106.17.

II. Detailed Accounts

Defense in Court

Balance, February 1, 1948		$ 343.36
RECEIPTS:		
Contributions and undesignated special funds		5,228.69
		$ 5,572.05
EXPENDITURES:		
New Mexico and Arizona Indian vote cases, State Supreme and federal courts	$ 1,138.34	
Japanese-American citizenship renunciation cases, federal courts	414.15	
West Coast exclusion order case, federal courts	327.19	
Refusal of citizenship case, U.S. Supreme Court	308.12	
Union anti-Communist expulsion case, N. Y. courts	199.38	
Conscientious objectors' bail	179.25	
Federal loyalty order cases	106.10	
Alaskan Indian fishing rights case, U. S. Supreme Court	104.31	
Labor union freedom of press case	100.84	
Un-American Activities Committee contempt appeal, U. S. Supreme Court	88.11	
Williams death sentence case, N. Y. Court of Appeals	77.57	
N. Y. obscenity law test case, U.S. Supreme Court	73.60	
California anti-Japanese fishing license case, U. S. Supreme Court	85.09	
Hawaiian foreign language school ban, U.S. Supreme Court	71.22	
Cholookian release of children from institution, N. Y. courts	65.36	
Cases under $50.00 (43 cases)	430.45	
		3,769.08
Balance, January 31, 1949		$ 1,802.97

Legislative Campaigns

RECEIPTS:		
Undesignated special funds		$ 1,800.24
EXPENDITURES:		
Services of Washington representative	$ 787.00	
Telephone and telegraph	447.73	
Washington expenses	412.66	
Travel	102.45	
Printing	32.35	
Miscellaneous	18.05	
		$ 1,800.24

Organizational Expenses

Balance, February 1, 1948		$ 88.50
RECEIPTS:		
From annual meeting luncheon	$ 507.00	
Contributions for membership activities	90.00	
Undesignated special funds	284.16	
		881.16
		$ 969.66

EXPENDITURES:

Annual meeting luncheon	$ 727.37	
Special fund appeals	63.79	
Special membership expenses	129.02	
Printing	6.81	
		$ 926.99
Balance, January 31, 1949		$ 42.67

Local, Affiliated and Cooperating Committees

RECEIPTS:

Contributions	$ 26.65	
Undesignated special funds	744.84	
		$ 771.49
Chicago Division, A.C.L.U.	$ 500.00	
Committee for Equality in Naturalization	500.00	
N. Y. City Civil Liberties Committee	194.40	
Civil Liberties Clearing House, Washington, D.C.	100.00	
Radio Committee	43.48	
Colonies Committee	26.80	
		$ 1,364.68
Deficit, January 31, 1949		$ 593.19

International Civil Liberties

Balance, February 1, 1948		$ 256.71
RECEIPTS:		
Contribution (from Mr. Baldwin's receipts for lectures and articles on Japan)		$ 731.16
		$ 987.87
EXPENDITURES:		
On behalf of civil liberties in occupied Germany	$ 88.21	
Travel	58.25	
Telephone	10.88	
Meeting	1.72	
Trip to Germany and Austria by Roger N. Baldwin	579.90	
		$ 738.96
Balance, January 31, 1949		$ 248.91

Study of Monopoly in Communications

Balance, February 1, 1948		$ 573.72
RECEIPTS:		
Contributions		7.50
		$ 581.22
EXPENDITURES:		
To New School for Social Research for underwriting guarantee for Monopoly in Communications course	$ 1,400.12	
Freedom of Communications Committee expenses	12.72	
		$ 1,412.84
Deficit, January 31, 1949		$ 831.62

Academic Freedom

RECEIPTS:		
Undesignated special funds		$ 204.63
EXPENDITURES:		
In connection with University of Puerto Rico student strike	$ 173.15	
Telephone and telegraph	16.89	
Conference	10.50	
Cuts	4.09	
		$ 204.63

Censorship

RECEIPTS:		
Undesignated special funds		$ 476.45
EXPENDITURES:		
"Hecate County" case, U.S. Supreme Court	$ 300.60	
"Outlaw" case, New York courts	27.25	
Telephone and telegraph	84.59	
Meetings	43.40	
Printing	20.61	
		$ 476.45

Committee on Race Discrimination

Balance, February 1, 1948		$ 375.43
RECEIPTS:		
Contributions		55.00
		$ 430.43

EXPENDITURES:

Howard University research project on segregation	$ 100.00	
Cuts	13.21	
		$ 113.21
Balance, January 31, 1949		$ 317.22

Committee on Civil Rights in Labor Relations

RECEIPTS:		
Undesignated special funds		$ 114.32
EXPENDITURES:		
Travel	$ 101.22	
Meetings	13.10	
		$ 114.32

NOTE: In addition to the above accounts, a balance of $65.50 remains in Special Funds for educational campaigns.

RESERVE FUNDS

1. McMurtrie Fund

Balance, February 1, 1948	$19,557.67
INCOME:	
Interest and dividends	354.97
NO EXPENDITURES	
Balance, January 31, 1949	$19,912.64

2. Trust Funds

I. Bequest of MAXINE E. HILSON

Balance, February 1, 1948		$43,684.60
RECEIPTS:		
Final distribution of Hilson Estate	$ 5,495.79	
Interest and dividends	1,785.14	
Profit on sale of securities	1,199.28	
		8,480.21
		$52,164.81

EXPENDITURES:

Roger N. Baldwin, for services	$ 3,600.00	
Printing check book	1.25	
		3,601.25
Balance, January 31, 1949		$48,563.56

II. ROBERT MARSHALL CIVIL LIBERTIES TRUST

Balance in fund for field investigations, February 1, 1948 and January 31, 1949 (no transactions)	$ 473.54

III. CIVIL LIBERTIES EDUCATIONAL FUND

Balance in fund, February 1, 1948, and January 31, 1949 (no transactions)	$ 965.50

IV. REVOLVING LOAN FUND

Balance in fund, February 1, 1948, and January 31, 1949 (no transactions)	$ 391.07
TRUST FUNDS BALANCE JANUARY 31, 1949, GRAND TOTAL	$50,393.67

NOTE: Trust Funds, as carried on the books, were reduced during the year by transfer to General Reserve Fund of $11,416.54, since that sum was found not to be restricted by the donors to special purposes. Trust Funds were increased in a similar manner by the transfer from Special Funds of the restricted Civil Liberties Educational Fund balance of $965.50.

3. General Reserve Fund

Balance, February 1, 1948*	$16,557.75
RECEIPTS:	
Bequest from Estate of Emma Pischel	3,669.44
NO EXPENDITURES	
Balance, January 31, 1949	$20,227.19

*See note under Trust Funds, above.

BALANCE SHEET AS OF JANUARY 31, 1949

ASSETS		
CURRENT ASSETS:		
Cash in banks	$31,808.02	
Loans receivable	50.00	
		$31,858.02
INVESTMENTS—At Book Value*		67,166.72
FIXED ASSETS:		
Furniture and fixtures	$ 2,777.50	
Less: Reserve for depreciation	787.66	
		$ 1,989.84
TOTAL ASSETS		$101,014.58
LIABILITIES AND NET WORTH		
LIABILITIES:		
Payroll taxes payable	$ 368.05	
Accounts payable	47.14	
		$ 415.19
NET WORTH		
Operating Fund Reserve	$ 8,907.26	
Special Fund Reserve	1,158.63	
McMurtrie Fund Reserve	19,912.64	
General Reserve	20,227.19	
Trust Funds Reserve	50,393.67	
Total Net Worth*		$100,599.39
Total Liabilities and Net Worth		$101,014.58

**Net Worth is subject to adjustment for differences between the book values and market values of the investments.*

CERTIFICATE

We hereby certify that the accompanying Balance Sheet and Summary of Income and Expenditures are in accordance with the books, and, subject to adjustments for the difference between the book and market values of investments, in our opinion correctly set forth the financial condition of the American Civil Liberties Union, Inc., as of January 31, 1949, and the results of operations for the year then ended.

APFEL AND ENGLANDER,
Certified Public Accountants

NOTE:—A complete copy of the auditor's report will be sent to any contributor who requests it. The Union's financial methods and accounting are endorsed by the National Information Bureau, Inc., 205 East 42nd Street, New York 17, N. Y., an agency formed to advise contributors.

Contributions to the Union are not deductible from income tax returns. The Income Tax Bureau at Washington has held that a "substantial part of the Union's activities is directed to influence legislation," which, under the law, does not permit deductions in tax returns by contributors. The ruling is being contested.

PUBLICATIONS

July, 1948 to July, 1949

Pamphlets and Leaflets

Our Uncertain Liberties—Annual Report. (88 pages)

Civil Liberties of Teachers and Students—The ACLU's statement of principles governing freedom for teachers and students in public and private schools and colleges. (12 pages)

Pamphlets Revised or Reprinted

Program for the Bill of Rights—1949. General objectives of the American Civil Liberties Union. (4 pages)

Presenting the American Civil Liberties Union. What are its principles? How does it work? Who supports it? Who sets its policies? (8 pages)

Freedom from Censorship. What is "obscenity," radio censorship, the motion pictures censors, stage and books censorship. (8 pages)

Toward an International Bill of Rights. (4 pages)

Democracy in Trade Unions. (20 pages)

Supreme Court and Civil Liberties. By Osmond K. Fraenkel, 4th revision, 1949. (80 pages)

Reprinted by the Union

We Must Not Be Afraid of Change. By Raymond B. Fosdick, reprinted from the *New York Times Magazine,* May 3, 1949. (12 pages)

What Price Freedom? By Robert M. Hutchins at University of Chicago Convocation, June, 1949. (6 pages)

The Real Danger—Fear of Ideas. By Henry Steele Commager, reprinted from the *New York Times Magazine,* June 6, 1949. (8 pages)

NATIONAL COMMITTEE

PROF. EDWARD ALSWORTH ROSS, *chairman*
PEARL S. BUCK, *vice-chairman*
LLOYD K. GARRISON, *vice-chairman*
DR. FRANK P. GRAHAM, *vice-chairman*
RT. REV. EDWARD L. PARSONS, *vice-chairman*

Thurman Arnold
Bishop James Chamberlain Baker
Francis Biddle
Prof. Edwin M. Borchard
Van Wyck Brooks
Dr. Henry Seidel Canby
Dr. Allan Knight Chalmers
William Henry Chamberlin
Morris L. Cooke
Prof. George S. Counts
Elmer Davis
John Dos Passos
Melvyn Douglas
Sherwood Eddy
Thomas H. Eliot
Mrs. Dorothy Canfield Fisher
Walter T. Fisher
Rev. Harry Emerson Fosdick
Dean Christian Gauss
Dean Charles W. Gilkey
Earl G. Harrison
Marvin C. Harrison
Quincy Howe
Dr. Robert M. Hutchins
Dr. Charles S. Johnson
Dr. Mordecai W. Johnson
Saburo Kido
Benjamin H. Kizer
Dr. John A. Lapp
Prof. Harold D. Lasswell
Mrs. Agnes Brown Leach
Max Lerner
Prof. Robert Morss Lovett
Prof. Robert S. Lynd
Prof. Archibald MacLeish
John P. Marquand
Prof. Kirtley F. Mather
William Mauldin
Bishop Francis J. McConnell
Dr. Alexander Meiklejohn
Dr. Charles Clayton Morrison
A. J. Muste
Dr. J. Robert Oppenheimer
Bishop G. Bromley Oxnam
James G. Patton
Prof. Max Radin
A. Philip Randolph
Will Rogers, Jr.
Elmo Roper
John Nevin Sayre
Rt. Rev. William Scarlett
Prof. Arthur M. Schlesinger, Jr.
Joseph Schlossberg
Odell Shepard
Robert E. Sherwood
Rabbi Abba Hillel Silver
Lillian E. Smith
Edward J. Sparling
Raymond Swing
Mrs. Dorothy Tilly
Oswald Garrison Villard
William L. White
Aubrey Williams
L. Hollingsworth Wood
Dr. William Lindsay Young

BOARD OF DIRECTORS

DR. JOHN HAYNES HOLMES, *chairman*
WHITNEY NORTH SEYMOUR, *vice-chairman*
PROF. WALTER GELLHORN, *vice-chairman*

Ernest Angell
Mrs. Katrina McCormick Barnes
Jonathan B. Bingham
Prof. Paul F. Brissenden
Mrs. Dorothy Dunbar Bromley
Richard S. Childs
Norman Cousins
Edward J. Ennis.
Morris L. Ernst
John F. Finerty
James Lawrence Fly
Osmond K. Fraenkel
Walter Frank
Varian Fry
Arthur Garfield Hays
B. W. Huebsch
Dorothy Kenyon
Corliss Lamont
Florina Lasker
Prof. Eduard C. Lindeman
Benjamin F. MacLaurin
Merle Miller
Dr. Herbert R. Northrup
Merlyn S. Pitzele
Elmer Rice
Frederick E. Robin
Norman Thomas
C. Dickerman Williams
Raymond L. Wise

OFFICERS

B. W. HUEBSCH, *treasurer;* ROGER N. BALDWIN, *director;* ARTHUR GARFIELD HAYS and MORRIS L. ERNST, *counsel;* HERBERT M. LEVY, *staff counsel.*
Washington representative: Charles A. Horsky, counsel; Mrs. Mary Alice Baldinger, legislative representative.

LOCAL COMMITTEES

Arranged alphabetically by states.

California

AMERICAN CIVIL LIBERTIES UNION OF NORTHERN CALIFORNIA, 461 Market Street, San Francisco 5
Rt. Rev. Edward L. Parsons, chairman; Ernest Besig, director

AMERICAN CIVIL LIBERTIES UNION, SOUTHERN CALIFORNIA BRANCH, 257 South Spring Street, Los Angeles 12
Jerome W. MacNair, chairman; Rev. A. A. Heist, director; A. L. Wirin, counsel

Georgia

ATLANTA CIVIL LIBERTIES COMMITTEE, 444 Boulevard N.E., Atlanta
William V. George, chairman; L. R. Chubb, secretary; A. T. Walden, acting counsel

Illinois

CHICAGO DIVISION, AMERICAN CIVIL LIBERTIES UNION, 25 East Jackson Boulevard, Chicago 4
Edgar Bernhard, chairman; J. Bryan Allin, secretary; Leon M. Despres, counsel; Edward H. Meyerding, director

Iowa

IOWA CIVIL LIBERTIES UNION, 3515 Kingman, Des Moines 11
Robert J. Blakely, chairman; Esther Immer, secretary

Maryland

MARYLAND CIVIL LIBERTIES COMMITTEE, 340 North Charles Street, Baltimore 1
Joseph Burke, chairman; Mrs. Charles Wolf, secretary

Massachusetts

CIVIL LIBERTIES UNION OF MASSACHUSETTS, 14 Beacon Street, Boston 8
Prof. Albert Sprague Coolidge, chairman

Michigan

MICHIGAN CHAPTER OF THE CIVIL LIBERTIES UNION, 26 East Adams Avenue, Detroit 26
Rev. Henry Hitt Crane, chairman; Walter M. Nelson, secretary

Missouri

ST. LOUIS CIVIL LIBERTIES COMMITTEE, 706 Chestnut Street, St. Louis 1
Dr. Homer C. Bishop, chairman; Eugene H. Buder, secretary

New York

ERIE COUNTY CIVIL LIBERTIES COMMITTEE, 158 Pearl Street, Buffalo 2
Rev. M. Huyett Sangree, chairman; Miss C. I. Claflin, secretary

NEW YORK CITY CIVIL LIBERTIES COMMITTEE, 170 Fifth Avenue, New York 10
Rev. John Paul Jones, chairman

QUEENS COMMITTEE OF THE AMERICAN CIVIL LIBERTIES UNION, P.O. Box 386, Flushing, L. I.
Prof. Dorothy Richardson, chairman

Oklahoma

OKLAHOMA CIVIL LIBERTIES UNION, 494 Elm Street, Norman
Don E. Howard, president; James O. Ellison, treasurer; Henry H. Foster, Jr., faculty adviser; Irwin Glatstein, secretary

Pennsylvania

PITTSBURGH BRANCH, AMERICAN CIVIL LIBERTIES UNION, 719 Plaza Building, Pittsburgh
Mrs. Marjorie H. Matson, chairman

Washington

SEATTLE CHAPTER, AMERICAN CIVIL LIBERTIES UNION, 5109 Arcade Building, Seattle
Ivan Rutledge, president; Robert Hillis, secretary

The Union also cooperates with the following local organizations, not affiliated:

CIVIL LIBERTIES COMMITTEE OF ANTIOCH COLLEGE, Yellow Springs, Ohio
Jessie C. Treichler, faculty advisor

COLUMBUS COUNCIL FOR DEMOCRACY, 2668 North Fourth Street, Columbus 2, Ohio
Ray S. Reinert, president; Emily N. Tinsley, secretary

OHIO LEAGUE FOR CONSTITUTIONAL RIGHTS, 2021 Indianola Avenue, Columbus, Ohio
Robert Gunning, chairman; Alan F. Griffen, secretary

THE VIRGINIA COMMITTEE FOR CONSTITUTIONAL RIGHTS, 3607 Seminary Avenue, Richmond 22, Va.
Morton L. Wallerstein, chairman; Mrs. Emory Hill, secretary

STATE CORRESPONDENTS

(These correspondents do not represent the Union officially, but act in securing information and giving advice as to local matters.)

Alabama: Clarence L. Watts, 706 State National Bank Bldg., Huntsville
Arizona: H. S. McCluskey, 329 Encanto Boulevard, Phoenix

Arkansas: Lewis H. Deer, Jr., Pulaski Heights Christian Church, Hillcrest & Spruce, Little Rock
California: Rt. Rev. Edward L. Parsons, 2901 Broderick St., San Francisco 23
Colorado: Eugene H. Tepley, 424 C. A. Johnson Bldg., Denver 2
Connecticut: Odell Shepard, Jordan Cove, Waterford
Delaware: William Prickett, 404 Equitable Bldg., Wilmington
Florida: Roger D. McDermott, Comeau Building, West Palm Beach
Georgia: Leonard Haas, Haas-Howell Building, Atlanta
Idaho: Alvin Denman, Idaho Falls
Illinois: Rev. Kenneth C. Walker, 201 E. Jefferson St., Bloomington
Indiana: Bernard Stroyman, Security Trust Building, Indianapolis 4
Iowa: Edward S. Allen, 509 Welch Avenue, Ames
Kansas: Very Rev. John Warren Day, Grace Cathedral, Topeka
Kentucky: Grover G. Sales, 607 Marion E. Taylor Bldg., Louisville
Louisiana: George A. Dreyfous, 1318 Canal Bldg., New Orleans 12
Maine: William H. Niehoff, 148 Main Street, Waterville
Maryland: Naomi Riches, 2201 Maryland Ave., Baltimore 18
Massachusetts: Albert Sprague Coolidge, 34 Coolidge Ave., Cambridge 38
Michigan: Seymour H. Person, 1902 Olds Tower, Lansing 8
Minnesota: William Lloyd Sholes, 401 Foshay Tower, Minneapolis
Mississippi: Jo Drake Arrington, 411-412 Hewes Bldg., Gulfport
Missouri: Jerome Walsh, Dierks Building, Kansas City 6
Montana: Leo C. Graybill, 609 3rd Avenue, Great Falls
Nebraska: Philip Schug, Unitarian Society, 12th & H Sts., Lincoln
Nevada: Martin J. Scanlan, 130 S. Virginia Street, Reno
New Hampshire: Winthrop Wadleigh, 45 Market Street, Manchester
New Jersey: Rev. Harry R. Pine, Greenwood & Olden Aves., Trenton
New Mexico: Pearce C. Rodey, First National Bank Bldg., Albuquerque
New York: John Braun, 93 State Street, Albany 7
North Carolina: Prof. Hornell Hart, Box 4653 Duke Station, Durham
North Dakota: Harold W. Bangert, 404 Black Bldg., Fargo
Ohio: Prof. Robert E. Mathews, Ohio State Univ. College of Law, Columbus 10
Oklahoma: Prof. Cortez A. M. Ewing, U. of Oklahoma, Norman
Oregon: Gus J. Solomon, 1113 Equitable Building, Portland 4
Pennsylvania: Sidney G. Handler, 22 South Third Street, Harrisburg
Rhode Island: Gurney Edwards, 1109 Hospital Trust Bldg., Providence
South Carolina: R. B. Herbert, 310 Palmetto Building, Columbia
South Dakota: U. G. Reininger, 701 S. Menlo Ave., Sioux Falls
Tennessee: Jordan Stokes, 315 Warner Building, Nashville
Texas: Prof. Clarence E. Ayres, U. of Texas, Austin 12
Utah: D. Howe Moffat, 803 Continental Bank Bldg., Salt Lake City
Vermont: Louis Lisman, 166 College Street, Burlington
Virginia: Moss A. Plunkett, Box 492, Roanoke

Washington: Benjamin H. Kizer, Old National Bank Bldg., Spokane 8
West Virginia: Horace S. Meldahl, 209-210 Davidson Bldg., Charleston
Wisconsin: Perry J. Stearns, 1225 Wells Building, Milwaukee 2
Wyoming: Louis Kabell, Jr., Evanston National Bank Bldg., Evanston

---

Alaska: James E. Swan, General Delivery, Anchorage, Alaska
Hawaii: Prof. Allan F. Saunders, U. of Hawaii, Honolulu 10, T.H.
Puerto Rico: Guillermo Cintron Ayuso, P.O. Box 4566, San Juan, P.R.
Virgin Islands: George H. T. Dudley, Box 717 Charlotte Amalie, St. Thomas, V.I.

COMMITTEES OF THE UNION

Alien Civil Rights Committee
EDWARD J. ENNIS, chairman; HERBERT DEVARCO, counsel

Committee on Academic Freedom
PROF. EDUARD C. LINDEMAN, chairman; PROF. ARTHUR C. COLE, vice-chairman; R. LAWRENCE SIEGEL, counsel; PROF. HARRY L. LEVY, secretary

Committee on Women's Rights
DOROTHY KENYON, chairman

Committee on Civil Rights in American Colonies
A. A. BERLE, JR., chairman; ASHER LANS, counsel

National Council on Freedom from Censorship
ELMER RICE, *chairman;* HENRY SEIDEL CANBY, vice-chairman; H. WILLIAM FITELSON and MRS. HARRIET E. PILPEL, counsel

Committee on Indian Civil Rights
PROF. JAY B. NASH, chairman; ALFRED S. JULIEN, counsel; MRS. LEON FREEMAN, secretary

Committee Against Race Discrimination
PEARL S. BUCK, chairman; BROADUS MITCHELL, vice-chairman

Committee on Radio
THOMAS R. CARSKADON, chairman; JAMES LAWRENCE FLY, vice-chairman; MORRIS L. ERNST, counsel

Committee on International Civil Liberties
PROF. ROBERT M. MACIVER, chairman; BERYL H. LEVY, counsel

Committee on Civil Rights in Labor Relations
HERBERT R. NORTHRUP, chairman; WALTER FRANK, vice-chairman; HERBERT M. LEVY, secretary

Committee on Occupied Areas
ROGER N. BALDWIN, chairman

Lawyers' Panel
WHITNEY NORTH SEYMOUR, chairman

ARE YOU A MEMBER?

¶ The American Civil Liberties Union depends on its members for its entire support. Membership, which brings you *Civil Liberties,* the Union's new printed monthly, the annual report, and pamphlets on current issues, is open to all interested—in the following classifications: Patron—$100 and over; Sustaining Member—$25; Supporting Member—$10; Contributing Member—$5. Associate Members at $2 receive *Civil Liberties* and the annual report.

¶ Contributors of $5 and over are entitled to single copies of all ACLU publications currently available—without charge.

¶ The Union's weekly Feature Press Service, distributed without cost to the press, is available on request, to contributors of $10 and over.

¶ The services of lawyers, correspondents, writers, speakers and investigators are invited anywhere in the United States. Contributors in any amount always welcomed and needed.

¶ Friends who are making provisions in their wills for aid to public causes will note that bequests either for general or special work for civil liberties should be drafted to refer to the *American Civil Liberties Union, Inc.,* a corporation organized under the laws of New York State, with headquarters in New York City. Address: 170 Fifth Avenue, New York 10, N.Y.