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## The Educational Efforts of the American Jewish Congress to Combat Anti-Semitism in the United States, 1946-1980

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THE EDUCATIONAL EFFORTS OF THE AMERICAN JEWISH CONGRESS  
TO COMBAT ANTI-SEMITISM IN THE UNITED STATES,  
1946-1980

by  
Gerald Rosenbaum

A Dissertation Submitted to the Faculty of the Graduate School  
of Loyola University of Chicago in Partial Fulfillment  
of the Requirements for the Degree of  
Doctor of Philosophy

May  
1992

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## PREFACE

This historical study examines the activities of the American Jewish Congress (AJC), since its establishment in 1918, to combat anti-Semitism and discrimination by discussing selected cases in which the Congress was involved. For this study, the work of the Commission on Law and Social Action of the AJC was analyzed in order to examine general issues involving anti-Semitism, especially at the secondary school and higher education levels.

Chapter I presents an historical overview of the American Jewish Congress and a stipulated definition of anti-Semitism. It also describes the pioneering efforts of Rabbi Stephen S. Wise in organizing the AJC. Chapter II examines AJC's opposition to anti-Semitism in the United States by examining selected cases in which the organization was involved. Among the selected cases, from the AJC's archives, are anti-Semitic radio broadcasting and motion pictures, discriminatory housing and hospital admissions practices, and anti-Semitic demonstrations. Chapter III examines activities of the AJC at the secondary education level. Among the activities examined are opposition to released time programs in public schools, opposition to the distribution of Bibles in public schools, and the opposition to organization of religious organizations in public schools. Chapter III emphasizes the AJC role in

public schooling. Chapter IV discusses AJC's activities at the higher educational level, such as investigating housing and admissions discrimination because of race or religion.

The dissertation concludes that the American Jewish Congress has a consistent record of opposing anti-Semitism and opposing efforts to breach the wall of separation between church and state. It has been active in these areas in education, especially at the secondary and higher levels.

## VITA

The author, Gerald Rosenbaum, was born in Chicago, Illinois.

In January 1957, Mr. Rosenbaum received the degree of Bachelor of Education from Chicago Teachers College. In September of 1962, the author received the degree of Master of Science in Education from Indiana University. The author also received the degree of Master of Science in Education from Chicago State College in April 1970.

In 1963, Mr. Rosenbaum became a member of Phi Delta Kappa. For the past thirty-three years, the writer has served as a teacher in the Chicago public schools.

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## CHAPTER I

### INTRODUCTION: THE AMERICAN JEWISH CONGRESS

Chapter I is intended to present the basic history and purposes of the American Jewish Congress (AJC) so that its educational programs and efforts designed to eliminate anti-Semitism can be placed in perspective. The chapter will discuss the history of the AJC, the role of Stephen S. Wise, an organizer of the AJC, and the constitution and by-laws of the national organization and Chicago Division. It also defines anti-Semitism as that form of prejudice which the AJC opposed and sought to eliminate.

The AJC is one of the central agencies in American Jewish community relations. The contemporary AJC is an outgrowth of the first AJC, which assembled in Philadelphia on December 15, 1918. A written agreement by the participating Jewish organizations that formed the AJC stipulated that it was to be dissolved as soon as it fulfilled its mission of formulating a postwar program for the Jewish people, naming a delegation to the Peace Conference in Versailles, and issuing its report. This agreement was approved at the second and last session of the congress in Philadelphia in 1920. Some delegates from religious, Zionist, and fraternal organizations

and from Landsmanschaften (organization of countrymen), reassembled on December 16, 1918, under the leadership of Stephen S. Wise and laid the foundation for the present AJC, which was fully organized in 1928.<sup>1</sup>

### Stephen Samuel Wise

In order to understand the ideals that were foundational to the AJC, it is necessary to examine the work of Steven Samuel Wise (1874-1949), its leading founder. Wise was a progenitor of American Zionism, a creator of the American and World Jewish Congresses, founder of the Jewish Institute of Religion, and rabbi of the Free Synagogue in New York City. He was actively involved in efforts to direct Judaism to the solving of social problems and reforms.<sup>2</sup> Wise was at the forefront of reform efforts both within the American Jewish community and American society. He was a leading activist for social and religious reform.

Wise, a U.S. rabbi and Zionist leader, was born in Budapest, Hungary. He came with his parents to the United States in August 1875. By 1900, he had become a rabbi of Temple Beth Israel in Portland, Oregon, where he pioneered in interfaith cooperation, social service and civic leadership.

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<sup>1</sup>Encyclopedia Judaica, 1971 ed., s.v. "American Jewish Congress."

<sup>2</sup>Melvin I. Urofsky, Steven S. Wise: A Biography (Albany: State University of New York Press, 1982), vii.  
(Note: Author used "Steven" for "Stephen.")

Wise received his Ph.D. degree from Columbia University in 1902. He translated and edited Solomon ibn Gabirol's eleventh-century treatise on ethics, *The Improvement of Moral Qualities*. In 1898, he was a leader in the formation of the nationwide Federation of American Zionists and served as honorary secretary until 1904.

In 1914, Wise was influential in creating the office of the Provisional Executive for General Zionist Affairs. From 1916-1919, he was a leader in the organization of the AJC. He served as vice president from 1921-1925, and as honorary president until his death in 1949.

Wise was an active proponent of civil rights, especially for repressed groups. He joined the National Association for the Advancement of Colored People in 1909 and the American Civil Liberties Union in 1920.

In 1922, Wise founded the Jewish Institute of Religion (JIR). His commitment to the institute was demonstrated through his recruitment of faculty and student members. He also taught classes, raised funds, placed graduates and fought constantly to ensure that JIR and its rabbis received support and recognition from the community.<sup>3</sup>

Wise believed that the national organization of the AJC also needed local affiliates. To that end, he sought to establish a Chicago AJC Division (Council). The AJC Chicago

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<sup>3</sup>Ibid., 186.

Division was incorporated by the State of Illinois on June 25, 1934, and by 1936 had a membership of 35,000.

Wise was involved with organizing the World Jewish Congress (WJC) in 1936, and headed the WJC until his death in 1949. He warned both Jews and non-Jews about the danger to human rights that Nazism presented and alerted President Franklin D. Roosevelt about the Nazi menace. He founded the Free Synagogue in New York City, which was based on free speech, discussion of social problems, and helping society resolve social conflicts.

#### Structure of the AJC

Because of the efforts of Stephen Wise and other leaders in the American Jewish community, the AJC became a voice that expressed Jewish interests in an organized way to a national audience. Important in its national agenda was the combatting of anti-Semitism. The AJC's constitution and by-laws state the purpose of the organization. The AJC is an association of American Jews committed to the future of a democratic life and survival of the Jewish people throughout the world. It opposes all forms of political, social, and economic discrimination because of race, color, religion, ancestry or national origin. This includes a defense against all forms of totalitarianism that impedes the survival and progress of the Jewish people.<sup>4</sup>

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<sup>4</sup>Constitution and By-laws of the American Jewish Congress-Chicago Division, Article 1, Section 4.

Any Jew who is eighteen years of age or over can become a member of the AJC; members take an oath to follow the rules of the constitution of the national Jewish organization.

The administration of the AJC includes a president, chairman of the Executive Committee, Administrative Committee, a treasurer, secretary, and not less than one or more than nine vice presidents. All elected officers are limited to serving not more than two successive terms (two years). Officers are elected at the biennial convention and do not receive compensation for services. Employees of the AJC cannot be members of the Administrative Committee or Executive Committee.

The Administrative Committee elects 150 members and 40 members constitute a quorum. The committee meets once every three months, except for July or August, and has the power to accept or reject any action of the Executive Committee.

The Executive Committee elects thirty officers and twenty members constitute a quorum. The Executive Committee meets once a month, except during July or August, and has the power to establish programs and directives in the best interest of the AJC. These programs and directives are binding upon all members, chapters, divisions and councils. The committee, by two-thirds of members present and voting, can suspend or expel any individual, chapter or council of the AJC. The Executive Committee also proposes an annual budget with the approval of the Administrative Committee.

No member, officer, or employee of the AJC may make public statements or issue public information regarding the official policies of the organization without national approval. This approval must come from the Executive Committee or the Administrative Committee. The legislative body of the AJC is formed at the biennial convention. Those present at the convention are the elected delegates accredited by chapters and councils.

The convention approves by-laws important to the preservation and operation of the AJC. Some by-laws include setting the dues of active members and terminating non-contributing dues members as of December 31st of a given year. Two-fifths of collected dues are for local administration and the balance is for the national office. Dues collected by the women's chapters and divisions are sent to the women's division of the national office.

The AJC-Chicago Division is known as "The Corporation." The corporation is part of the national organization of the AJC, a New York corporation, which follows the national constitution and by-laws. The term, "Division," has the same meaning as the term, "Council," as used in the constitution of the national organization.

The Chicago Women's Division of the AJC came into existence in 1936. It has provided a dedicated, intelligent and

vocal leadership in the city.<sup>5</sup> The Chicago Women's Division is represented on every standing committee. It is governed by the by-laws of the corporation and elected officers.

Membership in the AJC-Chicago Division is open to every Jew, eighteen years of age or older, who agrees to follow the constitution and by-laws of the AJC. Membership is under the strict control of the national organization.

The AJC-Chicago Division has a "Youth Division" consisting of young men, women, and representatives of young people's Jewish organizations. The Youth Division is represented on all standing committees of the corporation. It, too, is governed by the constitution and by-laws of the national organization.

The corporation has a "Division of Affiliated Organizations-Chicago Division," involving local Jewish organizations and local branches of national Jewish organizations.

The division's main purpose is to preserve the tradition and culture of congregations, Landsmanschaften cultural clubs, and religious societies. All minutes of any local division are filed with the office of the corporation, Chicago division. These groups have committee representation and are governed by the constitution and by-laws of the national Jewish organization.

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<sup>5</sup>Shirley Sachs, "Chicago Division of American Jewish Congress Looks Back Over a Busy Fifty Years of Impressive Achievements," Chicago Jewish Historical Society 8 (March 1985): 6-8.



The administration of the Chicago Division corporation is done by the Administrative Committee, the Executive Committee and the officers of the corporation. The officers are a president, three vice presidents, a financial secretary, a recording secretary and a treasurer who are elected at the annual conference for one year.

The Executive Committee is responsible for the daily administration of the AJC-Chicago Division. It determines what contracts, debts, and obligations are necessary for the functioning of the local Chicago Division. Final approval must be made by the Administrative Committee. This also includes a budget proposal with the approval of the Administrative Committee.<sup>6</sup>

The Executive Committee is composed of the officers of the corporation, past presidents, presidents and vice presidents of the women's and youth divisions, affiliated organizations, and the presidents of all chapters of the corporation. Ten members of the Executive Committee constitute a quorum.<sup>7</sup>

The AJC-Chicago Division Administrative Committee has the power to adopt policies or programs in compliance with the national organization, and to veto any action of the Executive Committee. The membership of the Administrative Committee is

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<sup>6</sup>Constitution and By-laws of The American Jewish Congress-Chicago Division, Art. 7, Sec. 3.

<sup>7</sup>Ibid., 8.

composed of representatives from affiliated organizations. Those with less than 500 members will designate and appoint two members, and those over 500 members will appoint three members. For every fifty members in good standing in any chapter, one member is elected to the Administrative Committee at the annual convention. In addition, the elected officers of each chapter of the AJC and members of the Executive Committee, are members of the Administrative Committee. Twenty-five members of the Administrative Committee constitute a quorum.<sup>8</sup>

No officers, members of the Executive Committee or members of the Administrative Committee receive compensation. No employee can be a member of any committee of the AJC-Chicago Division. The fiscal year of the corporation is from January 1 to December 31 of a given year.

The AJC-Chicago Division is not allowed to have more than one chapter in various areas of the city consisting of individual members of the corporation.

The annual convention of the corporation is held in the fall of each year. The delegates of an organization or chapter have only one vote on the election of individual members of the Administrative Committee. The amendments to the constitution and by-laws of the AJC are enacted at a regular or special convention by majority vote of delegates present or by two-thirds vote of the Administrative Committee. Of

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<sup>8</sup>Ibid., 9.

special importance for this dissertation are the activities of the Commission on Law and Social Action (CLSA) which is the legal arm of the AJC. It has the general responsibility for establishing the legal and social program goals of the AJC. Its work bears directly on programs to combat anti-Semitism and other forms of discrimination. Certain of its activities are related to education. For example, its primary objectives are advocacy of separation of church and state, promoting religious freedom and civil rights.<sup>9</sup>

The Committee on Community Interrelations is concerned with social and economic conditions that may contribute or hinder the advancement of social and economic goals. Its programs are designed to improve intercultural relations and to encourage positive relations with minority groups. An example of its activities are the efforts to improve relations with African-Americans. Among its initiatives are improving communications with African-American leaders and disseminating educational materials to black colleges about Jewish political and community activities. The goals of these activities are to further intercultural dialogue and to combat anti-Semitism. The AJC also has prepared materials on Dr. Martin Luther King's career to emphasize his leadership role in civil and human rights and to illustrate the struggle minority groups have

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<sup>9</sup>Robert K. Lifton, president of the AJC, Report of The American Jewish Congress to The Large City Budgeting Conference, (New York, NY, 1990), 7.

faced in achieving equal opportunities in education and other areas.

The Committee on World Jewish Affairs prepares analyses and reports on international developments of significant concern to the American and world Jewish communities. Among the issues examined are the problems that involve Israel in the Middle East, the United Nations, arms control, and Jewish problems in the United States and throughout the world. The Commission on Law and Social Action sponsors research and gathers data to help the AJC examine and develop positions on foreign policy.<sup>10</sup>

As mentioned, the AJC organized the World Jewish Congress (WJC) in 1936. The WJC is a voluntary nongovernmental association of Jewish communities throughout the world, dedicated to Jewish survival and the defense of Jewish rights.<sup>11</sup> For example, the WJC, as well as the AJC, worked to create awareness of the Nazi program of genocide to exterminate the Jews of Europe. It also worked for the restitution of Jewish property seized by the Nazi regime. Its efforts continue to be directed to stopping racist propaganda and arousing people to the dangers of anti-Semitism throughout the world.

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<sup>10</sup>Ibid., 1.

<sup>11</sup>"World Jewish Congress," paper presented at the 30th anniversary of the AJC Office of Jewish Information, 19 December 1948. (No author given.)

### Efforts Against Anti-Semitism

Among the efforts of the AJC have been educational programs and social and legal activities to identify, expose, and oppose anti-Semitism.

David A. Gerber, who is a member of the history department at the State University of New York at Buffalo, defines anti-Semitism as the belief that Jews are different, alien, malevolent, power-hungry, materialistic, aggressive, dishonest, clannish, subject to social discrimination and should be denied their social and legal rights.<sup>12</sup>

Since this dissertation examines the educational efforts of the AJC to combat anti-Semitism, this section of the chapter stipulates a definition of anti-Semitism that will be used in the chapters that follow. Anti-Semitism involves discrimination against Jews in housing, employment, politics, education, professional careers and other situations. The chapters that follow will concentrate on educational as well as housing and professional issues. Anti-Semitism has caused the tragic consequences that the Jewish people have suffered throughout history. Scholars in the late nineteenth and early twentieth centuries have said, "Jews were scapegoats for problems created by the urbanization and industrialization of people and have

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<sup>12</sup>David A. Gerber, Anti-Semitism and Jewish-Gentile Relations in American Historiography and the American Past, ed. David A. Gerber (Urbana and Chicago: University of Illinois Press, 1986), 3.

clashed with other groups in the intensified struggle for status and wealth which characterized the era."<sup>13</sup>

The history of Western and non-Western cultures contains many episodes of anti-Semitic prejudices. Throughout history, anti-Semitic attitudes have been passed down from generation to generation. One lasting memory was the Holocaust of World War II in which six million Jews were exterminated in Nazi death camps.

In the United States, neo-Nazi parties and organizations have encouraged rallies and demonstrations to promote hostility against the Jewish community. The Nazi Party, for example, aims to restore "white power." Some members of the Ku Klux Klan and Nazi Party have been strong enough to win primary elections, but have lost in the general elections.<sup>14</sup> Communities who are informed about the issues and have democratic feelings will always reject this type of candidate for political office. Unfortunately, many communities are open to anti-Semitic hatred, because they fear, and do not truly understand, minority groups. It is in this climate of fear that hate groups use anti-Semitism to further their programs.

The AJC has taken a leadership role in fighting anti-Semitism. It is alert for organizations which may be anti-

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<sup>13</sup>Ibid., 9.

<sup>14</sup>Phil Baum, associate executive director of the AJC and director of the Commission on International Affairs, Where We Stand-Anti-Semitism (New York, NY, National Governing Council of the AJC, 1981).

Semitic. In the United States, anti-Semitic attacks have taken the form of scurrilous graffiti on the walls of houses and schools. The defacement and looting of synagogues, other public buildings, and cemeteries are all acts of anti-Semitism.

Anti-Semitism must be stopped even if a small number of tragic acts are reported. This menace can grow into a larger problem if it is not dealt with immediately. If a cancer is allowed to grow, it will not stop until the body has died. A community cannot be threatened and still carry on normal everyday activities without being frightened. Civil protection is needed, even if one has to improve the social processes and civil laws. Law enforcement agencies must take an active role in the investigation and prosecution of racial and religious crimes. The media should bring these problems to the attention of the public and involve meetings at the school, church and community levels. Political dictators do not allow freedom of speech or freedom of the press in their countries. Many acts of anti-Semitism are done by unthinking teenagers acting independently.

The AJC believes that the well-being and security of the American Jewish community is intimately and ultimately bound with the manner and intelligence of how one confronts the problems of everyday living.

In conclusion, this chapter has developed a background of the history of the AJC, an important founder Stephen S.

wise, the purpose of the AJC, and the constitution and by-laws that make the organization a responsible corporation representing the Jewish community.

The chapter also defined anti-Semitism and presented illustrations of anti-Semitism. The AJC is a representative body of American Jewry concerned with human and civil rights. The AJC in the United States has taken a political, social and legal stand to help eliminate the evils of anti-Semitism.

Chapter II will discuss the AJC's struggle against problems of anti-Semitism in the United States. Situations involving anti-Semitism will be discussed. It will examine the struggle of the AJC to overcome these problems through a national Jewish organization. Later chapters will examine the efforts of the AJC to oppose anti-Semitism in education, especially in secondary and higher educational institutions.



## CHAPTER II

### AJC OPPOSITION TO ANTI-SEMITISM

Chapter II will examine the activities of the American Jewish Congress (AJC) in opposing anti-Semitism in the United States. Many anti-Semitic ideas originated in and were transported from European countries that have a long history of "hatred" for Jews. It is difficult to erase these prejudices when Jews are blamed for the ills of the world. The Jewish people and others have paid a high price for being born into a group that has been used as the scapegoat by certain governments and political parties that only want an excuse to accomplish their political policies.

One of many Jewish groups, the AJC is always alert to detect ongoing anti-Semitic activities as well as activities against other minority groups, such as African-Americans and Hispanics. The AJC is striving to create a better world community where there is less hatred and more brotherhood among all human beings. Chapter II examines selected actions of the AJC to oppose anti-Semitism, discrimination and racism. The following activities are examined in the chapter: opposition to an anti-Jewish boycott in Marquette, Michigan; opposition to radio licensing for allegedly anti-Semitic propaganda;

opposition to the showing of the motion picture, *The Desert Fox*; efforts to secure fair housing practices for minority groups; opposition to discriminatory practices in hospital admissions; and opposition to the demonstrations of the Nazi Party. The following sections of Chapter II illustrate selected AJC efforts to combat anti-Semitism.

#### Hayfever Club - Marquette, Michigan

In 1946, Gilbert Gordon, the Midwest Regional Director of the AJC, became concerned with an illegal boycott against Jews and other minorities in Marquette, Michigan. Gordon's investigation centered on the Hayfever Club, an organization composed of Jews who went to Marquette to escape hay fever during the summer. Marquette, Michigan, was a community where many Jews went for vacation during the summer months to get relief from hay fever. It was also a place where Jews gathered to enjoy an escape from the hot summers in urban areas. However, it was alleged that the local Marquette, Michigan Chamber of Commerce encouraged excluding Jews from community activities and discouraged their coming to the community.

Mr. Ben H. Devoe, Executive Secretary of the Marquette Chamber of Commerce, wrote a letter in 1946 to A. J. Mogilner, who was a Jewish businessman and a member of the local Chamber of Commerce in Marquette. The letter advised Mr. Mogilner that the Chamber discouraged people from settling or visiting the community because they did not want undesirables or chiselers.

They wanted to protect the welfare of the community.<sup>15</sup> The problem was aggravated when some hotel and resort owners in the Marquette community refused to provide lodging for hay fever sufferers. In particular, restrictions on lodging were imposed on the Hayfever Club because its members were Jewish. The writer had a telephone conversation with Mr. Fred Rydholm, a long-time resident of Marquette, Michigan. He stated that "he was not aware of any anti-Semitism and felt that the matter did not create a problem for Jews coming to Marquette for hay fever relief during the summer."<sup>16</sup>

On April 4, 1946, Mr. Harry Bauman, a founder of the Marquette Hayfever Club, notified the Commission on Law and Social Action (CLSA) of the AJC about discriminatory practices in Marquette. The AJC was made aware of the anti-Semitic activities, one which was to discourage Jews from residing in or visiting Marquette, Michigan.

Mr. Gordon, acting for the AJC, wrote to the United States Attorney General, Tom Clarke, on April 25, 1946. Gordon informed Clarke that "this is an illegal boycott against Jews

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<sup>15</sup>Ben H. Devoe, executive secretary of the Marquette, Michigan Chamber of Commerce, to A. J. Mogilner, Marquette, MI, TLS, 21 January 1946, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

<sup>16</sup>Fred Rydholm, a resident of Marquette, MI. Telephone interview by author, 10 January 1992, Morton Grove, IL.

in Marquette, Michigan."<sup>17</sup> Gordon received a reply from Theron L. Caudle, Assistant Attorney General of the United States, on May 8, 1946. Caudle informed Gordon that while he was aware of the situation of the Hayfever Club in Marquette, Michigan, that, in his opinion, there was no evidence of the violation of any federal civil rights statutes. He added that he appreciated the AJC's attention to the matter.<sup>18</sup>

It appears, however, that the Marquette, Michigan, Chamber of Commerce wrote a letter to a local Jewish businessman who was a member of the local chamber of commerce that stated that they "only wanted high standards of citizenship in the community." It was a sign that members of minority groups would not be welcome. The attitude expressed by the chamber of commerce asserting that it did not want problems in its community was another sign of the fear of allowing people of certain backgrounds in its area. In the writer's opinion, the statement from the chamber of commerce that "there is an acute shortage of places for people to stay" was an anti-Semitic statement against members of the Jewish Hayfever Club. The effort of the AJC to alert the United States Department

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<sup>17</sup>Gilbert Gordon, Chicago, IL, to Honorable Tom Clarke, U.S. Attorney General, Washington, D.C., TLS, 25 April 1946, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

<sup>18</sup>Theron L. Caudle, assistant attorney general of the United States, to Gilbert Gordon, midwest regional director of the American Jewish Congress, Chicago, IL, TLS, 08 May 1946, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

of Justice to the situation represents one activity of the organization to oppose discrimination. To the best knowledge of the writer, the discrimination practices in Marquette, Michigan, were resolved.

#### FCC Licensing

Another case that involved the AJC's efforts against anti-Semitism dealt with a situation regarding the *New York Daily News* in the late 1940s. In 1947, the AJC urged the Federal Communications Commission (FCC), to refuse to grant an FM radio license to the *New York Daily News*. The AJC's objection was based on articles published in the *New York Daily News* that took a negative approach against Jews and African-Americans. The AJC felt that the articles showed prejudice and hostility toward minority groups. The allegation was that the newspaper supported anti-Semitism and a stand for "100% Americanism" against Jews in government.

The AJC did not want the *New York Daily News* to gain access to a radio station to continue its anti-Semitic propaganda. If the FCC granted a license to the *New York Daily News*, it could be construed as encouraging discrimination by anti-Semitic broadcasts.

On November 4, 1947, the FCC in Washington, D.C., denied the application of the *New York Daily News* for an FM radio

license in New York because of the paper's anti-Semitic and anti-black bias over a long period of time.<sup>19</sup>

Rabbi Morton M. Berman, president of the Chicago Division of the AJC, hailed the decision of the FCC in denying the *New York Daily News* an FM radio license.<sup>20</sup> This action reversed a previous decision by the FCC which had granted an FM license to the *New York Daily News* on April 15, 1947. The AJC was concerned that future granting of an FM radio license by the FCC should be carefully checked for racial or religious bias by applicants for broadcasting licenses. The AJC's Commission on Law and Social Action, acting as a civic organization, was granted the right to participate in the FCC hearings in New York and before the Commission in Washington, D.C. In this case, the AJC succeeded in preventing the use of federal licensing of radio stations for anti-Semitic and racially discriminating broadcasting.

#### Protest of *The Desert Fox*

In November 1951, the AJC was concerned about the motion picture, *The Desert Fox*, which was based on the military career of Field Marshal Rommel in World War II. There was a strong fear that the film might influence American public opinion to

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<sup>19</sup>"N.Y. Daily News Denied Radio License," New York Daily News, 4 November 1947, p. 17.

<sup>20</sup>Rabbi Morton H. Berman, president of the Chicago Division of the American Jewish Congress, "Hailing the Decision of the FCC in Denying the New York Daily News an FM Radio License." (Chicago, IL, 12 November 1947.)

reduce American opposition to the re-Nazification and remilitarization of Germany. This motion picture appeared only six years after World War II had ended in 1945.

The AJC feared that the image of Erwin Rommel (1891-1944), a German field marshal, could be used to justify the militarist acts of Germany during World War II. The AJC did not believe that Rommel's behavior was simply a case of a member of the German general's staff only taking orders. The AJC saw the film, *The Desert Fox*, as a disgrace to the memory of killed and wounded American soldiers who had fought against Rommel. The film depicted Rommel as a hero who could have defeated the allies if he had been given badly needed supplies by Adolph Hitler. The AJC did not want the world to forget the Holocaust because of the suffering it brought to millions of people. Showing the German army in a favorable light distorted the truth since it was part of the Nazi machinery used to practice genocide against Jews and other peoples.

A letter written by Rabbi Sidney J. Jacobs, Executive Director of the AJC in 1951, to Sam Lerner, Motion Picture Editor of the *Chicago Daily News*, discussed how Rommel once regarded Adolph Hitler as a saint. Field Marshal Rommel had trained Hitler youth and was hand-picked by Hitler to command *Der Fuhrer's* personal bodyguard.<sup>21</sup>

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<sup>21</sup>Rabbi Sidney J. Jacobs, Chicago, IL, to Sam Lerner, Motion Picture Editor of the Chicago Daily News, Chicago, IL, TLS, 03 December 1951, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

By November 1951, the AJC launched a campaign to have people oppose the showing of the film. AJC condemned the Balaban brothers, who were once honored by the Jewish community in the area of Central Park and Roosevelt Road in Chicago, Illinois. People who had families murdered by the Nazis did not want to bring glory to mass murderers. The AJC did not want the film shown in any movie theaters owned by the Balaban and Katz chain. Balaban and Katz supported Jewish activities in the past and the AJC assumed they would do so in the present situation. The film even showed Winston Churchill praising Rommel, which could bring a negative relationship with Great Britain.

A publicity agent by the name of Harry G. Green had alerted the AJC about *The Desert Fox* film. He wrote to Mr. Louis A. Novins, Assistant to the president of Paramount Pictures Corporation in New York, on December 5, 1951. Green wanted the showing of the film, *The Desert Fox*, cancelled at all Balaban and Katz theaters in Chicago.<sup>22</sup>

Mr. Green felt that Barney Balaban was not moving quickly to stop the showing of the film or persuading Paramount Pictures Corporation to cancel its showing. The Jewish community believed it had been betrayed by Barney Balaban.

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<sup>22</sup>Harry G. Green, Chicago, IL, to Louis A. Novins, assistant to the president of Paramount Pictures Corporation, New York, NY, TLS, 05 December 1951, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.



The film was not removed from his movie theatres and Balaban turned a deaf ear to the Jewish community's protests.

Showing the film, *The Desert Fox*, glorified Rommel and brought back memories of millions killed by the Nazi regime under Hitler. Notwithstanding that Rommel lost his command when he took issue with Adolph Hitler, the issue of the motion picture, *The Desert Fox*, illustrates the AJC's efforts to monitor the media to prevent the glorification of Nazi Germany.

#### Protesting Nazi Symbols

On November 17, 1955, Mr. Joseph B. Robinson, from the National headquarters of the AJC in New York, wrote to Mr. Joseph Minsky, legal council of the Chicago Council-AJC, stating that "the Lindberg Products Inc. of Skokie, Illinois was selling a model airplane with swastikas on the model." The model airplane was the ME109F Messerschmitt.<sup>23</sup>

In December 1955, Mr. Minsky and Rabbi Ahron Opher, president of the Chicago Council of the AJC, wrote a letter to Mr. Lindberg explaining that the AJC was a nationwide Jewish organization whose primary objective was to eliminate religious discrimination and any suggestion of anti-Semitism. Any Nazi symbol is a frightening remembrance of the Holocaust to the Jewish people. The German swastikas were a reminder to people

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<sup>23</sup>Joseph B. Robinson, American Jewish Congress, New York, N.Y., to Joseph Minsky, Chicago Director of the Commission on Law and Social Action of the AJC, Chicago, Illinois, TLS, 17 November 1955, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

who suffered in German concentration camps. Minsky and Opher stated further that the removal of these insignias from the model airplanes would be appreciated. Mr. Ken Rathke, sales manager of Lindberg Products, Inc., wrote to Rabbi Opher on December 20, 1955, stating that "the company has taken steps to eliminate the swastika symbol from their model airplanes."<sup>24</sup>

#### Efforts for Fair Housing Legislation

In addition to its efforts to identify and eliminate anti-Semitism from the media, the AJC was also concerned with other forms of discrimination such as in housing.

In 1955, Rabbi Ahron Opher of the AJC presented to the Rains Housing Federal Commission Investigation Sub-Committee the organization's views on federal housing laws in Chicago. This investigation was held in Chicago. Wanting livable housing for Chicago's minority groups, the AJC recommended that public housing laws be amended to permit the sale of residences to families who could afford to purchase the apartment or housing that they are living in from the federal government.<sup>25</sup>

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<sup>24</sup>Ken Rathke, Skokie, IL to Rabbi Ahron Opher, president of the Chicago Council AJC, Chicago, IL, TLS, 20 December 1955, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

<sup>25</sup>U.S. Congress. Rains Housing Investigation Sub-Committee, Chicago Council, AJC: Hearings before the Sub-Committee on Housing. 23 November 1955, 1.

The federal housing law did not allow a family to reside in public housing if they earned in excess of a certain income. This provision caused a great turnover of public housing families. It forced those who were more productive to leave and allowed only the lower economic families to remain. According to the AJC spokespersons, economically successful families would help the community and assume more civic responsibility and leadership. The AJC was opposed to the high-rise concentration of low income families that characterized public housing patterns in Chicago. Instead of high-rise complexes, the AJC also wanted public housing to be on a smaller scale with only four unit buildings. A community with attractive landscaping and smaller housing units would blend more harmoniously into the surrounding communities throughout the city.<sup>26</sup>

There were also economic cost factors involved in the discussion of alternative plans for public housing. The federal and local governments pay for the cost of clearing land for housing in slum areas. A private developer pays only for the fair value of vacant land. A private builder will only build public housing units if the slum clearance is not included in the cost.

The AJC recommended that the federal government's National Financial and Credit Department be alerted to the

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<sup>26</sup>Ibid., 3.

needs of public housing in particular areas of Chicago.<sup>27</sup> It also strongly recommended that all housing built with assistance of federal funds be available to everyone, regardless of race, creed, color or national origin.<sup>28</sup>

According to the AJC, the federal government can contribute to improving human relations by its policies on public housing. For example, the Federal Housing Administration (FHA) can lend private builders the funds needed to purchase land and protect the builders from financial risk. To encourage racially-integrated housing patterns in American communities, there should be an anti-discrimination contract clause in agreements regulated by the FHA. Government housing contracts should warn contractors not to discriminate against any employee or applicant for employment because of race, color, religion or national origin.

Further, planning for government-assisted housing should be done on a metropolitan scale.<sup>29</sup> Public housing land should include the surrounding suburbs and unincorporated areas as well as urban locations. Without such metropolitan public housing patterns, public housing units were likely to be located in the inner city areas. This type of housing would perpetuate racial segregation. There also should be metropolitan and regional housing authorities. The Rains Housing

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<sup>27</sup>Ibid., 3

<sup>28</sup>Ibid., 4.

<sup>29</sup>Ibid., 5.

Investigation Sub-Committee took the testimony of the Chicago Council-AJC under advisement to help solve the problems of sub-standard public housing.

### Health Field Efforts

The AJC was active in ending discrimination in health care services as well as public housing. The Chicago Council of the AJC was in favor of the Harvey-Campbell ordinance in 1955, which was introduced by Aldermen William H. Harvey and Kenneth E. Campbell. Up to this point, some Chicago hospitals allegedly were discriminating in their admission practices. Passage of the ordinance would not allow any Chicago hospital to deny any person admission for care or treatment because of race, color, creed, national origin or ancestry. In 1955, Rabbi Ahron Opher, in a letter to Mayor Richard J. Daley, emphasized the AJC's support for this ordinance.<sup>30</sup> On March 14, 1956, the hospital anti-discrimination ordinance was enacted into law under Section 137-13.1 of the Chicago Municipal Code. In addition, Rabbi Opher of the AJC also supported enactment of Illinois State Bill 106 because noncompliance would remove tax exemption and bring about license revocation for hospitals practicing discrimination in admission of patients.

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<sup>30</sup>Rabbi Ahron Opher, president of the Chicago Council of the AJC-Chicago, IL, to Mayor Richard J. Daley, Chicago, IL, TL, 20 October 1955, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

The Chicago Chapter of the AJC in 1959 opposed an amendment to the Illinois Medical Practices Act which did not allow noncitizens to take the Illinois medical examination. The AJC, working with the State's Attorney's office, succeeded in securing the right of noncitizen physicians to take the examination if they were planning to become U.S. citizens.

### Improving Relations with African-Americans

The increased migration of African-Americans into urban areas by the 1960s produced a greater incidence of contact between African-Americans and the Jewish population.<sup>31</sup> African-Americans were also locating in areas where there was a sizable Jewish residential group. Historically, both African-American and Jewish organizations have supported civil rights issues. However, little attention has been given to relationships of African-American and Jewish rank and file. The increased interaction produced tensions between the two groups, including an increase of anti-Semitism among some African-Americans. Some African-Americans identified Jews as a part of the white power structure. Further indications of this tension appeared as articles in African-American newspapers discussed the anti-Semitic feelings of some Northern African-Americans. Some articles inferred that Jews were

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<sup>31</sup>National Community Relations Advisory Council, Jewish Relationship with the Emerging Black Community in the North, 23 June 1960.

hostile toward African-American rights.<sup>32</sup> Another source of anti-Semitism among African-Americans was the Elijah Muhammad Black Muslim movement whose strength of membership ranged from 60,000 to 250,000 and involved possible financing by Arab countries. This national movement emphasized the African background of African-Americans and was founded in 1930 by Wali Farad of Detroit.

Among the factors which may generate anti-Semitism on the part of African-Americans were Jewish ownership of rental property, employment by a Jewish employer, or the practices of retail store owners who extended credit to African-Americans. Since the economic position of African-Americans may be lower than whites, this created another source of tension. African-American physicians and lawyers also competed with Jewish professionals. Other feelings of anti-Semitism among African-Americans may result from political competition. When African-Americans feel that they have been denied membership in Jewish organizations, this also aggravates ill-will between the two minority groups.<sup>33</sup>

In large urban areas where the majority of the Jewish population is located, changing residential patterns from Jewish to African-American occupancy also caused resentment. Members of the Jewish community have often left these urban areas; because of the typical pattern of rejection and flight,

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<sup>32</sup>Ibid., 2.

<sup>33</sup>Ibid., 7.

they have fled to the suburbs. (The term "African-American" was used throughout this discussion although the term, "Negro" was used by the National Community Relations Advisory Council report in 1960.)

Historically, the AJC and the African-American organizations have often cooperated and worked together in harmony to eliminate discrimination. African-Americans have often supported Jews in their struggle against discrimination at colleges and universities. They have lobbied their spokesmen to encourage the United States' vote in the United Nations on Palestine's partition. The NAACP publicly condemned Nasser's discrimination against Jews in Egypt and swastika daubings.<sup>34</sup>

#### Opposing the Nazi Party

In 1966, the AJC sought to contain the activities of an anti-Semitic rabble-rouser by the name of George Lincoln Rockwell, leader of the American Nazi Party. Although the Nazi Party had few members and lacked business, political, civil or ethnic group support, Rockwell always managed to manipulate the news media and crowds to gain attention. His flashy Nazi uniform and his uniformed storm troopers attracted public attention.

On Sunday, August 21, 1966, there was a "white citizens" rally in Marquette Park in Chicago. This rally was directed

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<sup>34</sup>Ibid., 9.



against open housing legislation that Martin Luther King was seeking. The expected crowd was to be between 700 and 1,500 people. Rockwell was warned by city officials to cause no disturbance at the park that day.

Rockwell, from the American Nazi Party; Rev. Charles Lynch of the National States' Rights Party; and Evan Lewis, a Ku Klux Klan organizer, were going to make speeches in different parts of the park on August 21st. Lynch and Lewis were arrested and fined \$200.00 because they did not have permits. The police did not arrest Rockwell because they arrived after he had made his speech. However, a plain clothes police officer taped Rockwell's speech which stressed hatred for African-Americans and Jews. Calling African-Americans unequal to whites, he claimed that they were the majority of people in prison and were morally inferior. Rockwell also alleged that African-American communities were unlivable and that Jews supported blacks in their civil rights movement and open housing demands in Chicago.<sup>35</sup>

Rockwell was planning a march on September 10, 1966 in an African-American community to protest Dr. King's open-housing marches. There was a growing fear that Rockwell was gaining support and financial help from outsiders.

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<sup>35</sup>David Dretzin, "George Lincoln Rockwell's Recent Activities in Chicago." Memorandum of the AJC, Chicago, October 19, 1966 (Commission on Law and Social Action of the AJC, 1966), 6.

On August 24, 1966, the AJC and the Anti-Defamation League of B'nai B'rith held a meeting with police officials which produced no action. The AJC wanted Rockwell arrested for not having a park permit. It claimed that his speech would provoke a racial riot and that he should be denied permits, especially for his rally on September 10th. However, the city's Corporation Council did not act.

Rockwell was arrested on September 10th for meeting without a park permit. His case was continued to September 20th when he was fined \$400.00.

The Jewish War Veterans, on September 8th, filed a complaint in the United States District Court. On September 14th, the court issued an injunction which prohibited Rockwell from marching in Jewish neighborhoods for ten days during the High Holiday period. Further, the court prohibited Rockwell's Nazis from meeting within one-half mile of a Jewish house of worship on any Jewish holiday.<sup>36</sup>

The Nazi Party was planning still another march on September 13, 1966 in the largely Jewish Hyde Park area in Chicago. This day happened to be on the Jewish High Holidays. The AJC contacted the Chicago Corporation Council to issue an order to stop this march because violence might erupt.<sup>37</sup>

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<sup>36</sup>Ibid., 5.

<sup>37</sup>Ibid., 4.

Frank Collin, the leader of the National Socialist Party of America (Nazi Party), wrote an anti-Semitic letter on January 26, 1977 to Rabbi Arnold Kaiman of Congregation Kol Ami located at 255 E. Ontario, Chicago, Illinois. Collin's letter stated that "the National Socialist Party of America was engaged in ridding the United States of the Jewish element."<sup>38</sup>

Congregation Kol Ami was selected for anti-Semitic activities by the Nazi Party because of its central location in Chicago. The Nazi Party wanted Rabbi Kaiman to know that it felt that Jews wanted material possession and power over non-Jews. Collin charged that Jews outnumbered non-Jews in the arts, media and professions. He also alleged that Jewish representation was disproportionately large on college or university campuses, in business, and in real estate. Collin further advocated the deportation of Jews to Israel and commended Adolf Hitler for his destruction of Jews.

Since Congregation Kol Ami was on Michigan Avenue in the heart of Chicago's business district, the Nazis believed it would be an appropriate place from which to distribute anti-Jewish literature. The date for the anti-Jewish literature distribution was set for January 31, 1977. The Nazi Party

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<sup>38</sup>National Socialist Party to Rabbi Arnold Kaiman, Congregation Kol Ami, Chicago, IL, TL, 26 January 1977, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

planned to attempt to stop people from shopping at Jewish business establishments, especially at Water Tower Place.

The National Socialist Party of America recruited white youth, stressing the idea that the party would protect white society. The main emphasis was on being a soldier of the race and nation. Claiming that the swastika was an ancient symbol of white people throughout history, the Nazi Party announced that it had to stop the "Niggerization of America."<sup>39</sup>

In February 1977, the Nationalist Socialist Party of America requested a park district permit from the Village of Skokie, Illinois, for a rally. The Skokie Park District denied a permit to the Nazi Party because it could not post a \$350,000 bond. The Nazi Party believed that Jew-haters would be found in the densely-populated Jewish community of Skokie, so this village was singled out. The Nazi Party, wanting to protest the permit denial, planned to hold a rally in front of the village hall in May 1977.

Some members of the Skokie community believed that the village should be concerned about the rally at the village hall. Jewish community residents held local meetings at synagogues and temples throughout the village and expressed concern about the Nazi rally planned for the front of village

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<sup>39</sup>National Socialist Party to White Youth-Join the Young National Socialist Corps, TL, 28 April 1977, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

hall. Many people living in Skokie were Nazi concentration camp survivors.

The writer contacted Rabbi Neil Brief of the Niles Township Jewish Congregation in Skokie on December 10, 1991. Rabbi Brief stated that he "was involved in opposing the Nazi march in Skokie." He further stated that "the Jewish community was frustrated by the decision of allowing the Nazi march to occur." The main issue that was used to argue that the Nazi march should be allowed were First Amendment guarantees to free speech and expression.<sup>40</sup>

On May 1, 1977, the Village of Skokie sought a court injunction to stop the march. The Nazi Party then decided to march on April 30, 1977 to circumvent the court injunction. The judge was notified about this march, and he ordered an amended court injunction to stop a march at any time by the Nazi Party. On April 30, 1977, the Skokie police turned back the Nazis before they had an opportunity to enter Skokie.

Skokie passed ordinances on May 3, 1977 that required all those who requested permits to have a 30-day advance notice for parades and public gatherings. Bonds must be paid, no party uniforms could be worn, and no group literature promoting hatred could be distributed.<sup>41</sup>

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<sup>40</sup>Rabbi Neil Brief, Niles Township Jewish Congregation, Skokie, IL. Telephone interview by author, 10 December 1991, Morton Grove, IL.

<sup>41</sup>Bruce Goldberg, Staff Council of the AJC, "Nazis in Skokie." Memorandum of the AJC, Chicago, IL, August 3, 1977, 2.

The United States Court of Appeals of the Seventh Circuit by May 1978 overturned the Skokie ordinance on the grounds that it violated the First Amendment right of free speech. The requirement of liability and property damage insurance of \$350,000 was also rejected on the grounds that groups could not possibly afford this amount in order to qualify for a permit.

On May 6, 1977, the American Civil Liberties Union (ACLU), which represented the Nazi Party, asked the Circuit Court of Cook County, Chancery Division, to lift the injunction. In this instance, the ACLU, which traditionally opposed discrimination and anti-Semitism, supported the Nazi Party members' right to freedom of speech. This action put the ACLU in legal conflict with the AJC. When the Circuit Court refused to lift the injunction, the ACLU petitioned the Illinois Supreme Court to stop the injunction. This petition was denied on May 24, 1977. The AJC wanted the Illinois Supreme Court to keep the Nazi Party from marching in Skokie wearing Nazi insignias. The ACLU petitioned the United States Supreme Court on June 9, 1977. On June 14, 1977, the United States Supreme Court returned the case to the Illinois Supreme Court which was to assign it to an appellate court. The injunction was still valid.<sup>42</sup>

The Nazi Party was planning to have a rally in Skokie on July 4, 1977, but did not want to violate the injunction.

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<sup>42</sup>Ibid., 2.

The Illinois Appellate Court was scheduled to hear oral arguments on July 8, 1977. On July 11, 1977, the Illinois Appellate Court ruled that the marchers would not be allowed to display the swastika nor distribute hate literature. The Nazis refused to march without their swastikas. The ACLU appealed the appellate court ruling on behalf of the Nazi Party to the Illinois Supreme Court.<sup>43</sup>

The July 4, 1977 rally and march was not held because of pending court decisions. The AJC fully supported this action in Skokie to block the rally and march. The march would only take place by the Nazi Party when the courts had removed the injunction since many suits were still pending.

A counter civil suit by the Holocaust survivors was made by a committee of lawyers who claimed that the march produced stress for the survivors of the Nazi brutality of World War II. This action was supported by the National Governing Council of the AJC on January 8, 1978 which stated that "the swastika on a Nazi uniform is not a symbol to be protected by the constitution."<sup>44</sup>

In 1978, the Illinois State Court ruled that the Nazi Party could march in Skokie if the marchers did not display the swastika. The march was now scheduled for June 25, 1978.

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<sup>43</sup>Ibid., 3.

<sup>44</sup>National Governing Council of the AJC, "The Suit by the City of Skokie, Illinois Against the National Socialist Party." Memorandum of the AJC, January 8, 1978.

Rabbi Meir Kahane, founder of the militant Jewish Defense League, arrived in Chicago to support the action of the AJC. The Skokie Jewish community needed as much support as possible to face this threat.

The Jewish Defense League (JDL) is composed of individuals who have common Jewish ancestry and who seek to prevent violence against Jews. The JDL slogan, "Never again!" pertains to the extermination of the six million European Jews by Nazi Germany. The Jewish religious symbol (the Star of David), with a fist planted in its center, is the emblem of the JDL. The JDL instructs its members in judo, karate, and the use of firearms.<sup>45</sup> JDL was created in the spring of 1968 by a small group of Orthodox Jews concerned with the issues of crime in the streets, black anti-Semitism, non-caring city governments, and changing neighborhoods.<sup>46</sup>

In 1978, the Nazi Party received a permit from the Village of Skokie to march on Sunday, June 25th, after having won a battle in the state and federal courts. The Public Affairs Committee of the Jewish United Fund received a permit for a march on the same day to counteract the Nazi threat to the principles of freedom and to mark the remembrance of the

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<sup>45</sup>Janet L. Dolgin, Jewish Identity and the JDL (New Jersey: Princeton University Press, 1977), 11.

<sup>46</sup>Ibid., 16.



deaths of the six million Jews killed by the Nazis during World War II.<sup>47</sup>

When the Nazi Party was going to hold a rally around the Skokie Village Hall, they were to be met by community and Jewish leaders who would say the Kaddish (Jewish prayer for the dead). The program would be in memory of Jews and Christians killed in the Nazi-German concentration camps.

The AJC Public Affairs Committee announced it would obey the law and be committed to nonviolence. It hoped that people from all over the United States would join this vigil protesting the Nazi activities. The number of people attending this vigil was estimated at about 50,000. Skokie would be remembered as a place that stood up to the Nazi destruction of human rights. However, on June 12, 1978, the United States Supreme Court refused a request to bar the Nazi demonstration.

By June 13, 1978, Governor Thompson of Illinois stated he would send the National Guard or State police into Skokie, if needed. Skokie's 140-man police force also would get additional police help from other surrounding suburbs.<sup>48</sup>

On June 22, 1978, Frank Collin, a leader of the National Socialist Party of America, called off his plans for a Nazi

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<sup>47</sup>Naomi Levine, executive director of the AJC, to Sol Goldstein, chairman of the Individual Freedom and Jewish Security Committee, Chicago Public Affairs Committee, TL, 14 June 1978, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

<sup>48</sup>"Skokie Prepares for March as Nazis Propose Trade-off," Chicago Tribune, 13 June 1978, Sec. 1, p. 3.

march on Sunday, June 25th, in the predominantly Jewish suburb of Skokie.<sup>49</sup> Frank Collin stated that his Nazi Party had accomplished the right of free speech despite the disturbance and rabble-rousing of the Jewish community of Skokie. Skokie Mayor Albert J. Smith, pleased that a peaceful solution occurred, cancelled the Nazi permit to march. The Nazis were active elsewhere in the Chicago area and sought to stir up hatred in areas where there were signs of racial tension. The Federal District Court issued a permit permitting Frank Collin to conduct a rally on July 9th in Marquette Park in Chicago without posting a bond. The Nazi Party also planned another rally in Evanston, Illinois, on Sunday, October 19, 1980, in Lovelace Park. A permit was granted by the City of Evanston.

The AJC Public Affairs Committee alerted other Jewish organizations about the rally which was planned for Evanston by the National Socialist Party on October 19th. To counter the Nazi rally, the Jewish community of Evanston planned to sponsor a community program in celebration of American justice, freedom and brotherhood.<sup>50</sup> The community program was to occur on the same day at noon at Deering Meadow on the Northwestern University campus (Foster Avenue and Sheridan Road). The site selected for the community program was several

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<sup>49</sup>Douglas E. Kneeland, "Nazis Call Off March in Skokie: Leader Says Drive was a Success," New York Times, 23 June 1978, p. A10.

<sup>50</sup>Shirley Sachs, AJC executive director, to AJC Members, Chicago Division, TL, 15 October 1980, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

miles from Lovelace Park to prevent a confrontation with the Nazi Party. Several thousand people gathered in an orderly fashion and the program lasted one hour.

The officials of Evanston were aware of the issue on First Amendment rights which had been invoked in the Skokie march. The Evanston City Council did not want to lose a similar legal challenge to the Nazi Party.

Evanston had a Jewish population of about 2,000 out of the total population of 80,000. The number of people who participated in the coming program also included about 7,500 Holocaust survivors from surrounding suburbs.

At Lovelace Park, several thousand people gathered under the watch of Evanston, state, and Cook County police. In case of any problems, the police were determined not to let the situation get out of hand or control. The Nazis had a police escort but fled in a few minutes after the crowd threw garbage and eggs, and angry people in the crowd shouted, "Kill them!" Five Jews and one African-American were arrested.<sup>51</sup>

Evanston spent \$15,000 and the surrounding communities spent \$40,000 to see that law and order were maintained. The Evanston City Council members stated that they "would vote to prohibit a permit being issued to the Nazis if it was requested again."<sup>52</sup>

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<sup>51</sup>Shirley Sachs, AJC executive director, "Nazis March in Evanston." Memorandum of the AJC, October 30, 1980.

<sup>52</sup>Ibid., 2.

## Conclusion

Chapter II discussed some of the important activities of the AJC that related to its efforts against anti-Semitism. This organization has supported minority rights. The AJC is always on the alert for anti-Semitic activities and discriminatory practices directed against other minorities. People must learn to live in freedom, justice and brotherhood in the American community. Only through intelligent leadership and education will people then stop to think before they act. No group is an island, and the people of the United States have the greatest opportunity to vote for their political choices at the polls.

The ACLU took the position of representing the Nazis' First Amendment rights. As the unfolding of events occurred, the march never took place because the Nazis were denied the opportunity to display their hated uniform and swastika symbol. These symbols brought back frightening memories to victims of the Nazi-German concentration camps.

Chapter II examined certain selected activities of the AJC. While these activities were not directed to education or to schooling directly, they are used to illustrate the general efforts of the organization against anti-Semitism, racism, and other forms of discrimination.

The cases discussed in this chapter are used as historical examples of the efforts of the AJC in combatting

anti-Semitism. To the best knowledge of the writer, these cases have been resolved in the American context.

Chapter III will show how the AJC is involved against anti-Semitic activities at the secondary school level. Anti-Semitism can involve children and teenagers as well as adults.

## CHAPTER III

### AJC ACTIVITIES AT THE SECONDARY EDUCATION LEVEL

Chapter III will examine the activities of the AJC at the secondary educational level in the United States. Among the selected activities of the AJC that are examined in Chapter III are the role played in the McCollum case, the opposition to release time programs for religious instruction, opposition to distribution of Bibles in public schools, opposition to the display of religious symbols in public schools, and opposition to religious organizations in public schools. The activities of the AJC at the secondary school level appear to be directed to maintaining the separation of church and state, especially in the public schools. This is based on the belief that when the wall of separation is breached, the rights of religious minorities will be jeopardized. Conflicts that may lead to anti-Semitism can be resolved by school assemblies, church and synagogue meetings, community rallies, and citizens' groups.

#### McCollum Case

The AJC has always been a strong advocate of the separation of church and state. The AJC Commission on Law and Social Action was influential in the case of *Vashti McCollum*

*v. the Board of Education, District No. 71, Champaign County, Illinois.*<sup>53</sup>

The McCollum case involved the constitutionality of voluntary religious instruction in the public schools concerning release time for students during regular school hours. The question at issue was whether District 71's release time program was a violation of the First and Fourteenth Amendments to the federal constitution. The First Amendment states that "Congress shall make no law respecting an establishment of religion." The Fourteenth Amendment states that "no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

The appellant, Vashti McCollum, a parent, resident and taxpayer of Champaign County, Illinois, felt that religious teachers employed by private religious groups should not be allowed to use public school instruction time for religious purposes, even if parental permission was granted. Mrs. McCollum's son, James Terry McCollum, was enrolled in the fifth grade in District 71. Her son and another student, Elwin Miller, were the only students in class who did not participate in religious instruction classes. Mrs. McCollum was an

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<sup>53</sup>McCollum v. Board of Education of Champaign County, Illinois School District 71, 68 U.S. 461 (1948).

atheist. By the second semester of 1944-45, only the appellant's son did not attend religious classes.

Mrs. Taylor, the public school teacher, remained in the classroom while religious instruction was being given. In one incident, James Terry McCollum was placed at a desk in the hall where he was harassed by other students calling him an atheist. On other occasions, he would be in a classroom by himself with the door closed. When Mrs. McCollum complained, Terry McCollum was placed in another fifth grade class for thirty minutes until the religious instruction was over. Vashti McCollum reemphasized that the joint public school/religious group program violated the First and Fourteenth Amendments to the Constitution of the United States of America. She wanted all religious instruction stopped in all public schools in Champaign School District Number 71.

In 1940, the Champaign Council on Religious Education, a group composed of representatives of the Roman Catholic, Protestant and Jewish faiths, had received permission from the school board to conduct religious classes in the public schools of Champaign County, Illinois. The once per week religious instruction for the lower grades was thirty minutes, and forty-five minutes for the upper grades. Jewish religious instruction was not continued. The Council employed and paid the religious teachers, but they were under the supervision of the school superintendent.<sup>54</sup> Students not taking religious

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<sup>54</sup>Ibid., 48.



instruction had to leave the classroom and were assigned to another classroom during the religious instruction. Religious classes were conducted in regular classrooms and students in religious classes were required to be in attendance.<sup>55</sup>

Under the First and Fourteenth Amendments of the Constitution of the United States of America, neither a state nor the federal government can establish or support a religious institution or participate in the affairs of religious organizations or groups. However, the Champaign County School Board did not believe that religious instruction on a voluntary, release time basis during regular school hours would violate the state or federal constitutions.

Mr. Justice Black, who delivered the opinion of the United States Supreme Court in 1948, stated: "Pupils compelled by law to go to school for secular education are released in part from their legal duty upon the condition that they attend religious classes. This is beyond all question a utilization of the tax-established and tax-supported public school system to aid religious groups to spread their faith. And it falls squarely under the ban of the First Amendment," (made applicable to the states by the Fourteenth). In its decision in 1948 upholding the First and Fourteenth Amendments, the United States Supreme Court found no hostility to religion or religious teachings existed in this case. Religious activities conducted in a tax-supported public school gave sectarian

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<sup>55</sup>Ibid., 49.

groups an invaluable aid in providing pupils for religious classes. According to the court, this violated separation of church and state. The program was invalidated by a vote of eight-to-one and returned to the Illinois State Supreme Court for mandamus (writ ordering the execution of a nondiscretionary duty by one charged with responsibility therefor).

#### Opposition to Release Time Programs

The AJC was alerted by the Chicago Civil Liberties Committee (CCLC), on June 11, 1946, about religious "release time" in the public schools, using Chicago schools as an example. Ira Latimer, executive director of the CCLC, filed a suit in the Illinois Supreme Court against the Board of Education of the City of Chicago.<sup>56</sup> The CCLC wanted to stop the religious practice of releasing pupils from all public schools (including Chicago public schools) to attend classes for sectarian purposes during school hours.

On May 21, 1946, the Illinois Supreme Court held that release time for religious instruction did not violate the federal or state constitutions. The court also stated that "we do not find, the decisions read, any flagrant constitutional or statutory violation by the Board of Education of the City of Chicago in this case." If the Supreme Court of Illinois refused to change its opinion, a *writ of certiorari* was going to be filed with the United States Supreme Court.

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<sup>56</sup>People ex. rel. Latimer v. Board of Education, City of Chicago, 294 Il. 228 (1946).

A writ of certiorari is a proceeding in which a higher court reviews a decision of an inferior court.

In the McCollum case, public school classrooms were used for religious instruction during regular school hours. The release time case was against pupils leaving the public school to attend sectarian religious instruction in a church or synagogue during regular school hours. This would encourage and support religion in the public schools. Also, the suit filed by Ira Latimer of the CCLC was against students being released on regular school time to attend sectarian religious instruction in or about the public schools, citing the Board of Education of the City of Chicago.

As early as 1913, William Wirt, school superintendent of Gary, Indiana, initiated a program of having children leave one hour early each week to pursue religious activities. New York City tried to follow Wirt's plan but did not succeed because of opposition to the practice of allowing pupils to leave school early every week. However, in 1940, the New York Board of Education allowed release time after a hearing by the New York state legislature.

The United States Supreme Court case of *Zorach v. Clauson* in 1952 involved the constitutionality of release time program for religious instruction in New York City.<sup>57</sup> Public schools were permitted to release students during regular school hours to attend religious instructions for religious

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<sup>57</sup>Zorach v. Clauson, 343 U.S. 306 (1952).

classes away from the school building. Parents would write a written request that their child be released from public school during regular school hours to attend religious instruction. The religious institutions took attendance and the school would be notified of absent students.

The release time program reviewed in the Zorach case did not involve religious instruction in the classroom or the use of public funds, which was different from the McCollum case. A pupil was not committed or coerced to attend religious instruction in his assigned classroom. The state would cooperate with parents who wanted to send their children to religious instruction classes away from the public school building. This procedure follows the freedom to worship concept and the state respects—but does not support and still maintains—the separation of church and state. The government does not have to be hostile toward religion and must remain neutral.

By a vote of six-to-three, the United States Supreme Court voted to sustain the New York City Board of Education program on release time. United States Supreme Court Justice Douglas stated that "the state can accommodate the religious wishes of parents to the extent of releasing pupils at parental request at a specific time."

From June 10 to June 12, 1947, there was a meeting in New York City of the Synagogue Council of America and the National Community Relations Advisory Council on the topic of

sectarianism and the public schools. The AJC was a member of the Council on National Community Relations. Dr. David W. Petegorsky, executive director of the AJC, who was present, explained the AJC's position on religion in the public schools.<sup>58</sup>

The AJC favored separation of church and state on the question of religious instruction in public schools. Its position was that the state should not be involved in support of religious worship or education. The AJC believed in the principles of religious freedom and political democracy in a free society. It believed that the exercise of freedom prohibits the advancement of sectarianism in the public schools. It further believed that neither the federal nor state constitutions supported religious instruction in public institutions. It further opposed raising and using public funds for non-public education. This also applied to daily practices of reciting religious themes in the public schools. The celebration or commemorating of religious holidays should be done in intercultural education classes.<sup>59</sup>

Mr. Leo Pfeffer, assistant director of the Commission on Law and Social Action of the AJC, discussed his views on

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<sup>58</sup>Dr. David W. Petegorsky, executive director of the AJC, paper presented as part of the Joint Conference on Sectarianism and the Public Schools of the National Community Relations Advisory Council. New York City, 10-12 June 1947.

<sup>59</sup>Ibid., 2.

religion in the public schools.<sup>60</sup> Pfeffer argued that the Constitution of the United States of America, as well as the state constitution, prohibits congress from establishing or preventing the free exercise of religion and went on to become an authority on the question of religion and the public schools.

In contrast to public schools, parochial schools can provide secular and religious education. By the late 1940s, release time for religious education was experiencing a strong revival. Dr. Erwin L. Shave, of the International Council of Religious Education, announced that release time was allowed in 48 states in 1946. Jewish and Protestant participation was on a small scale because of a lack of general support. Catholic participation, however, was eighty to one hundred percent. In New York City in 1945, 81 out of every 100 children on the release time program that involved 88 schools were Catholic, 14 Protestant, and 5 were Jewish.<sup>61</sup>

The release time program was usually inaugurated by a church group, such as The International Council of Religious Education. The rabbi generally cooperated with his colleagues to promote mutual understanding. However, the majority of Jewish students attended after school or Sunday classes.

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<sup>60</sup>Leo Pfeffer, "Religion and the Public Schools," Jewish Affairs, Vol. 2 (New York: Office of Jewish Information, 1947), 3-22.

<sup>61</sup>Ibid., 7.

In the typical release time program, parents gave permission for their children to be released one hour early from public schools to attend a religious class once a week. Those who opposed the release time program alleged that children not released were occupied with busy work and that valuable instructional time was lost to those not in attendance because of religious instruction. Forty percent of release time religious classes were held in public schools conducted by religious teachers in violation of the McCollum decision. The remaining sixty percent were conducted in churches. Records of religious classes were not maintained by public schools.

#### Opposition to Bible Distribution

In 1951, the AJC continued to argue for the maintenance of separation of church and state when it objected to the Gideon Society program of distributing the New Testament to children in Ruthenford, New Jersey public schools. Gideon International is an association of Christian business and professional men. They promoted the Christian gospel through the distribution of Bibles. Jewish parents objected to the local board of education giving the Gideon Society permission to distribute the King James Bible in public schools. These parents felt that this distribution was an infringement of the constitutional principle of separation of church and state. The AJC argued this case in the New Jersey Supreme Court.<sup>62</sup>

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<sup>62</sup>Tudor v. Board of Education of Borough of Ruthenford, New Jersey, 348 U.S. 816 (1954).

The court found the Gideon Society's distribution of the King James Bible in the public schools an unconstitutional violation of the First Amendment. On the basis of the New Jersey decision, the Lincoln, Nebraska and Lansing, Michigan Boards of Education refused to let the Gideon Society distribute Bibles in the local public schools.<sup>63</sup>

#### Opposition to Display of Religious Symbols

Another area of concern of the AJC has been the display of sectarian religious symbols on public property such as schools. Lakeview High School in Chicago, Illinois, had a twenty- to thirty-year-old tradition in which the school displayed a creche (a Nativity scene) and a large 7-foot Hanukkah Menorah (festival of lights). Only twenty-five percent of the student enrollment of 2,500 were Jewish. The principal, J. Trimble Boyd (1948-1961), let students erect the scenes in front of the school.

In November 1956, Jewish parents complained to the local Jewish community relations group about the practice of displaying these religious symbols. The matter was discussed with Mr. Kenneth Douty, executive director of the Illinois Division of the American Civil Liberties Union (ACLU) in Chicago. Douty wrote to Mrs. Annabelle Prescott, chairman of the Human Relations Committee of the Chicago Board of

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<sup>63</sup>Commission on Law and Social Action of the AJC, Monthly Report of Activities (New York, NY: February 1954), 2.



Education, expressing his organization's concern. Douty expressed the ACLU's interest in the separation of church and state as enunciated in the First Amendment to the Constitution of the United States of America.<sup>64</sup> He emphasized that Lakeview High School displayed religious symbols during the Christmas holiday season and asked if the Chicago Board of Education was aware that this violated the First and Fourteenth Amendments.

On December 13, 1956, Mr. Douty received a letter from associate superintendents T. J. Lubera and James H. Smith discussing the display of the creche and the Menorah during December. The superintendents assured Douty that there was no intention of a religious commitment on the part of the principal to make this display a religious observance. The AJC joined the ACLU in expressing concern about the violation of the First Amendment. Mr. Joseph Minsky, staff council of the AJC in Chicago, emphasized that the AJC opposed both Christmas and Hanukkah displays and observances in the public schools.<sup>65</sup>

Six protesting Jewish organizations became involved in the issue. They were the AJC, Chicago Rabbinical Council, the

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<sup>64</sup>Kenneth Douty, executive director, ACLU, to Annabelle Prescott, chairman of the Human Relations Committee of the Chicago Board of Education, 15 November 1956, AJC Collection, Special Collection, Spertus College of Judaica, Chicago.

<sup>65</sup>Staff correspondence, "Community Wins Fight to Bar Creche Display at Lakeview High School," The Sentinel, 14 November 1957, p. 4.

Decalogue Society of Lawyers, the Anti-Defamation League, Union of Hebrew Congregations, and the Council of Traditional Synagogues of Greater Chicago. The above organizations sent a letter of protest on October 16, 1957 to Chicago's superintendent of schools, Benjamin Willis.

The protesting organizations did not want public schools used for religious education, which they regarded to be the responsibility of the home, church or synagogue. For them, public schools were not places for religious education and religious observances. Religious displays violated the guarantee of religious freedom and the separation of church and state. They recommended that the religious display should be banned from public school property.<sup>66</sup>

On November 9, 1957, Alderman Hoellen of the 47th Ward, where the school was located, informed the *Chicago Tribune* newspaper that "the entire situation was stupid and offensive."<sup>67</sup>

The principal, Mr. Boyd, was quoted in the *Chicago Tribune* on November 9, 1957 as saying, "[A]s long as I am principal, we are going to have Christmas decorations." He

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<sup>66</sup>Chicago Joint Advisory Committee on Religion in the Public Schools—AJC, Anti-Defamation League of B'nai B'rith, Decalogue Society of Lawyers, Union of American Hebrew Congregations, Chicago Rabbinical Council, and Council of Traditional Synagogues of Greater Chicago, to Benjamin Willis, Superintendent of Chicago Public Schools, TLS, 16 October 1957, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

<sup>67</sup>"Lakeview High Will Mark Yule in Spite of Protests," *Chicago Tribune*, 9 November 1957, sec. F, p. 18.

finally consented to a 25-foot Christmas tree, which had 500 lights and no religious scenes.<sup>68</sup>

The Jewish organizations and the ACLU met privately with Mr. R. Sargent Shriver, Jr., president of the Chicago Board of Education, on November 8, 1957. Shriver believed that the problem was being appropriately dealt with by the Human Relations Committee and Superintendent Willis. There was a strong consensus that the creche would not be displayed.

On December 2, 1957, the *Chicago Daily News* quoted the Lakeview High School principal, J. Trimble Boyd, that "a display of four 18-foot decorated Christmas trees and several Hanukkah candles would be placed in front of the school during December."<sup>69</sup>

Superintendent Willis replied, on December 9, 1957, that his understanding was only two large Christmas trees would be displayed because the principal felt that too much time was being spent by students and faculty in the construction of the creche and Menorah.<sup>70</sup> The 1957 Christmas decorations consisted of two large Christmas trees lighted and the words, "Merry

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<sup>68</sup>Ibid., 18.

<sup>69</sup>"No Nativity Scene for Lakeview," Chicago Daily News, 2 December 1957, p. 23.

<sup>70</sup>Benjamin C. Willis, general superintendent of Chicago Public Schools, to Harry M. Brostoff, president, Chicago Federation of Union of American Hebrew Congregations; TLS, 09 December 1957, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

christmas," were displayed on 3-foot tall letters made of plywood and painted red.

All students in the dramatic class, including Jewish students, had to participate in the Christmas assembly. The general theme was non-religious. The Jewish students had no objections nor antagonism to non-Jewish students. The Jewish students did not want all religious decorations removed but some symbolism of "Christmas Spirit" was acceptable.<sup>71</sup>

An interesting note was that newspaper columnists from outside of Illinois did not mention that Jewish groups were involved in the protest, but singled out the ACLU as the organization that precipitated the issue, and opposed ACLU's position. They felt that Christmas is a universal holiday of good will. The following newspapers from outside of Illinois were involved: *The Cleveland Plain Dealer*, *The Denver Rocky Mountain News*, *The Shreveport, Louisiana Journal*, and the *St. Louis Post Dispatch*. Downstate Illinois papers did mention the involved Jewish organizations.

By September 1984, the AJC's Commission on Law and Social Action issued a Christmas-Chanukah Jewish Communal Guide

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<sup>71</sup>Lakeview high school students. Interviewed by the AJC Joint Advisory Committee on Religion in the Public Schools, December 1957, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

on how to protest against school-sponsored Christmas observances without resorting to a lawsuit.<sup>72</sup>

The AJC recommended that the action should have Jewish community support and understanding of the issues. This understanding should involve meetings of school administrators, religious leaders, public and non-public officials prior to the Christmas holiday observance.

Religious practices in public schools are difficult to control and Jewish children are community-bound to participate in Christmas observances. To compensate for this, public school officials often will have a combined Christmas-Hanukkah observance or lessen the religious theme of the Christmas observance.<sup>73</sup>

#### Opposition to Religious Groups in Public Schools

In 1957, the AJC became involved in the issues of religious observances in Evanston School District 65 and with religious ministers speaking at an annual spring assembly at Evanston Township High School (E.T.H.S.).

Rabbi David Polish, rabbi of the Beth Emet, the Free Synagogue of Evanston, Illinois, wrote a letter dated January 22, 1957 to Dr. Oscar Chute, superintendent of Evanston, Illinois School District 65. The letter stated that,

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<sup>72</sup>Louis C. Waldman, Marc D. Stern, Ronald A. Krauss and Larine G. Spector, "Christmas-Chanukah in the Community and Schools: A Jewish Communal Guide" (New York, NY: Commission on Law and Social Action of the AJC, 1984) 18.

<sup>73</sup>Ibid., 18.

"[P]arents have complained about their children being required to be in a kneeling position during certain prayers." Another school in the district showed children a film on the birth of Christ and they had to write an essay on the various animals present at the birth of Christ as part of a school assignment.<sup>74</sup>

E.T.H.S. always held an annual spring "Youth Conference" assembly in which ministers would be invited to deliver inspirational speeches at scheduled assemblies, creating a religious observance. The Evanston Church Council and the school Parent-Teacher Association (PTA) contributed financial support for the speakers and the youth assembly. Since 1945, the Evanston Council of Churches had been involved in the practice of having ministers give inspirational religious speeches at the high school.

The first conference was in a Baptist church and grew into the E.T.H.S. assembly. The Evanston Youth Conference's purpose was to promote recreation, education and worship with a goal to closer relationship to God. The conference was part of in-school and out-of-school activities. The school PTA sponsored the all-school assembly and students not wishing to attend the Youth Conference went to the school library. The speaker gave a general inspirational, non-denominational

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<sup>74</sup>David Polish, rabbi of Beth Emet, the Free Synagogue, to Dr. Oscar Chute, superintendent of Evanston, Illinois School District 65, TLS, 22 January 1957, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

message. The speakers were chosen by a joint PTA-faculty committee nominated by student leaders of the Youth Conference.

Discussions were carried on in the homeroom about issues and questions from the all-school assembly. Students who did not want to participate were not allowed to leave the homeroom.

A second non-compulsory assembly was held the day after the homeroom discussions and prior to the out-of-school conference. This assembly was held for one-half hour during an activity period. The program was entitled "Candidates for God." The out-of-school conference was held at a church on Friday afternoons and evenings. Even though the conferences were non-denominational, the meetings were held on the Jewish Sabbath.

The Evanston Council of Churches asked Mr. Ehri, a faculty member of E.T.H.S., to be the faculty advisor of the conference. The faculty advisor was not appointed by the high school administration and was not given free time to sponsor the group. Planning was done after school in churches. E.T.H.S. was not responsible for out-of-school activities.

Fifteen students were annually elected to serve as the Executive Committee of the Youth Conference. Dr. Lloyd S. Michael, superintendent of the E.T.H.S., felt that the idea of spiritual values would develop student leadership.

The ACLU became involved with the issue of the E.T.H.S. Youth Conference. ACLU representatives discussed the following concerns with Dr. Lloyd S. Michael:

1. Was there a violation of the separation of church and state?

2. Was the use of public school time for two assemblies and one homeroom discussion a violation of separation of church and state since public schools were used for religious purposes?<sup>75</sup>

Beth Emet, the Free Synagogue of Evanston, Illinois, led by Rabbi David Polish, the ACLU and AJC, took a strong stand about the above issues. Once again, they asserted that religious activities were a private matter and should not be brought into public education. In a similar view, Jewish religious observances have no place in public schools any more than other sectarian activities. Norman Glick, chairman of the Commission on Social Action of Beth Emet, the Free Synagogue, stated that "one should be alert to religious instruction in the guise of moral and spiritual training in the school curriculum."<sup>76</sup>

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<sup>75</sup>Eleanor W. Smith, Kenneth W. Eells, Jacob N. Gross, Don W. Holter and Robert E. Ackerberg, Jr., "Report of the ACLU Fact Finding Committee on the Evanston Township High School Youth Conference" (Evanston, IL, June 1957).

<sup>76</sup>Norman Glick, A Story of Synagogue Social Action (Commission on Social Action of Beth Emet, the Free Synagogue of Evanston, IL, May 1958), 6.



The ACLU, Beth Emet Social Action Committee, AJC, youth groups in various organizations, and Evanston churches discussed the existence of the Youth Assembly. Local officials and community leaders were concerned about this problem.

Mr. Oscar Chute, superintendent of Evanston School District 65, wrote a letter to the board of education that conveyed the concern of certain parents about the Christmas observance in the public schools.<sup>77</sup> Mr. Chute felt that each school should work out the details with their local community and faculty on an individual basis. According to Mr. Chute, displays of a religious nature were not in accordance with state laws and court decisions. Therefore, programs concerning Christmas should not stress the religious aspects. Holidays or events should be recognized. There is a fine line in religious matters where information and education stops and indoctrination takes over.

On January 16, 1958, *The Evanstonian*, the E.T.H.S. newspaper, discussed the Evanston Youth Conference's major organizational changes. The conference assembled at the Covenant Methodist Church in Evanston. They cancelled all traditional general assemblies at E.T.H.S. and meetings took place after school hours and all day Saturday. The school administration wanted to uphold the constitutional separation

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<sup>77</sup>Oscar Chute, superintendent of Evanston, Illinois School District 65, to Board of Education District 65, TL, 21 October 1957, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

of church and state. The affiliation between the Evanston Youth Conference and the Evanston Council of Churches was terminated.

All parties involved were pleased with the decision. Because the concerns of the Jewish population were evident, local officials and community leaders had to take action about religious activities in the public schools. Mr. Norman Glick of Beth Emet, the Free Synagogue, wrote a letter to the AJC, dated February 2, 1958, that the problem was finally resolved.

In February 1958, the Chicago Board of Education set up a committee to discuss human relations *de facto* problems in the Chicago school system. The chairman of the committee was Judge Edward S. Scheffler.

The AJC was pleased to support the Human Relations Committee. In May 1958, the AJC released a recommendation about human relations to Mr. Scheffler. They wanted an inquiry into the ethnic and social segregation in the Chicago Public Schools to be conducted by a local university research center.<sup>78</sup> The main emphasis would stress the equal learning opportunities with no concern for race, color or creed. The study would include conditions of the school building, teacher competency, per pupil expenditures, pupil achievement, and

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<sup>78</sup>Paul G. Annes, president of the AJC-Chicago Council, to Honorable Edward S. Scheffler, chairman of the Human Relations Committee of the Chicago Board of Education, TL, 08 May 1958, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

class size. In-service training for teachers should be required.

The Commission on Law and Social Action of the AJC took up the issue of an occurrence at Highland Park High School (H.P.H.S.) in 1973. A small group of ten to twelve H.P.H.S. students met daily at 8:00 a.m.—before school opened at 8:45 a.m., with the consent of school authorities—to have a Bible study and prayer. The school did not sponsor the group.

Some Jewish students attended the meeting. The discussions were centered around a "New Life" group from Iowa trying to convert Jewish students to Christianity. Literature was distributed by the group leaders. Some students prayed for good grades on their final exams. The group wanted to recruit more students into this program.

Mr. Karl R. Plath, superintendent of H.P.H.S., wrote a letter to a parent, Mrs. Arthur Debofsky, that "Key 73" was a national movement to promote the Christian faith. There was no relationship existing between the group of students and this movement. Mr. Plath's letter stated that "the school facilities have been used by non-school-sponsored groups including religious and secular groups outside of school hours for at least two years."<sup>79</sup>

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<sup>79</sup>Karl R. Plath, superintendent of Highland Park High School District 113, to Mrs. Arthur Debofsky, a parent, TL, 02 February 1973, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

The H.P.H.S. Board of Education discussed this matter with the law firm of Sonnenschein, Levinson, Carlin, Nath and Rosenthal. Their response was that the board could allow group meetings and distribution of literature. The literature was not school-sponsored, was non-disruptive, and there was no violation of the constitutional principle of separation of church and state.

In the Highland Park situation, the issue was one of freedom of speech. There was no establishment of religion violating the First Amendment establishment clause in this particular situation. Students could meet for prayer or Bible reading prior to the opening of school. The group should blend into the total student body after the meeting. The role of any school employee was unofficial and attendance was not taken, so that school sponsorship was avoided. The Commission on Law and Social Action of the AJC decided not to take up the issue in court because there was no state involvement.

#### Issues Related to Acceptance of Religious Beliefs

Prior to 1980, students from the Ida Crown Jewish Academy of Chicago, Illinois, and the Hebrew Theological College of Skokie, Illinois, basketball teams were prohibited from wearing securely-attached headwear (yarmulkes) by the Illinois High School Association (IHSA) for safety reasons. The AJC brought the matter into federal court, claiming a violation

of First Amendment rights because the IHSA did not respect religious beliefs.<sup>80</sup>

Judge Milton Shadur objected to the above charge by the IHSA, which forced the issue to the United States Court of Appeals. The case was returned to Judge Shadur, who found the claims of the IHSA preventing the wearing of secured headwear because of religious beliefs to be not on sound ground. By 1983, the final court order stated that the observant basketball players would be allowed to secure their headwear with "Israeli clips" sewn in their headwear to be attached to the head.<sup>81</sup>

### Conclusion

Chapter III has discussed selected issues that reflect AJC concerns in secondary education. Though the problems have caused many people concern over violating the First and Fourteenth Amendments, especially the separation of church and state, intelligent people can arrive at acceptable conclusions through the help of our courts or social and community actions. While religion is important to many people, it has to be observed, experienced, and practiced, for the most part, outside of public institutions. In the United States constitutional system, religion is not a state responsibility

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<sup>80</sup>Moshe Menora v. Illinois High School Association, 683 F.2d 1030 (1982).

<sup>81</sup>Commission on Law, Social Action and Urban Affairs, AJC, "Report of the AJC, Council of Greater Chicago," biennial assembly, 2 October 1983.

but rather a responsibility of the home, church, and synagogue. Modern-day education challenges the public schools to deal professionally with many religious beliefs. Problems of this nature can only be resolved when the local community involves teachers, school officials, parents and students.

The cases discussed in this chapter are used as historical examples of the efforts of the AJC in combatting anti-Semitism. To the best knowledge of this writer, these cases have been resolved.

Chapter IV will discuss the AJC involvement with activities at the higher education level.

## CHAPTER IV

### AJC ACTIVITIES AT THE HIGHER EDUCATION LEVEL

Chapter IV will examine the activities of the AJC in higher education. This chapter will discuss the following topics: alleged discrimination in housing at the University of Illinois, alleged discrimination at Northwestern University's Technological Institute, alleged discrimination in medical education, the Butler case, and alleged discrimination in law school admissions.

#### Discriminatory Housing at the University of Illinois

In 1946, it was the policy of the University of Illinois to require undergraduate students to live in approved housing. Those who did not live in approved housing could not attend the university. Because of the large student enrollment, student housing was an important economic activity in Urbana and Champaign.

In 1946, the Commission on Law and Social Action (CLSA) of the AJC became concerned when the University of Illinois at Urbana began to approve houses for student occupancy that were privately owned or managed by those who practiced discrimination. These homeowners or operators of these homes practiced racial and religious discrimination by

not allowing Jewish students to occupy these housing facilities.<sup>82</sup>

University campus housing became available for female students in 1918. By 1945-46, university-owned campus housing was available for men and women students in separate residence halls on the Urbana campus. These housing units had no racial or religious discrimination. Jewish and non-Jewish students were permitted to live together.

The housing situation for members of fraternities or sororities was different because of "rushing" and other selection arrangements. Non-Jewish males had an easier time in finding housing than Jewish male students. Female students were even more segregated into Jewish or non-Jewish residences. Operated leased housing was available to Jewish females during the World War II years. However, when the war ended, fraternities no longer leased their houses to Jewish or non-Jewish students for the fall term which began in 1946. This was because of the increase of returning males to the university after World War II ended. By June 15, 1946, two-thirds of the students were men, and one-third women. However, the female enrollment increased by 1,500 women in 1947.

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<sup>82</sup>Commission on Law and Social Action of the AJC, "CLSA Attacks Licensing of Discrimination." Petition before the Trustees of the University of Illinois, 30 September 1946, 1-3.



Seven fraternity houses were used to house Jewish female students and nine houses served as residences for non-Jewish females during the war. Four of the reclaimed Jewish female houses were now changed to three non-Jewish female houses and one non-Jewish male house. Non-Jewish females had an easier time in securing housing than Jewish females. One owner of the three non-Jewish female houses refused to admit Jewish females.

The ratio of displacement for Jewish females was 11:20 and non-Jewish females was 5:20. Many of the Jewish females who were seniors could not find residence in approved university housing. This was of great concern to these students because unless they found approved housing, they would be forced to discontinue their education at the University of Illinois.<sup>83</sup>

The University Housing Division provided a list of thirty-nine approved houses for the 1946 summer session. However, only four of the approved houses admitted Jewish students. In effect, the system created a condition of compulsory segregation of Jewish and non-Jewish females.

Dr. Golden, of Hillel (B'nai B'rith) at the University of Illinois, stated that "there was no discrimination and the same problem affects Jewish and non-Jewish students." He changed his story after he learned

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<sup>83</sup>Gilbert Gordon, regional attorney, "Complaint of Discrimination at the University of Illinois at Champaign," (Commission on Law and Social Action of the AJC, 1946), 3.

about the closing of houses to Jewish females. Dr. Golden did not want to admit that only a few special housing units accepted Jewish students as residents.<sup>84</sup>

Dr. Golden had received \$50,000 to be spent for the construction of a recreation and cultural center for Jewish students from the Hillel Foundation. Refusing to use the money to build housing for Jewish students, Golden further stated that "contributors gave the money on the understanding that it would be used for its original purpose."<sup>85</sup>

Instead of diverting funds from the proposed cultural center, Dr. Golden wanted the parents of each girl to contribute \$1,000.00 to purchase houses for Jewish females. Many parents could not afford to contribute. In addition, the sorority system often would only choose girls from prestigious high schools and not from high schools that enrolled lower economic status students.

On June 7, 1946, a meeting was held with the following people in attendance: Dr. Martin H. Bickam, chairman of the Illinois Interracial Commission; Mr. Park Livingston, chairman of the Board of Trustees of the University of Illinois; Dr. G. George Fox, South Shore Hebrew Congregation and Citizens Committee of the University of Illinois; and Gilbert Gordon, midwest regional director,

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<sup>84</sup>Ibid., 3. (First name of Dr. Golden not found.)

<sup>85</sup>Ibid., 4.

Commission on Law and Social Action of the AJC. This was a private meeting to discuss the existing problem regarding alleged discrimination in housing at the University of Illinois.

Mr. Gordon expressed his concern that the university, in effect, was following a discriminatory policy in licensing approved student housing that denied admission to Jewish students. Mr. Gordon further stressed the point that the university should not permit a prejudicial standard regarding appointment of house mothers and should not approve housing of owners who discriminate in accepting residents. Gordon urged that university approval should be denied to such people. He also wanted the Board of Trustees of the University of Illinois to issue a public statement to house mothers and owners who discriminate in housing that they will not be given university housing approval. Further, Gordon wanted the Board of Trustees to appoint an investigation committee to investigate houses that discriminated against racial and religious groups.

Park Livingston, a trustee, felt that the university did not have the right to terminate approved housing licenses because of discrimination. He further stated that "Navy Pier at Chicago would be a branch of the University of Illinois." Since many Chicago area students would attend Navy Pier as commuters, this would alleviate the housing pressure at the downstate Urbana campus. The enrollment of

students at Navy Pier would help the University of Illinois at Urbana solve housing problems. Mr. Livingston wanted the AJC to accept this solution and was concerned about the AJC's involvement.<sup>86</sup>

Dr. Bickam stated that he would seek to calm the situation by getting the University of Illinois to adopt a non-discrimination policy, an action needed to end anti-Semitism in housing.

Although Dr. Fox hoped that the matter could be resolved quietly, he also warned that the AJC would act on this situation if it were not corrected.

Mr. Gordon advised that the situation would have to be resolved. In addition to the AJC, the students would convey the problem to other sources and the Chicago Civil Liberties Committee would become involved and would publicize the matter.

Another meeting was scheduled for June 12, 1946, for private citizens and for political representatives from the City of Chicago and State of Illinois. Representatives of the AJC would also attend this meeting. Mr. Gordon and Max Bressler, president of the Chicago Division of the AJC, were in attendance. This meeting was to issue a public statement of policy, address the need for more campus housing facilities, and seek to calm the discrimination issue. This

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<sup>86</sup>Ibid., 6.

public statement was to be issued at a meeting of the Board of Trustees to be held at the university on June 15th.

On July 19, 1946, the Board of Trustees of the University of Illinois issued a statement on housing for racial and other minorities. They stated that "racial prejudice cannot thrive, and there will be equal and fair treatment for all citizens of this country irrespective of race, creed, or color."<sup>87</sup> While the university continued to approve housing facilities for all students, there was a housing expansion for all students on campus.

In its weekly report, the AJC confirmed there was still a possibility of filing a lawsuit against approved house mothers by the University of Illinois. This discrimination and prejudice has been permitted to go unchecked for some twenty years.<sup>88</sup> The Commission on Law and Social Action in Chicago stated: "Does a state university have a right to license and otherwise extend preferential treatment to discriminating owners and operators of houses for student occupancy who have imposed an involuntary system of racial and religious segregation by not allowing Jewish students to live in non-Jewish houses?" Furthermore, the CLSA stated that "the state university is

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<sup>87</sup>"Responsibility of the University for the Housing of Racial Minorities," Memorandum of the AJC, Chicago, Illinois, 19 July 1946, 1.

<sup>88</sup>Gilbert Gordon, midwest regional director, Commission on Law and Social Action of the AJC, Weekly Report-Educational Discrimination (Chicago: July 19, 1946).

bound under the laws of the State of Illinois and the Constitution of the United States of America to grant equal accommodations and privileges to all citizens irrespective of race or color.<sup>89</sup> Further, the CLSA felt that the University of Illinois was also responsible for the action of private houses that meet university approval.

At a meeting on July 16, 1946, involving the Commission on Law and Social Action, the university denied the alleged discrimination charges. The university then changed its statement and promised to provide housing for Jewish women. The university did not secure female housing for 108 students out of approximately five to six hundred. Many of the women lived at home and attended Navy Pier for their first year of school. The university was to stop all campus discrimination, improve social interaction, and work to lessen prejudice in campus housing.

Mr. Gordon and Mr. Bressler of the AJC promised to help raise university funds for expansion of non-discriminating housing.

By August 20th, negotiations with the Board of Trustees and officers of the University of Illinois were still going on to secure housing for upperclassmen for the fall term. Many of these students could not obtain housing

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<sup>89</sup>"CLSA Attacks Licensing of Discriminators," Memorandum of AJC, Chicago, Illinois, (Commission on Law and Social Action of the AJC). (No date given.)

because of their race or religion while attending the University of Illinois, Urbana campus.<sup>90</sup>

On September 13, 1946, the CLSA was still in favor of a court action which alleged that public officials were violating the constitution and laws of the United States as well as the laws of the State of Illinois. At this point, the university still had not taken any action against housing discrimination. Many Jewish women who were students at the University of Illinois still did not have a place to live. A petition was to be filed by the CLSA of the AJC with approval of the New York and Chicago offices.<sup>91</sup>

On September 30, 1946, a petition was filed by the AJC with the State of Illinois against housing discrimination at the University of Illinois at Urbana. The petition, discussing the situation, alleged that many Jewish students were prevented from attending the University of Illinois because of limited available housing. These

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<sup>90</sup>Gilbert Gordon, regional director of the Commission on Law and Social Action, to students who have been denied housing facilities while attending the University of Illinois, Urbana, TLS, 20 August 1946, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

<sup>91</sup>Gilbert Gordon, Commission on Law and Social Action of the AJC, to Max Bressler, president, Chicago Division of the AJC, Chicago, Illinois, TL, 13 September 1946, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

students, who were American citizens, were being denied a free and equal opportunity for an education.<sup>92</sup>

The owners and operators of university housing were accused of violating the statutes and constitution of the United States and the State of Illinois. They were involved in acts of discrimination because of race, color, national origin or ancestry. The petitioner wanted the segregation in housing to end and wanted the Board of Trustees of the University of Illinois to take appropriate action to stop segregation and discrimination practices in housing. The petition was signed by Will Maslow, national director, CLSA of the AJC, and Mr. Gilbert Gordon, regional attorney of the AJC.<sup>93</sup> To the best knowledge of the writer, the housing discrimination at the University of Illinois at Urbana was resolved.

#### Minority Discrimination at Northwestern University

On July 19, 1946, a petition was filed by the AJC-Chicago Division to the State of Illinois Department of Registration and Education alleging that minority students were being discriminated against for admittance to Northwestern University's Technological Institute. The AJC felt that there was discrimination against race, color or creed,

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<sup>92</sup>Commission on Law and Social Action of the AJC, Trustees of the University of Illinois: Petition Filed in the State of Illinois, County of Cook, 30 September 1946.

<sup>93</sup>Ibid., 3.



and filed a petition "to terminate the approval of the Technological Institute of Northwestern University as reputable and in good standing" because of these admittance policies.<sup>94</sup>

The AJC wanted equal educational opportunities for Jews and wanted their civil, political, economic and religious rights protected. The AJC was always on the alert to see that all State of Illinois laws pertaining to discrimination of race, color or creed were being enforced.

The Illinois Department of Registration and Education examines applicants for certificates of registration as professional engineers. Regulations and criteria were established that specify what is needed for an engineering college to be accredited and in good academic standing. The Illinois Department of Registration and Education can withdraw recognition from colleges that do not meet these criteria. Among the grounds for withdrawing recognition is if there was any discrimination against applicants because of race, color or creed. The department can conduct hearings and can terminate, defer, cancel or stop the renewal of licenses or certificates from graduates of unapproved programs.

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<sup>94</sup>American Jewish Congress, "To Terminate the Approval of the Technological Institute of Northwestern University as Reputable and in Good Standing." Petition filed in the State of Illinois, County of Cook, 19 July 1946.

In this case, the department investigated complaints and decided the necessary action to be taken against the Technological Institute after conducting a hearing. The accused person or institution was given an opportunity to refute the alleged charges.

The percentage of Jewish students enrolled in Northwestern's Technological Institute was between 2.5 and 3 percent.<sup>95</sup> There were no African-American students registered. It was charged that this was a deliberate policy against Jews and African-Americans. This practice violated Illinois statutes, the 14th Amendment of the United States of America and the Constitution of the State of Illinois which guaranteed equal educational opportunities for citizens of Illinois.

The AJC's complaint charged the institute with discriminating against Jewish applicants; it also requested the department to reject applications for engineering licenses or certificates from the graduates of the Technological Institute of Northwestern University as of July 20, 1945.

To the best knowledge of the writer, the allegations regarding Northwestern University's Technological Institute were resolved. In a follow-up conversation with Dean William Brazelton, who is undergraduate dean of admissions in the School of Engineering at Northwestern University, it

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<sup>95</sup>Ibid., 4.

appears that no residues of this situation remain.<sup>96</sup> Today, current statistics do not carry religious designations. No statistics are maintained regarding the number of Jews or non-Jews. However, the African-American enrollment for the 1990-91 academic year was indicated as ten percent of that year's enrollment. It should be noted that collection of this information is required by the federal government.

#### Discrimination in Medical Education

A study was made from 1946 to 1948 by Gilbert Gordon, regional attorney for the AJC, on the question: "Do the Medical Schools in Illinois Discriminate Against Jewish Applicants?"<sup>97</sup> The study involved 205 applicants for admission to medical schools in Illinois, irrespective of religious background of students in attendance. In order to obtain needed information from the president of a college about possible medical school discrimination in admissions in Illinois, the name of the college had to be kept confidential. The designation used was "College X." The students lived in Illinois, and all medical schools applied to were located in Illinois. Eighty-five percent of the students attended high schools in Illinois.

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<sup>96</sup>William Brazelton, undergraduate dean for admissions in the School of Engineering at Northwestern University. Telephone interview by author, 14 August 1991, Morton Grove, Illinois.

<sup>97</sup>Gilbert Gordon, "Do the Medical Schools in Illinois Discriminate Against Jewish Applicants?" (Regional attorney, AJC, 1946-1948).

"College X" was a fully-accredited institution in Illinois. All of the students had completed either a premedical or science curriculum. Jews as well as non-Jews took the same subjects. Information was obtained from the registrar's office of various medical schools surveyed.

Two hundred and five applications were filed with five Illinois medical schools from which 23 percent of non-Jews and only 17 percent of Jewish applicants were accepted. Thus, there was a 35 percent disadvantage to Jewish applicants.

Another concern was the lack of acceptance by applicants who were Jewish veterans or had superior grades in premedical school. In some medical schools that accepted non-Jewish and Jewish students during the three year period, there was no difference in veterans' acceptance or the applicants' premedical school grades. A further inquiry was whether the medical schools in Illinois discriminated in regard to applications filed by Jewish students as a group.

The investigation found that the lower acceptance rate of Jewish rather than non-Jewish applicants, even though Jewish applicants had higher qualifications, showed that medical schools did discriminate against Jewish applicants.

Finally, how deep were the medical schools in Illinois involved in discriminatory practices? Northwestern University and Loyola University Medical Schools were

alleged to have practiced discrimination relating to the applicants' religious affiliation. These medical schools had the lowest number of Jewish applicants; none had been accepted from the 205 students involved in the study. The University of Chicago Medical School, and the University of Illinois Medical School were identified as being non-discriminatory in admissions practices. The University of Chicago had a small number of Jewish applicants but no evidence of discrimination was found.

According to the findings, the University of Illinois had a higher fairness standard in accepting Jewish and non-Jewish students in its medical school and there was no disqualification because of religious affiliation. If further disqualification of Jewish applicants was needed, the University of Illinois would apply the veterans' status which disqualified many Jewish students from admission, so that non-Jewish applicants would be accepted. The AJC investigation of alleged discrimination in medical school admissions occurred in the late 1940s. This investigation illustrates a problem of that period. To the best knowledge of the writer, these allegations were resolved. Today, admissions to medical schools are based on students' qualifications and the class capacities of institutions, without regard to race or religion.

### Discrimination in Health Care

The AJC was one of several organizations invited by the University of Chicago Central Student Strike Committee to participate in a rally to take place on December 8, 1947, on the university campus, against racial discrimination in health, medical and other university services. A key point of the rally was the theme that there should be no discrimination because of race, color, creed or national origin.

The Strike Committee alleged that, at Lying-In Hospital and Billings Hospital, African-American patients and African-American students, as well as university employees, were cared for in private rooms separated from white patients.

An investigation by the Congress of Racial Equality (CORE), University of Chicago Chapter, revealed that African-American applicants had not been admitted to the University of Chicago Medical School since 1941. Those admitted prior to 1941 were prohibited from receiving clinical training with white students. They had to complete their training at Provident Hospital, which then was the only African-American hospital in Chicago.

As early as October 1945, the University of Chicago's chapter of CORE, stated that "applications for Negro students for admission to the medical courses were rejected because, in the words of the Sub-committee on Clinics, the

department of medicine did not think this was an appropriate time for the admission of a Negro medical student."<sup>98</sup>

The Strike Committee wanted a board of review established to investigate and end alleged discriminatory practices at the hospital and clinic. The committee also wanted the practice of requiring a photo with applications stopped. All accepted medical students should be allowed full training at the university with no stipulation as to race and religion. African-American students should not be sent to other medical institutions as part of their training. CORE also wanted the University of Chicago to adopt a non-discrimination policy in clinics, hospitals or medical schools. Further, the cancer research hospital at the University of Chicago should admit patients regardless of race or religion.<sup>99</sup> Once again, the instances of alleged discrimination at the University of Chicago hospitals occurred during the late 1940s. The AJC became involved because of actions taken by the University of Chicago Chapter of CORE. It appears that the allegations were resolved.

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<sup>98</sup>Milton Moskovitz, American Veterans Committee, and James Wilson, the Congress of Racial Equality, "Discrimination-University Clinics" (Chicago, IL, 1947), 1.

<sup>99</sup>University of Chicago Central Student Strike Committee, "Discrimination in the Lying-In Hospital, Billings Hospital and the University of Chicago Medical School," December 8, 1947.

### Admission to Dental Schools

In April and May of 1947, representatives of the AJC wrote letters to Mr. Thomas H. Wright, executive director of the Mayor's Commission on Human Relations, regarding the admissions policies of dental schools in Illinois.

According to the AJC findings, Loyola University School of Dentistry had no policies or quotas based on race, religion, or country of origin. Its main concern was preparing competent people for the dental profession and in the community.

The AJC also found that Northwestern University Dental School carefully evaluated test scores, academic records and aptitude for successful dental study. There was no discrimination on the basis of race or religion.

According to the AJC, the University of Illinois College of Dentistry concentrated on scholarship for student admission. Only ten percent of non-resident students were accepted. Factors for admission were teacher recommendations, reputation, and capability of doing successful dental study.

In 1948, David W. Petegorsky, executive director of the AJC, stated: "In every discussion of the problem of discrimination in higher education, the argument is inevitably raised that removing the barriers to learning will result in admissions to colleges and universities of Jews, Negroes, Italians and similar groups in far larger proportions than



they bear to the general population." Petegorsky regarded this as a completely false argument. In the foreword to an article by Theodore Leskes, he stated that "the right to an education is a basic democratic right and should bear no relationship whatever to a person's race, religion, ancestry or color. Such considerations are as irrelevant when applied to the problem of access to learning as they would be with regard to freedom of speech or conscience. The attempt to complete American democracy by assuring all Americans their civil rights is basically the attempt to remove racial and religious factors from fields where they are wholly irrelevant such as education, employment, housing, the right to vote and the security of person." Further, ending the quota system in professional schools, it is claimed, would result in a "disproportionate number" of Jewish, Negro and Italian doctors, lawyers and others in professional pursuits.<sup>100</sup>

#### The Butler Case

On June 29, 1971, a letter was written to Harry Miller of the AJC in Chicago by Joel J. Sprayregen, a member of the Governing Council of the AJC and an attorney associated with Aaron, Aaron, Schimberg & Hess in Chicago,

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<sup>100</sup>Theodore Leskes, "Multiple Applications for Admissions to American Medical Schools" (New York, NY: Commission on Law and Social Action, 1948), 2.

Illinois.<sup>101</sup> This letter was about Phyllis M. Butler, a Northwestern University Medill School of Journalism graduate student, who received a failing grade in a graduate journalism course which prevented her from completing her master's degree.

The allegation was that Neil V. McNeil, an associate professor of journalism at Northwestern University, had discriminated against Miss Butler because she was an Orthodox Jew who observed the Sabbath (from sundown Friday to sundown Saturday), and she was a female. The alleged discrimination charged that McNeil had given her an assignment that interfered with her religious observance of the Sabbath.

Phyllis M. Butler had graduated from Stern College, New York City, in 1969, with a "B" average in premedical studies. After graduation, she worked for a public relations firm in New York City for a year. She wrote and edited scientific information for Bell Laboratories. Miss Butler also received a National Science Foundation Fellowship to do part-time graduate work in physics at Belfer Graduate School of Science in which she carried a "B" average.

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<sup>101</sup>Joel J. Sprayregen, law attorney for Aaron, Aaron, Schimberg & Hess, Chicago, Illinois, to Harvey Miller, AJC Chicago, Illinois, TLS, 29 June 1971, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

In June 1970, Phyllis M. Butler applied for and was accepted in the graduate program in Educational Journalism of the Medill School of Journalism at Northwestern University. Her new career goal was journalism, and she entered the program during the 1970 summer quarter, and she passed the course. No letter grade was given, but one needed a "B" to pass the course.

A pertinent factor in the Butler case was that Northwestern University had a policy that there should be no prejudice or discrimination due to a student's religion, race, creed or national origin. Grades were to be based on equal fairness to all students.

In the fall quarter, Miss Butler received two "Bs" and one "A" in her graduate work. At this time, she also worked as executive director of *Jewish Youth*, a magazine published by the Union of Orthodox Jewish Congregations of America.

In the 1971 winter quarter, Miss Butler was accepted by Northwestern's faculty for the "Washington Program," covering news in Washington, D.C., as correspondent for the Medill News Service. The pay was \$1.00 per month. Students received one unit of credit for a seminar in "Politics and Government" and two units of credit for "Reporting of Public Affairs" (RPA). This course was taught by associate professor Neil V. McNeil during the 1971 winter quarter.

According to Miss Butler, when she informed Professor McNeil about her religious observances, he stated that she "will never get along in the news business because things happen on Saturday."<sup>102</sup>

On or about January 22, 1971, Professor McNeil wanted Miss Butler to take an assignment on a Friday night. She informed Professor McNeil that working at such a time violated her religious beliefs. According to Miss Butler, McNeil became angry about this and said that he works on Sundays and Christmas. Miss Butler would be dismissed from the assignment, but she suggested that a substitute student could take the assignment. However, Professor McNeil did not want a substitute to complete Miss Butler's assignment.

Butler's communications and relations with McNeil became difficult. Miss Butler alleged that he became unfriendly, antagonistic, bitter and prejudged her work. At the end of the term, Professor McNeil assigned her an "F" grade which was recorded in the official records at Northwestern University.<sup>103</sup>

Miss Butler believed that she deserved a letter grade of "B" and contended that no grade of less than "C" was given to other students. Butler claimed that she wrote eighteen articles that were published by Medill News

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<sup>102</sup>Butler v. Northwestern University and Neil V. McNeil, 71 Ch. 2135 (Circuit Court of Cook County Illinois—Chancery Division, 1971).

<sup>103</sup>Ibid., 4.

Service. Butler further contended that McNeil never warned her about the possibility of a failing grade and that she felt the issuing of a failing grade was predetermined. She appealed to the Graduate Committee of the Medill School of Journalism of Northwestern University on April 26, 1971. The committee refused to change the grade. Miss Butler stated that she would not graduate in June 1971, and would lose a job opportunity as bureau chief of the Jewish Telegraphic Agency in Washington, D.C. She felt that this would be detrimental to her professional career. Butler contended that, since the university received federal funds, she should not be denied her free exercise of religion nor be deprived of liberty or property without due process.

Butler wanted the grade of "F" changed to "B" or better for the course and wanted Northwestern University to pay for attorney's fees and court costs. Miss Butler's legal counsel was Joel J. Sprayregen, an attorney with the law firm of Aaron, Aaron, Schimberg & Hess. Phyllis Butler signed the complaint in May 1971.

Northwestern University, a body politic and corporate, and Neil V. McNeil defended themselves by denying that any discrimination had occurred in grading Phyllis Butler in the winter quarter of 1971. Further, the defendants stated that the Washington Program, during the 1970-71 school year, was open to all students in the Medill School of Journalism graduate program.

Professor McNeil's course, Reporting of Public Affairs, was scheduled for Saturday mornings. Miss Butler informed Professor McNeil about her religious beliefs and he stated that "he would try to change the day of the seminar or have a substitute seminar at an agreeable time." McNeil claimed that he never spoke to Miss Butler about her religious beliefs nor had based his assessment of her academic work on these beliefs.

Miss Butler's assignment was to cover Capitol Hill news; Rock Hill, North Carolina, and Oak Ridge, Tennessee, news, and also provide a secondary coverage of science news. These assignments were distributed over the entire quarter. Students could also be transferred to other assignments. Transfers to other assignments would not interfere with grade evaluations. Miss Butler retained the science news assignment.<sup>104</sup>

According to Professor McNeil, all students were graded fairly and Butler's grade was based on performance. She received an "F" grade because of unsatisfactory performance on graduate work. Further, McNeil maintained that Miss Butler had been informed about her poor progress in the course.

Reporting on Public Affairs was a "hands-on" course to develop students' journalistic skills by having them work as reporters in Washington, D.C. The students would furnish

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<sup>104</sup>Ibid., 4.

articles to the Medill News Service with the approval of Professor McNeil. Grading standards were not the same as in a regular academic course because of its applied nature. Further, the evaluation standards were related to reporting skills on-the-job as well as conventional academic performance.

Phyllis Butler received a letter, written on April 26, 1971, from the Medill Graduate Admissions Committee which denied the request for a grade change from the "F" that had been recorded.<sup>105</sup> The committee refused to discipline an instructor who used his judgment in evaluating a student's successful completion of a course according to announced standards. The committee also rejected Miss Butler's contention that she was discriminated against and had not been fairly graded.

According to McNeil, Miss Butler's failing grade in the course was not given because of her religious affiliation nor did it deny her rights to due process. She was not denied her rights under the First and Fourteenth Amendments to the Constitution of the United States of America, or Article I, Sections 2 and 3 of the Constitution of the State of Illinois of 1970. According to McNeil, Miss

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<sup>105</sup>Peter P. Jacobi, associate dean of the Medill School of Journalism, Northwestern University, Evanston, Illinois, to Phyllis Butler, Chicago, Illinois, TLS, 26 April 1971, AJC Collection, Special Collection, Asher Library, Spertus College of Judaica, Chicago.

Butler displayed a poor attitude and continually argued. She did not meet expected course requirements.

Northwestern University received federal money, which was also available to public and non-public institutions, for special programs. As an independent institution of higher learning, Northwestern University was not an instrument of the State of Illinois or other government bodies. Neil V. McNeil wanted the Court to dismiss the complaint and have Butler pay court costs and attorney fees.

In the final analysis, both the plaintiff and defendants were at an impasse. On December 7, 1971, both parties agreed to drop their complaints and the case was dismissed. The judge in this case was Herbert C. Paschen in the Circuit Court of Cook County, Illinois, Chancery Division.

#### Discrimination in Law Schools

The AJC opposed accreditation of law schools in the United States that discriminated in admissions and hiring faculty according to a particular religious basis. As of 1981, forty-three states required bar examination applicants to have graduated from an institution accredited by the American Bar Association (ABA).

The AJC wanted the ABA to accredit only law schools that did not practice religious discrimination in admissions or employment. As part of the ABA's standards and rules for approval of law schools, Standard 211 stressed the fact that



law schools should not discriminate because of race, color, religion, national origin, or sex.

On August 11, 1981, the ABA amended Standard 211 to indicate that a law school can have a religious association, objectives and admission standards for students and employees. All interested parties applying for admission, teaching, and employment were to be made aware of this standard. The ABA's House of Delegates voted to modify Standard 211 because many delegates felt that Standard 211 violated the First Amendment's guarantee of free exercise of religion.

The Governing Council of the National Commission on Law and Social Action of the AJC voted to support the action of Chicago's Commission on Law and Social Action—Urban Affairs in opposing the addition to Standard 211. The AJC's council believed that the amendment of Standard 211 introduced religious qualifications into the accrediting process.

ABA's accreditation of law schools was based on its judgment as an independent professional association and not as a prerogative of the state's interests or powers. Not funded by the states, the ABA was an independent professional association. The recommendation regarding accreditation by the ABA was an independent matter. However, it carried influence since the states highly regarded the ABA's decision on law school accreditation.

Nevertheless, the ABA had no responsibility for actions taken by the states. States' rights cannot be assumed by a private agency. States may establish their own bar admission requirements. The final decision of admission of law school graduates to take the bar examination is a state matter.

States are generally favorable to the ABA's accreditation of law schools because of the organization's sophisticated standards for such accreditation. These standards are highly useful in preparing law students for the bar examination or license.

Prior to ABA's House of Delegates passing the addition to Standard 211, Oral Roberts University (ORU), O. W. Coburn School of Law, established in 1979, was denied accreditation in 1981 because of the private university's religious requirements. The law school was located in Tulsa, Oklahoma. ORU students were required to sign a "Code of Honor" pledge, which involved a statement affirming Christian religious beliefs and commitment. An expression of religious beliefs was also required for employment and faculty hiring.

On June 8, 1981, ORU filed a federal lawsuit in Illinois' Northern District against the ABA, whose national headquarters is in Chicago, Illinois. The suit claimed that the ABA denied ORU its civil rights and violated anti-trust laws. ABA's counsel, H. Eugene Heine, stated that "the ABA

did not deny ORU accreditation and a final ruling on the accreditation request will be voted on in August 1981."

A July hearing was set for ORU's lawsuit against the ABA and United States District Judge James Moran, in Chicago, ordered the ABA not to give provisional accreditation to ORU.

Stephen C. Neal, ORU attorney, stated that "the ABA committee believes that ORU was in violation of Standard 211, but if a newly adopted Standard 211 was adopted, student admissions, employment and faculty hiring would not show discrimination." The adoption of the added Standard 211 would be voted upon at a meeting in New Orleans on August 11, 1981.<sup>106</sup>

On July 17, 1981, United States District Judge James B. Moran stated that "the Tulsa, Oklahoma school would be denied its constitutionally-mandated freedom of religion if it is unable to establish its law school as part of its religious philosophy." Judge Moran ordered the ABA to study this order when ORU came up for accreditation in August.

ORU law school did not prove that its religious identity was essential to students in its law school. A student attending a religious law school is mainly interested in completing the necessary requirements to take the state bar examination.

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<sup>106</sup>"Oral Roberts University," Regional News, Tulsa, Oklahoma, 15 July 1981.

In July 1981, the Accreditation Committee of the ABA denied accreditation for the second time to the O. W. Coburn School of Law at Oral Roberts University, because of its admissions policy which required a religious declaration.

ORU's attorney, Stephen C. Neal, believed that the law school would be discontinued if it was not accredited because, in 43 states, law students must graduate from an approved ABA school before they can take the bar examination.

The ABA House of Delegates passed the addition to Standard 211 at the ABA convention in New Orleans on August 11, 1981. On August 12, 1981, the ABA's House of Delegates granted ORU's law school provisional accreditation for three years. The vote was 147 to 127 in favor of provisional accreditation.

The AJC wanted the ABA to reverse its accreditation standards so that they would not permit religious discrimination in admissions and hiring. Furthermore, the AJC felt that a non-discriminatory law school policy in admissions and employment opportunities would assist groups that historically had limited access to such institutions.

On August 13, 1981, *The Washington Post* stated that "denial of accreditation would have put the law school out

of business and would tamper with the basic right of a church to practice its religion."<sup>107</sup>

The AJC and Harvard Law School's dean, Erwin Griswold, did not want a change in Standard 211 which would not conform to the practice of religious liberty in the United States. Further, they argued that the ABA should continue to accredit the nation's law schools. In their opinion, the ABA position could not be supported if it infringed on constitutionally-protected rights and liberties.

Joseph G. Gallagher, an ABA delegate from Pennsylvania, stated that "a religious institution has the right to be free from being subjected to a foreign philosophy and the ABA is free to judge the quality of a law school but not to judge its philosophy."<sup>108</sup>

Peter F. Langrock, head of the ABA's section on individual rights, stated that "in changing the standard, we are becoming a part of the process of legitimizing discrimination."<sup>109</sup>

The AJC involvement was also supported by the Decalogue Society of Lawyers, a Jewish attorneys group, who opposed ORU's accreditation.

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<sup>107</sup>Fred Barbash, "ABA Revokes Ban on Religious Bias at Private Law Schools," The Washington Post, 13 August 1981, Sec. 1, p. 4.

<sup>108</sup>Ibid., 4.

<sup>109</sup>Ibid., 4.

Robert Livingston, a Presbyterian of the Dade County, Florida ABA, stated that "it is a bad policy of the great ABA to find itself in a position to sanction religious discrimination."<sup>110</sup>

Whitney N. Seymour of New York, a former ABA president, stated that "a drawn-out legal fight over the ABA policy could threaten the organization's authority to evaluate and certify law schools nationwide."<sup>111</sup>

Some local bar groups affiliated with the ABA wanted to rescind the approval of ORU for provisional accreditation. These were Dade County (Miami), Florida; Santa Clara County (San Jose), California; Allegheny County (Pittsburgh), Pennsylvania; and Denver, Colorado.

On June 6, 1982, Illinois Supreme Court Justice Seymour Simon, at an address at John Marshall Law School's commencement, stated, "What I fear most is the encouragement that accrediting Oral Roberts University will lend to the bigots in our land."<sup>112</sup> Simon was not in favor of ORU graduates practicing law in Illinois.

On November 3, 1985, *The Washington Post* wrote that the evangelist, Oral Roberts, had announced that "the Oral

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<sup>110</sup>Linda Wolohan, "ABA Votes to Let Accreditation Question Stand," United Press International, 25 January 1982, Illinois Domestic News Distribution, Dateline-Chicago.

<sup>111</sup>Ibid.

<sup>112</sup>"Accrediting Oral Roberts Gives Bigotry a Boost," United Press International, 6 June 1982, Illinois Domestic News Distribution, Dateline-Chicago.

Roberts University law school will be transferred from Tulsa, Oklahoma, to CBN University in Virginia Beach, Virginia."<sup>113</sup> CBNU was founded in 1978 by Oral Roberts, president of the Oklahoma university, and the evangelist, Pat Robertson, chancellor of CBNU. The CBNU's board established a law school by 1986 and was denied accreditation in 1987, and appealed.

The ORU law school library donated 190,000 volumes, worth \$10 million, to CBNU. Oral Roberts felt that Pat Robertson, who holds a law degree from Yale University, could exercise stronger leadership in bringing the program to full accreditation.

By June 5, 1989, CBNU's law school was not accredited by the ABA because law professors had to sign a "Statement of Faith" as followers of Christianity.

Joseph A. Zavaletta, Jr., a CBNU law school professor, filed a suit against ABA in United States District Court seeking a preliminary injunction to force the ABA accreditation for CBNU's law school.<sup>114</sup>

District Court Judge J. Calvitt Clarke, Jr., on May 5, 1989, stated that "accrediting activities of bar associations impose no restraint on trade, and the bar association had First Amendment rights to communicate its

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<sup>113</sup>Staff Reports, "Law School to be Transferred," The Washington Post, 3 November 1985, Sec. D, p. 9.

<sup>114</sup>Zavaletta, Jr. v. American Bar Association, 89-326-N, U.S. District Court (1989).

views on law schools to governmental bodies and others." The case was dismissed.<sup>115</sup>

The ABA has no restrictions on hiring faculty, nor does it concern itself with graduates of unaccredited law schools or does not stop its members from teaching at unaccredited law schools, or deny these schools student admission.

On June 12, 1989, *The Wall Street Journal* stated that "the ABA may extend accreditation to CBN University School of Law."<sup>116</sup>

On June 18, 1989, the ABA granted provisional accreditation to CBNU's law school after three years of uncertainty. Without provisional approval, graduate law students would only be allowed to take the bar exam in seven states, one of which was Virginia.

CBNU law school dean, Herbert Titus, stated that "provisional accreditation offers the same privileges as full accreditation and is often granted to new law schools found to be in substantial compliance."<sup>117</sup>

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<sup>115</sup>Terry Carter, "CBNU Loses Accreditation Round; Will its Supporters Lose Faith?" The New York Law Publishing Company: The National Law Journal (5 June 1989): 4.

<sup>116</sup>Christi Harlan, "Law School Established by Oral Roberts May Receive its Accreditation Soon," The Wall Street Journal, 12 June 1989, Sec. 2, p. 10.

<sup>117</sup>"CBNU Officials Hail Accreditation Decision," United Press International, 18 June 1989, Virginia Regional News Distribution, Dateline-Virginia Beach, VA.



The ABA will conduct annual visits and will decide in three to five years if CBNU will be granted full accreditation.

### Conclusion

In conclusion, the AJC took issue with housing discrimination at the University of Illinois at Urbana because they felt that Jewish students should have equal opportunities to secure off-campus housing without suffering racial or religious discrimination. Every citizen, regardless of race, color, religion, national origin, or ancestry, has a free and equal opportunity to secure an education without discrimination.

A study was conducted from 1946 to 1948 on medical schools in Illinois which showed discrimination against Jewish applicants, even though they had higher qualifications for admissions. Only a very small percentage of qualified Jewish applicants were accepted, and some were never accepted.

The AJC also alleged that in 1947 discrimination also existed at the University of Chicago for African-Americans at the Lying-In and Billings hospitals. Further, African-American medical students at the University of Chicago, prior to 1941, had to complete their training at Provident Hospital (an African-American hospital) because they were not allowed to train with white medical students.

According to the AJC investigation, dental schools in Illinois did not discriminate against minority applicants. The dental schools had fair admissions standards based on test scores, academic records, and aptitude for successful dental study.

The Phyllis M. Butler case involved possible discrimination by an associate professor of journalism at Northwestern University's School of Journalism. In a hearing regarding this case by the Medill Graduate Admissions Committee, it was found that Professor McNeil did not discriminate against Miss Butler when he gave her a final grade of "F" due to poor performance of graduate work. Both sides decided to drop their complaints and the case was dismissed.

The AJC was concerned with policies at Oral Roberts University's law school because it required students seeking admissions, and applicants seeking employment, to take an oath requiring a statement affirming Christian religious beliefs and practices. Only when the ABA amended its Standard 211 did ORU finally receive provisional accreditation. The AJC wanted the decision reversed, but ORU's law school was relocated to the CBN University in Virginia Beach, Virginia, under chancellor Pat Robertson, an evangelist, in 1986. By 1989, CBNU's law school finally obtained provisional accreditation against the wishes of the AJC.

Chapter IV examined the role of the AJC in higher and professional education. It was most concerned with correcting what it regarded to be discriminatory practices in admissions and employment in institutions of higher learning. The Jewish community can never turn their backs on signs of anti-Semitic activities. Preventive programs for improving social relations and individual rights of freedom are important guidelines to follow.

The cases discussed in this chapter are used as historical examples of the efforts of the AJC in combatting anti-Semitism. To the best knowledge of this writer, these cases have been resolved.

## CHAPTER V

### SUMMARY AND CONCLUSIONS

This historical study of the American Jewish Congress (AJC) examined how the organization promoted the survival of American Jewish life, safeguarded Jewish traditions, and opposed anti-Semitism. The AJC and its Commission on Law and Social Action undertook a series of activities against anti-Semitism in the areas of secondary and higher education. As a national leader for human rights, the AJC has protected civil liberties, protected religious freedom, and worked to maintain separation of church and state. The AJC also opposed discrimination in housing, employment and education. As indicated in Chapter IV, it opposed racial quotas and religious preferences in higher education.

The first chapter discussed the initiative of Rabbi Stephen Samuel Wise, founder of the AJC, who had a vision to strive for racial and religious justice for Jews and minority groups in the United States. Rabbi Wise stood up for what he believed was right and pursued problems of discrimination until justice was achieved. As a catalyst for constructive change in the Jewish community, Rabbi Wise

was a great speaker who held his audiences captive. He was one of the great orators of his time.

An important agency of the AJC is the Committee on Law and Social Action (CLSA), which protects legal rights and combats anti-Semitism and other forms of discrimination. When problems cannot be solved at the local level, the CLSA determines the course of action to be taken.

Chapter I described the origin and organization of the AJC. It treated the work of Rabbi Stephen Samuel Wise in founding the organization. There was also a commentary on the officers, constitution, and procedures of the organization.

Chapter II examined selected cases of anti-Semitism, such as the situation at Marquette, Michigan, of an illegal boycott against Jews and minorities. A *New York Daily News* columnist made anti-Semitic remarks against Jews and African-Americans in his column. The AJC became involved when the newspaper wanted to secure a radio station license from the FCC. The AJC action against the showing of the film, *Desert Fox*, was another activity because the film glorified a German field marshal, Erwin Rommel. The chapter further discussed Nazi symbols on model airplanes, livable housing for minority groups and improving relations with African-Americans. Finally, the chapter discussed the hate activities against Jews and African-Americans by the Nazi Party. The Nazi Party planned hate marches by its leaders,

George Lincoln Rockwell of the American Nazi Party, and Frank Collin of the National Socialist Party of America.

Chapter III examined the role of the AJC at the secondary school level. In addition to opposing anti-Semitism, the AJC was concerned with protecting the separation of church and state. Among the cases in which the AJC became involved were those involving the display of religious symbols, the presence of religious organizations, and programs of release time for religious education. The case discussed, *McCollum v. Board of Education of Champaign County, Illinois School District 71*, involved release time for students during regular school hours. The court concluded that religious activities conducted in tax-supported schools is a violation of separation of church and state. In the case of *Latimer v. Board of Education, City of Chicago*, the court concluded that release time for students to attend religious instruction away from the school building did not infringe on the separation of church and state. The chapter further discussed the opposition of the AJC when Bibles of the Gideon Society were being distributed to public school children in Ruthenford, New Jersey. The case was an unconstitutional violation of the First Amendment. The AJC also became involved when the Illinois High School Association prohibited Jewish students from wearing securely attached religious headwear at competitive basketball games.

When racial or religious problems arise, issues can be resolved by involving community leaders, school personnel, parents, teachers, political leaders, and other interested parties. When people are involved and committed, there is a lesser chance of misunderstanding and conflict. The AJC has encouraged this approach by writing a "Jewish Communal Guide" for the community and school. The guide, written in 1984 by the CLSA, discusses court cases involving the displaying of religious symbols on public property and what one has to know about the law. The guide will help community groups to become involved in opposition to the display of religious symbols on public property. Further, the guide discusses Christmas observance in public schools. There is a question and answer section involving the erection of religious symbols and Christmas observance in public schools. The guide discusses how the community should deal with these problems and find possible solutions.

Chapter IV examined selected activities of the AJC's involvement with discrimination at the higher education level. This has involved action against alleged housing discrimination at the University of Illinois, in 1946, for minority students seeking an education. Educational institutions must not let discrimination stand in the way of maintaining equal rights and opportunities for all citizens. The AJC becomes involved because of anti-Semitism and discrimination against minority groups. The AJC investigated

and became involved in ending discrimination at the University of Illinois at Urbana, Northwestern University's Technological Institute, Illinois medical schools, Chicago hospitals, and in law school admissions.

Student campus organizations have supported the AJC in the struggle against racial and religious discrimination. Marches and protests have taken place because African-Americans were not allowed to work with white medical students in hospital internships or were segregated in hospital care.

The AJC became involved in the Phyllis M. Butler case against an associate professor of journalism, Neil V. McNeil, at Northwestern University. McNeil gave Miss Butler a failing grade because of unsatisfactory graduate work. Miss Butler, an Orthodox Jew, felt that she was being discriminated against because of her religious beliefs and was being denied her rights under the First and Fourteenth Amendments to the Constitution of the United States of America, and Article 1, Sections 2 and 3 of the State of Illinois Constitution of 1970. Both sides presented their defense in court—Miss Butler trying to get her grade changed to a "B" or better, and Professor McNeil justifying his failing grade that he gave to Miss Butler. Apparently, both sides wanted to end this entanglement and the parties dropped their complaints.

In the past, law schools were alleged to have racial quotas and religious discrimination policies. The American



Bar Association may recommend a law school for accreditation, but the state has the final decision on accreditation. States cannot promote religion and must adhere to the laws of the federal and state constitutions. Further, the AJC will oppose any action that involves anti-Semitic or religious discrimination. The AJC will take legal action against any educational institution that does not follow federal and state policies based on constitutional protections. The AJC feels that all law schools in the United States must be open to all qualified students and employ faculty members and other personnel without regard to religious beliefs. Law schools prepare students to take state bar examinations and should not allow religion to enter into any form of admissions, employment, or faculty hiring policies.

The AJC has done a great service for Jewish people and other minorities. It is important to have leaders who are concerned, interested, and will continue the struggle against discrimination and anti-Semitism.

In conclusion, the AJC will remain a national organization to strengthen human rights, promote civil liberties, defend religious freedom, and to protect separation of church and state. The Jewish community must take an active role in politics. This can only be accomplished by an intelligent voting pattern that is beneficial to the general population so that anti-Semitism will never occur.

The Committee on Law and Social Action has been a tremendous asset to the AJC in combatting anti-Semitism through legal action. In particular, it has opposed acts of anti-Semitism or discrimination at the secondary and higher education levels.

Further updated research will always be needed because the AJC's efforts will be continuous in protecting the American Jewish community against all anti-Semitism and discrimination. The AJC will always alert the public and take action whenever it is needed.

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