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*Academic
Freedom
in a
Time of Crisis*

A Report by

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*Academic
Freedom
in a
Time of Crisis*



Prepared by

**CELIA LEWIS
VERA SHLAKMAN
LOUIS JAFFE**

**With the Assistance of the
Academic Freedom Committee
of the New York Teachers Union**



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Foreword

"I HAVE examined the programs of a number of teachers' institutes held this fall. Across many of these programs might be written in large letters the word FEAR . . . Fear is the quality of many of the discussions in teacher education classes. Teachers attending these classes express reluctance to conduct frank and open discussions of significant issues facing the nation and the world in the belief, mistaken or otherwise, that such discussion will result in reprisals against them."

Such were the conclusions drawn from wide observation by Dr. John DeBoer, professor of education at the University of Illinois, in October, 1947.

The quality of fear observed by Dr. DeBoer in teachers' institutes increasingly pervades campus and classroom across the nation. Nor is this merely a school phenomenon. It is part of the fear and hysteria laden atmosphere which is spreading throughout the country.

President Truman's "loyalty" order sets the pattern for the nation.

The Attorney-General's so-called "subversive" list is the club held over the heads of teachers and professors who have gone beyond the confines of classroom and campus and have interested themselves in liberal causes.

The Un-American Committee, with its threats of invading the schools as it already has the radio and the movies, seeks to impose its conception of Americanism on thinking and teaching.

Books are banned from classrooms and school libraries.

In various ways there is interference with teachers in their teaching, and in their outside activities.

Powerful groups like the National Association of Manufacturers, the American Legion, federal and state governments are behind the drive to destroy freedom of speech and freedom of thought.

The Hearst press, the Scripps-Howard chain, the Chicago Tribune, the New York Daily News, as well as many other newspapers, play an important part in the campaign.

In this atmosphere of fear many teachers impose a degrading self-censorship. They shun controversial issues. Instead of making campus and classroom a "market-place of ideas," they deny their students the right to read and listen.

Not the least significant aspect of this process is that students in turn are corrupted by it. They learn all too quickly to be cautious when the needs of society demand that they be free to study and investigate the whole range of human experience; that they be exposed to the cultures of diverse peoples, to the ideas and thinking of various times and societies.

There is danger of the destruction of the concepts of academic freedom promulgated by the National Education Association, the American Association of University Professors, and Teachers' Unions, and generally accepted by teachers and other citizens—the right to present relevant material on all subjects under discussion, the right to study and to publish conclusions, the right to exercise full citizenship.

This drive to fasten a pattern of complete conformity, to silence all opposition to official policies through press, radio, movies, and schools, comes at a most *critical time in our history*. We are confronted with the evils of inflation and a possible depression, with the destruction of our liberties, with the imminent danger of war. The future of our country and our very survival depends on how these problems are solved.

This is a time when it is particularly important for teachers, for students, for all citizens to hear and read all the facts, to form clear and independent judgments, to speak their opinions, and act on their beliefs.

Now, as in past periods of hysteria, there are teachers and students who understand the danger and who are active in defense of free thought and free expression. Many more will join them as they learn the facts and understand the full import of what is happening.

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The Shadow of the Un-American Committee

"One little triumph by the fascist un-American Committee, one little abuse by way of an essentially hypocritical loyalty order, does great damage in academic circles all over the country."

Harlow Shapley

THE THREAT TO THE SCHOOLS

THE Thomas-Rankin Committee on un-American activities casts its shadow over the radio, the movies, and over scientific research. It holds before teachers the constant threat of investigation. One of the bills submitted by Congressman Rankin, who plays a leading role in the committee, proposes:

"It shall be unlawful, in any course of instruction or teaching in any public or private school or college or university to advocate or express or to convey the impression of sympathy or approval of communism or communist ideology."

The committee has never defined the terms "communist" or "un-American" or "subversive". But judging from its activities under its present chairman, and his predecessor, Martin Dies, the following would be included: opposition to the Franco government in Spain, opposition to General MacArthur, membership in consumer cooperatives, criticism of advertising methods, criticism of members of Congress, criticism of the Un-American Committee.

ATTACKS ON SCIENTISTS AND SCHOLARS

Besides seeking to impose its conception of Americanism on the content of teaching, the committee reaches out to attack outstanding scientists and educators who engage in political and civic activity. Its shameful star-chamber questioning of Dr. Harlow Shapley, head of the Harvard observatory, U.S. scientific delegates to UNESCO, past president of the American Academy of Arts and Sciences, aroused a storm of protest from leading educators in Massachusetts and throughout the country. Dr. Shapley was summoned as a result of his support of a candidate who was running for election in opposition to House Speaker Joseph W. Martin.

He relates that when he returned to Harvard he was questioned by two famous refugees, one Italian and one German, who are now on the faculty. When he described the proceedings to them, the conclusion reached was that his experience was the same as that of those who first met fascism in Italy and Germany.

The long arm of the Un-American Committee reached into the quiet halls of a University when Professor Lyman Bradley of New York University was removed from the chairmanship of the German department by Dean Thomas Clark Pollack.

Because of his sympathy with the Spanish Republicans, Dr. Bradley had worked on various committees to help them in their fight against Franco. After the defeat of the Republicans he worked on the Executive Board of the Joint Anti-Fascist Refugee Committee to provide relief and medical care to the Spanish anti-fascist refugees.

This the Un-American Committee defined as subversive activity. It called for all the books and records of the committee as well as for lists of contributors and recipients. The Executive Board insisted that as a relief organization it did not come within the scope of the Committee and that these records had been filed with the U.S. Treasury Department.

As a result the entire Board was cited for contempt of Congress. And the dean of one of our largest universities, despite the pending appeal, found this good reason for the removal from the chairmanship of his department of an eminent scholar and outstanding teacher.

The most recent outrage of the Un-American Committee was the smearing as disloyal of one of the outstanding scientists in America, Dr. Edward U. Condon, director of the National Bureau of Standards, past president of the American Physical Society, who played an important part in the development of radar, and the atomic bomb. Among the charges against Dr. Condon are that he was a member of the Board of Directors of the American-Soviet Science Society; that he speaks Russian; that his wife is an American woman of Czechoslovak descent. None of these charges have any bearing on Dr. Condon's loyalty. The committee knew that the Commerce Department's Loyalty Board had found "no reasonable grounds to doubt Dr. Condon's loyalty."

Individual scientists of great prominence as well as the Federation of American Scientists have protested the actions of the committee. They have warned that American atomic energy research is being hurt by the difficulties with which scientists are now faced in their research.

A SHOCKING INTERVIEW

Not the least dangerous aspect of the effect of the Un-American Committee is the pattern it has set for similar committees in various states. State legislatures in Illinois, Indiana, Michigan, Washington, California and elsewhere have set up similar committees.

The most notorious of these committees is the Tenney Committee in California. It has sought to enact fifteen bills interfering with the freedom of teachers and students, among them a proposal to ban from the curriculum all "politically controversial subjects."

The Callahan Committee in Michigan has terrorized students and teachers. A good commentary on the thinking of some of our investigators is furnished in this incident related by a Michigan student:

"When I asked Senator Callahan where the hearings were to be held, he demanded that I tell him my name and address. I told him. Then he asked if I were associated with the American Youth for Democracy group at Michigan State College.

"I have been," I replied.

"What is your national descent?" the Senator asked.

"Ukranian."

"Polish or Jewish?"

"Polish," I replied.

"What are your religious beliefs?" was the Senator's next question.

I mentioned that I had been brought up a Catholic.

Senator Callahan then inquired what had induced me to join A.Y.D. I told him I had joined because it was a progressive group fighting against racial discrimination and supporting the rights of labor. He asked if I supported the A.Y.D. position opposing Franco in Spain. I told him that I did.

"Why?" he asked me.

"One good reason is that the Franco government has destroyed all trade unions and working men are without any rights."

Then I asked a question, "What is your opinion of the Fair Employment Practices Committee (F.E.P.C.) bill up before the State Senate?"

Senator Callahan did not reply. But Senator Smith did. "I feel the bill would take away rights of business men to hire whom they want and would be an infringement upon liberty," he said.

Senator Callahan asked about my military service. I told him that I had been three years in North Africa, then in the India-Burma theatre, finally on Okinawa.

As I prepared to leave, Senator Callahan said he did not believe what I had been telling him.

There was one parting shot from Senator Callahan.

"You're Jewish and won't admit it," he said as I left.

Here is an echo of Congressman Rankin's anti-Semitic remarks in Congress, of his opposition to constitutional rights for Negroes, of the shameful and degrading ideas of Americanism that the big and little Un-American committees would have us fasten upon our children.

Legislating Loyalty

"It deprives the teachers of their right to freedom of thought, it limits the teaching staff of the public schools to those who lack the courage of the mind to exercise their legal rights to just criticism of existing institutions."

Alfred E. Smith

SUCH was the comment of Alfred E. Smith, then Governor of New York State, on the Lusk "loyalty" law in 1923. Nor was this a snap judgment. He had had three years in which to observe its functioning. He had seen how the term "disloyal" had become a weapon for destroying freedom of thought and silencing freedom of speech. In signing a bill for repeal he said,

"The Lusk laws . . . are repugnant to the spirit of American democracy . . . Teachers in order to exercise their honorable calling were, in effect, compelled to hold opinions as to governmental matters deemed by the state officer consistent with loyalty."

Today, again, attempts are being made in various state legislatures to force teachers to hold and express opinions consistent with conceptions of loyalty set by state officials, by the Un-American Committee, or by Attorney General Tom Clark.

A bill in the 1948 New York State legislature required civil service employes and teachers in the public schools to take an oath that they were not "affiliated with, or in sympathetic association with, any foreign or domestic organization, association movement, group or combination of persons, designated by the Attorney-General of the United States as Communist, Fascist, or subversive." Another proposed the setting up of a committee with wide powers to investigate teachers, civil service employes, trade unions and political organizations. These bills were scheduled to pass. They were killed in the very last hours of the legislative session by an avalanche of protest from the Teachers Union, other CIO unions, civil rights organizations, and individual citizens alarmed by these attacks on civil liberties.

In Illinois the state legislature, in order to "prohibit the University of Illinois from extending the use of its facilities to subversive, seditious and Un-American organizations", has passed the Clambaugh Act which reads:

"No trustee, official, instructor, or other employee of the University of Illinois shall extend to any subversive, seditious, and un-American organization or to its representatives, the use of any facilities of the University for the purpose of carrying on, advertising or publicizing the activities of such an organization."

The most sweeping attempt to legislate loyalty is contained in the Callahan Act passed by the Michigan legislature on June 6, 1947, after Governor Sigler and Assemblyman Callahan had terrorized the schools and universities of the state. It provides that any agency (including political and other organizations—publishing enterprises, radio stations, labor unions) which

"pursues the objects of a foreign power or powers and has been or may be declared subversive by the Congress of the United States of America or the Attorney-General of the United States of America, or the Attorney-General of Michigan", shall be required to register with the Attorney-General "information concerning membership status, activities, income and expenditures and other particulars as may be required by the Secretary of State."

The Attorney-General is empowered to make, amend, or rescind any rules and regulations he may consider necessary to carry out this law. Penalty for violation is \$3,000 fine, 5 years in prison, or both.

The Barnes Bill in the Massachusetts legislature, which was killed by state wide opposition on the part of prominent educators, the Civil Liberties Union, and other groups proposed:

"No person who is a member of the Communist Party, or who by speech or in writing advocates its doctrines — shall be employed as a teacher or otherwise in any educational institution."

One of the fifteen bills restricting academic freedom introduced by State Senator Jack Tenney in California outlaws the teaching of "politically controversial subjects". Thus one of the purposes of loyalty legislation, the complete destruction of truthful and scholarly teaching, is made explicit.

THE DRAGNET IS WIDE

Among the most serious threats to academic freedom and civil liberties is the president's loyalty order for federal employees. Nowhere in the order is a definition of loyalty given. The nearest thing to it is the attorney-general's list of so-called subversive organizations. Association with which, direct or indirect, marks a person as being disloyal. One man, the attorney-general, becomes the judge of what is disloyal.

Under this Executive order, according to articles in the *Herald Tribune*, federal employees have been subjected to intimidation, frame-ups, and persecution by the F.B.I. Clifford Durr, a member of the Federal

Communications Commission, in an article in the *New Republic* related that an applicant for a job had been branded a suspect because he had been active on a committee to secure the re-election of President Roosevelt.

The loyalty order applies specifically to federal employees. But it, and the attorney-general's list have formed the basis for legislation directed against teachers and other public workers.

Recently an attempt was made to impose a loyalty order on teachers and other public employees in Los Angeles County. Under the leadership of the United Public Workers thousands of county employees refused to supply any information to the authorities and successfully defeated the imposition of the order.

Any teacher who thinks he is not affected by such laws and loyalty lists should ask himself: have I ever discussed the housing shortage or consumers' problems; have I criticized exorbitant profits or shown a friendly attitude towards unions; have I spoken against the poll tax or favored anti-lynching legislation; have I ever contributed funds for anti-fascist refugees; have I ever attended a meeting for Loyalist Spain; have I been outspoken in my condemnation of Franco; have I ever endorsed the idea of Soviet-American Friendship Councils in the days when they were addressed by our leading citizens; have I tried to teach the facts about economic systems different from our own; have I ever questioned the absolute beneficence of private enterprise; have I been active in any political campaigns considered "subversive" according to present day standards; have I allowed free and impartial discussion of controversial issues in the classroom?

Have I been associated with or been sympathetic to groups and individuals who have done any of the above?

The dragnet is wide enough, the bills and laws are worded loosely enough to catch anyone whose life is not so narrow that he has never been stirred to speech or action by great events.

Banning of the Books

"From the beginning Americans have known that there are new worlds to conquer, new truths to be discovered. Every effort to confine Americanism to a single formula is disloyal to everything that is valid in Americanism."

Henry Steele Commager—Harpers—Sept., 1947

NOTHING so clearly indicates a desire to control thinking and to mold young people into a single pattern of conformity as the banning of books which are generally accepted as outstanding. Many people who were profoundly shocked by the Nazi book burning in 1933, are not yet sufficiently alarmed by the less dramatic but equally dangerous beginnings of a similar process in our own country.

"GENTLEMEN'S AGREEMENT" AND "FOCUS"

On February 20th, 1948, a news item in the New York Times read, "The order excluding 'Gentlemen's Agreement' and 'Focus', novels attacking anti-Semitism, from the library of De Witt Clinton High School in the Bronx, will stand despite the approval of the books by a special committee of five teachers. — Frederic Ernst, in charge of the high school division, declared that the ban on the books ordered by Dr. John V. Walsh, principal of the school, would remain in force no matter what the teachers thought of them. — Mr. Ernst had asserted earlier that on reading 'Gentlemen's Agreement' he had thought the book was made to order for the high schools. That was his opinion, he said, until he reached 'several fairly light sex passages and I realized we just couldn't have it'".

"Focus", which is not discussed in this news item, and which both Dr. Walsh and Mr. Ernst admitted they had not read, was banned on the grounds that it was offensive to the Catholic church. This conclusion seems to have been reached on the basis of the portrayal in the book of Christian Front anti-Semitic activities.

Some very pertinent questions on this matter were addressed to Mr. Ernst and Dr. Walsh, by the well-known author, Howard Fast. Writing in behalf of the Literature Division of the Progressive Citizens of America, he said in part:

"Wouldn't you say, Dr. Walsh, that your statement 'we believe Focus offensive to the Catholic Church' is truly offensive to the church, since the author, Mr. Miller, does not attempt to expose a link, nor claim that such a link exists between the Catholic church and the Christian Front . . . ?

"Have you, Mr. Ernst, attempted to remove from the school libraries of New York City, all those books which might be objectively censored for 'light sex passages'? If so, may we ask why the works of Shakespeare, Chaucer, Omar Khayyam and the Bible were overlooked?

"Wouldn't you say, Mr. Ernst, that the subject matter of both these novels, anti-Semitism, is of great importance today, and underlinedly so as concerns high school readers?

"May we ask of both you gentlemen why this curious coincidence? Why the banning of two novels, both of which have proved themselves successful foes of anti-Semitism,"

Since Dr. Ernst's public statement, the teachers of De Witt Clinton High School voted to urge restoration of the books to the library. The Executive Board of the Parents' Association of the school has protested. But the ban still stands.

We have given this particular incident in some detail because it throws a glaring light on the thinking of many principals and superintendents, on their readiness to take so serious a step, on their disregard of the opinions of the teachers.

"CITIZEN TOM PAINE"

In New York City this ban follows a pattern set by the Board of Education in the fall of 1946 when it banned Howard Fast's "Citizen Tom Paine."

There too the charge of "obscenity" based on one or two isolated passages was the pretext given for the banning of a book on the American Revolution which is marked throughout by its moral fervor. Not one person at the Board hearing spoke in favor of the ban. Dozens of representatives of writers, teachers and trade unions appeared to speak against the ban.

Nor are these isolated instances. Detroit followed New York in banning "Citizen Tom Paine." In Rochester, New York, all copies of "20 Famous Americans" were removed from the schools till popular indignation favored their restoration. This book contains a chapter on Henry Wallace and according to Superintendent of Schools James M. Spanning, this has become "rather controversial".

IN ALL PARTS OF THE COUNTRY

Colin McEwen, principal of the Jewell High School in Oregon, resigned under pressure from the Board for keeping in the students' library copies of Steinbeck's "Grapes of Wrath" and Lillian Smith's "Strange Fruit".

In Washington, D. C. the local school board attacked "Building Citizenship" a text by R.O. Hughes. The Board attacked as subversive a portion of the book which reads:

"A law which is hard to understand or is capable of being interpreted in more than one way is another poor sort of law. Some firms whose standard of honor is none too high, employ attorneys whose only business is to see how the firm can evade the law."

A passage reading, "One third of our people are poorly housed" had to be deleted from a proposed mathematics book before it was accepted by the California State Board of Education. The reason given was that "it gives a pathetic picture of life in the United States."

Led by Col. McCormick of the *Chicago Tribune* a campaign is going on for the removal from some 100 colleges of "Economics: Principles and Problems" by Professor Paul F. Gemell of the University of Pennsylvania. The reason? One small section of the rather large text book suggests heavier inheritance taxes. The *Chicago Tribune* has also revived its campaign against the realistic and liberal social science books of Harold Rugg.

The administration of the University of Wyoming recently ordered a search of every text book used by its social science department for "subversive" passages. Here the faculty, strengthened by forces outside the university, won their fight against such investigations in the future.

In Newark the liberal magazines "*The Nation*" and "*Soviet Russia Today*" have been banned from school library shelves.

In Birmingham, Alabama the "*Scholastic Magazine*" was virtually banned because of its stand on the report of the President's Civil Rights Commission.

OTHER FORMS OF INTIMIDATION

This sort of restriction goes beyond the banning of books. It seeps down into every aspect of school life.

In New York City a teacher was severely criticized for presenting a panel on the Marshall Plan at which speakers presented both sides of the question. Another teacher received a letter of reprimand from his principal because a student in discussing the Monroe Doctrine pointed

out that it had at times been used for imperialistic purposes. An assembly program on the problems of prejudice based on a radio script approved and broadcast by the N.Y.C. Board of Education was banned at the last moment by a school principal.

In a junior high school an entire issue of a school paper, the material for which had been approved by the principal, was impounded by the principal because of a poem "Oppressed Land" written by one of the children. The principal said it might seem to be a criticism of the United States. When questioned the child said her poem referred to India. This poem was sent to the National High School Poetry Association, and was accepted for publication in its annual anthology.

Add to these and a hundred other overt and subtle acts of intimidation the self-censorship of teachers which follow in their wake and one begins to see a picture of a profession fearful of presenting to students the many sided facets of our literature, the many and varying opinions on social problems.

What Conduct is Unbecoming?

"We find that the respondent in this case did not in this matter fulfill the obligations which he assumed when he became a teacher and we find that he is guilty of conduct unbecoming a teacher" was the verdict announced by Mr. Andrew G. Clauson on March 1, 1948, in the case of Mr. Isadore Rubin, high school English teacher, who had been suspended without pay in November, 1947. To the amazement and horror of a crowded Board meeting room, the penalties imposed were: loss of pay amounting to \$1200, transfer out of his school, and an official reprimand from the Superintendent of Schools.

IN this judgement and in the harsh penalties imposed, all the members of the Board of Education concurred, with the exception of one who did not vote because he had disqualified himself.

The verdict of the Board in this case is of extraordinary importance because it concerns a teacher characterized even in the report accepted by the Board as being "of exemplary character and service" whose war record was a "shining example of true American patriotism"; because the actions disapproved by the Board had no connection with Mr. Rubin's teaching or school activities; because the Board used Mr. Rubin's case to set forth a code of conduct for teachers with the most far-reaching implications.

A TEACHER PICKETS

In July, 1947, white collar employees of the Brooklyn Trust Company went on strike. Their wages were, in many instances, as low as \$28.00 per week. There had been firings and transfers for union activity. The company refused to settle the grievances of the workers, and their union, the United Office and Professional Workers of America, was forced to call a strike. The New York City Industrial Union Council (CIO) called upon members of other unions to help the strikers in picketing. Mr. Isadore Rubin, a member of the Executive Board of the Teachers Union of New York (CIO), responded to this call.

Mr. Rubin was at that time a teacher highly respected for his scholastic attainments, his contributions to his profession, his organization of war activities in his school. As a soldier he had shown unusual devotion which won him three battle stars for front line fighting with the 805th Tank Destroyer Division in Italy. He had voiced his convictions about the war and the peace to follow in an essay, "What Victory Means to Me" which won first place in a contest in the European Theatre of War.

The New York Times commented editorially, "He (the soldier) thinks of the world he will have to live in when he comes home, and such enemies as poverty, insecurity, prejudice and disunity that still have to be conquered . . . What Private Rubin says, during a brief pause in his muddy, uncomfortable dangerous existence, is what he means."

Isadore Rubin was acting on these convictions when he answered the call of the CIO to help the Brooklyn Trust strikers against poverty and insecurity. One afternoon he was assigned to picket the home of a bank employee who had continued to work and was helping to break the strike, who in other words, was scabbing. The picket sign characterized the woman as a scab. It had on it the picture of a rat. This, of course, is neither nice nor polite. But in trade union circles as well as in Webster's dictionary rat and scab are synonymous. A strike, according to a recent verdict of a Washington court, is not exactly a tea party. And, we might add, it is not a classroom either.

At a request of the woman whose home was being picketed, a policeman took him to the police station. There, he found that Mr. Rubin could not be held because he had not been engaged in any illegal activity. Mr. Rubin, when first taken to the police station, had given an assumed name. Since he had been engaged in peaceful picketing he did not expect to be held. However, he knew very well that the mere arrest of a teacher on a picket line would result in sensational headlines in the press. There is nothing illegal or morally reprehensible in using an assumed name under such circumstances.

However, the woman pressed charges of disorderly conduct against him, and Mr. Rubin had to stand trial. On his first appearance in court, the magistrate stated that there was not the slightest evidence of disorderly conduct. He said, "The defendant had committed no violation of the law. There is a trespass on the rights of this picket." Unfortunately, this magistrate disqualified himself for technical reasons, and Mr. Rubin's case was postponed.

On November 18th Mr. Rubin appeared before another magistrate. On advice of counsel he entered a technical plea of guilty and received a suspended sentence. By this time the strike was over, and, as is common practice in labor cases, counsel for both side had agreed to dispose quickly and quietly of all outstanding cases in this way in order to avoid lengthy litigation and expense.

If Mr. Rubin had not been a teacher this would have ended the matter as it did for other participants in the strike. But in his case the Brooklyn Daily Eagle carried a banner front page headline. It called editorially on the Board of Education to take action against Mr. Rubin. The next day Mr. Rubin was suspended without pay by Superintendent William E. Jansen on charges of "conduct unbecoming a teacher."

RESTRICTED TO THE CLASSROOM

Superintendent Jansen, in answer to widespread protest from the city and state CIO, from the Teachers Union, from many veterans' and parents' groups as well as from thousands of individuals, insisted throughout that Mr. Rubin had not been suspended for picketing.

The Board of Education persisted in this denial. Yet the Board's statement contained this section.

"When a teacher carries a sign such as the respondent here carried in front of the home of a private person, bearing that person's name and containing reference to that person as a rat and a "scab" he runs the risk of attributing these characteristics to a member of a family of a pupil in his school . . . It would be highly improper to use such terms under any circumstances whatever in his classroom concerning the family or friends of a student, and the same impropriety obtains with respect to words and conduct outside of the school. The mere fact that there is no evidence that a pupil witnessed his performance or recognized him does not affect the propriety of his conduct, which is not to be left to chance but involves the more substantial matter of his attitude towards the pupils and the placing of the part he wanted to take in a labor dispute over and above his duty as a teacher."

This extraordinary statement would make it impossible for a teacher to engage in any picketing at all—because, presumably, the parent of some student might be a scab and might be humiliated. A teacher could not at a public meeting make any statement he would not make in the classroom. Obviously, this rules out expression of opinion on national problems such as he might not be able to make in class, or characterization of public figures or even of members of the Board of Education such as might not be suitable in the classroom.

It means that the words and actions of mature adults and citizens who happen to be teachers must at all times conform to what is appropriate in a classroom. This is probably the worst sweeping denial of the rights of teachers as citizens that has ever been publicly voiced by a Board of Education in this country.

NOT WITHOUT SIGNIFICANCE

Two years ago, in imposing punishment on Miss May Quinn, a teacher who had made anti-Semitic, anti-Negro, and anti-Italian com-

ments in her school, the Board expressed no such solicitude for the pupils and their families. Nor was the punishment as severe as that imposed on Mr. Rubin. Nor has the Board ever made thoroughgoing efforts to put an end to the daily humiliation of pupils and their families through intolerant and prejudicial attitudes.

The New York City CIO, alarmed by the anti-labor implications of the decision, is appealing the case. The appeal is receiving the support of many non-labor groups and of great numbers of teachers and other citizens who are unwilling to let the horizons of a teacher be limited by the confines of the classroom.

A TEACHER DARES HELP PARENTS

Another instance of flagrant interference with the activity of a teacher outside the classroom is the transfer of Mr. Norman London, another teacher-veteran, from the school and out of the Harlem community where he had taught for ten years.

Mr. London had always shown great interest and understanding in teaching the Negro children of this community. He had been associated with many campaigns for improving the schools in this underprivileged area. He was one of the first teachers to develop a program for the study of Negro history. He was loved by his students and respected by the parents in a community where sympathetic and understanding teachers are all too rare.

The parents' organization at his school had tried without success to get the principal's permission to establish a Parent-Teachers' Association. They felt that this would help to establish a real understanding and cooperation between the parents and teachers. Finally they decided to go to the superintendent of the district, Dr. Clare Baldwin.

On their invitation, Mr. London accompanied them. Dr. Baldwin was outraged by Mr. London's action in coming to him with the parents. He immediately ordered Mr. London's transfer out of the district for the good of the school system. In this he was upheld by Dr. Elias Lieberman, superintendent for the Junior High School Division, and by Dr. Jacob Greenberg, Associate Superintendent in charge of personnel.

The attitude of the district superintendent who ordered Mr. London's transfer and the members of the Board of Superintendents who upheld him became all the more outrageous in the light of a report on Harlem schools issued by the Harlem Project after a four year study. The study was authorized by the Board of Education.

According to the N. Y. Times of March 24th, "the report gives considerable space to discriminatory attitudes allegedly shown by teachers toward their pupils and a lack of sympathetic understanding on the part of teachers and supervisors for pupils' problems. It was emphasized that the schools must find teachers who 'have a real feeling for children in addition to being pedagogues.'"

The report dealt particularly with Junior High School 120 from which Mr. London was transferred. Mr. London was loved by the pupils and their parents for his sympathetic understanding and the "real feeling" he had for their problems. But Mr. London is no longer teaching in Harlem. His presence irked a principal and a superintendent.

SPYING ON A TEACHER

In May, 1946, Miss Eleanor Dushane, a teacher of French at East High School, Buffalo, was charged by her principal with "insubordination" because against his wishes she displayed in her classroom a poster announcing a local lecture by Max Lerner. After investigation by the Superintendent of Schools, she was cleared of the charges and her principal censured.

A year later the same principal accused her of "un-American activity". Again she was cleared by the superintendent. But this time, on the basis of trumped up charges of inefficiency, she was compelled, under protest, to take a sick leave without pay. This meant, in effect, a fine of \$1500.

An affidavit signed by a number of students who came to Miss Dushane's defense, reveals a shocking story. The students described how they had been questioned by the Rev. Joseph E. Shieder about Miss Dushane. "Father Shieder", said the affidavit in part, "showed us a poster announcing a lecture by Max Lerner to be held at the First Unitarian Church. He also exhibited the Nation and the New Republic and the newspaper PM, as well as a notebook containing the names of students of Miss Dushane and a pack of index cards on which Miss Dushane had written Civics notes.

All of these articles had been taken from Miss Dushane's classroom where I had seen them last some days before Father Schieder stated that these articles had been turned over to him.

"Father Schieder questioned us about other subjects, including books which he enquired of us as to our having borrowed them from Miss Dushane. Included among these books was 'Rich Land, Poor Land', by Stuart Chase, which Father Schieder stated was a 'bad book.'

The stories of persecution and espionage that have emerged in this case reveal a situation quite horrifying in its implications for school morale. The Buffalo CIO Teachers Union is now taking the case to Court in order to win justice for this teacher who has given twenty-two years of outstanding service to the schools.

A Teachers' Course is Dropped

IN December, 1947, the New York City Superintendent of Schools, William Jansen, ordered the discontinuance for the spring semester of a teachers in-service course "Background and Technique of Teaching Intercultural Education".

This course not only presented material of the utmost value to teachers, but it had the distinction of having been requested, sponsored, and planned by teachers to meet their own needs. The Associations of Teachers of English, Biology, General Science and Social Studies had jointly planned and sponsored the course. The Board of Superintendents had approved the choice of topics, materials and lectures of the several in-service courses on intercultural education. This was by far the best attended and the one which received the most enthusiastic response from the teachers attending it.

ROLE OF THE PRESS

On October 10, 1947, Frederick Woltman of the New York World Telegram, who specializes in making charges of Communism against any person or individual whom reaction wants to destroy, opened the attack by charging that three of the twenty-five lecturers were Communists. Among these was Professor Bernhard Stern of Columbia University.

The following day the Brooklyn Tablet (formerly an Eastern outlet for the writings of Father Charles Coughlin) joined in the attack, broadening it to include Dr. Clyde Miller of Columbia, author of the noted Springfield Plan, Dr. Gordon Allport of Harvard University, and Mrs. Annette Smith Laurence of the Council Against Intolerance In America. That the object of the attack was the course itself and indeed the very concept of intercultural education is shown by the Tablet's statement "the word 'intercultural' — has now come to be associated with the propaganda of the Communist Party line."

SUPERINTENDENT YIELDS TO PRESSURE

Within a few days the Board of Superintendents responded to this pressure by calling in the teachers who had been attacked, by questioning the chairman of the course as well as the presidents of the sponsoring organizations. It became clear that the attack was being centered on Dr. Stern. The teachers were at first advised and then

told that Dr. Stern be dropped as one of the lecturers if they wanted the course to continue. The teachers stood firm in their refusal to yield. A joint membership meeting upheld the action of the Executive Board.

The teachers in the course wrote to the Superintendent on November 12, 1947, testifying to the usefulness of the course in helping them teach how "to combat such un-American phenomena as racial and religious prejudice". They urged the Superintendent to take their first-hand testimony rather than "second-hand accounts of the course in the newspapers". Despite these and many others protests the course was dropped.

Dr. Stern, upon whom the World-Telegram and the Tablet levelled their attacks, is the author of several widely acclaimed volumes on anthropology, assistant editor of the Encyclopedia of Social Sciences, a man whose teaching career included the University of Washington, Yale University, the New School for Social Research, and Columbia University, with which he had been associated since 1931.

The charges brought against Dr. Stern in the World Telegram and in the Tablet were that he had, in 1930, under the pen name of Bennett Stevens, written a pamphlet which was critical of the organized churches — a pamphlet which has been out of print for many years.

In spite of the publicity given to this pamphlet, prominent ministers and rabbis came forward in support of Dr. Stern, bringing testimony to his great contribution in fighting prejudice through scientific study. The students in the in-service course testified in signed statements to the scholarship and objectivity of his approach in his lectures.

The teachers of New York have been clearly informed that only lectures pleasing to the World Telegram and the Brooklyn Tablet may be heard by them in Board of Education in-service courses.

Sheltering Students from Ideas

"I don't know anything which better dramatizes the sad state of American Civil Liberties and thought than the idea that any idea can be too controversial for a college campus . . . All the rationalizations conceived by the cleverest presidents and deans can't justify the suppression of ideas and opinions on a university campus. Attempts to shelter students from ideas are most un-American. . . . no less disturbing are the restrictions on the political freedom of young people in many of our colleges."

Henry Wallace at the University of Rochester—
December 16, 1947.

AN outstanding characteristic of the present attack on academic freedom is that the students at our colleges and universities have in many instances borne the brunt of it.

It is impossible without further study to give a comprehensive account of restrictions on student organizations and student activities, since such news is often carried only in the local press. Yet the fragmentary reports which reach us from important colleges in widely separated parts of the country are cause for genuine alarm.

BANNING SPEAKERS

On December 12, 1947, Columbia University barred novelist Howard Fast from the campus as a speaker. Mr. Fast is one of the members of the Joint Anti-Fascist Refugee Committee now under indictment for contempt of the House Un-American Committee. The university authorities gave as their reason a "university precedent that no person under indictment" shall be allowed to speak. City College and Brooklyn College also barred Mr. Fast. Dean Theobald of City College barred Mr. Arnold Johnson of the Communist Party, explaining that this action "follows the statement issued by Attorney General Tom C. Clark." (Student protest led to the rescinding of their order.) The University of Southern California among others refused permission to Henry A Wallace to speak on the campus.

BANNING ORGANIZATIONS

In many instances the attack on the student body began with the banning of the American Youth For Democracy. On April 16, 1947 Congressman Rankin announced that "the spectre of Communism stalks our campuses under the cloak of the American Youth for Democracy". Tom Clark included the AYD among the 78 organizations listed as subversive. Edgar Hoover of the F.B.I. joined the attack. The AYD has been banned at Colorado, San Francisco State College, Temple, Michigan, and Queens College and elsewhere on the basis of these allegations. In some instances as at Queens and at San Francisco State, threats of cutting appropriations accompanied the demand upon the college faculty and administration. In Michigan, the AYD may not meet even off the campus. Seven members of the organization are under permanent probation and barred from all student activities for distributing on the campus a leaflet favoring a Fair Employment Practices Committee (FEPC).

However, it is clear that the attacks are aimed not only at the American Youth for Democracy, but at any student organizations which are concerned with the important issues of the day. A chapter of the American Veterans Committee has been banned at George Washington University. It took almost a year for a chapter of Young People's Political Action Committee to get a charter at Hunter College. At the University of Southern California, the secretaries of the YMCA and YWCA were called before the State Committee on Un-American Activities.

CONTROL OF THOUGHT AND ACTIONS

How far the advocates of suppression are ready to go is indicated in an article in the Chicago Tribune of January 4, 1948.

Eugene Griffin writes a report of an "investigation" he made at Harvard, Yale and Princeton. "The Tribune" found evidence that "the Ivy League is infected with pedagogic termites of communism, socialism, world-federalism, Anglo-American federalism, and other foreign born schemes which would weaken or destroy the Republic." It lists as subversive such groups as the American Youth for Democracy, the John Reed Club, Society for Industrial Democracy, Committee for Wallace for President, the Harvard Liberal Union. It should be noted in passing that he gave the report of the Harvard Committee on "General Education in a Free Society" as evidence of the "Harvardian love of change in form of government."

Cornell University has ruled that no leaflet may be distributed which does not present both sides of a "controversial question". At John Hopkins a student editor was ordered not to print a story about the college ban on Communist speakers. When he refused he was given the alternative of resigning or leaving college.

The Attack Spreads

THE QUEENS STORY

QUEENS COLLEGE in New York City and the University of Michigan are outstanding examples of the way in which reactionary politicians use an attack on the students as a springboard for an attack on an entire university and on the very concept of free education itself.

In Michigan the attack on the American Youth for Democracy was accompanied by investigations, by threats, by the calling out of the state police, by a spectacular flight of Governor Sigler to confer with the Federal Bureau of Investigation (FBI). It culminated in the Callahan Act, directed not only at students and teachers, but at the radio, publishing firms, political organizations, and trade unions.

The Queens College story deserves to be told in full, since it is a classic example of cooperation among machine politicians, a reactionary press, and pressure groups like the American Legion.

Queens College is one of the four municipal colleges supported by the City of New York and administered by a Board of Higher Education. Since 1939 student activities have been regulated by the Board's by-laws which permit voluntary organization with the sole proviso that no organization advocating religious or racial animosities may be chartered. Supervision of activities is entrusted to the several faculties who share it with elected student councils.

In February, 1947, the Student Council at Queens College revoked the charter of a newly-founded chapter of American Youth for Democracy. The organization in question was not charged with infringement of any college or Board regulation, but simply denied the right of existence on the ground that it was allegedly dominated by the Communist Party. This action, it should be noted, was spurred on and applauded by the local press.

Approval of the charter revocation by the faculty-student committee on student affairs was required, and this committee referred the question to a meeting of the entire faculty. The atmosphere was one of tension and intimidation; hysteria was manufactured by the local press which day after day, and for the duration of the controversy, carried screaming front-page headlines demanding action against "reds".

POLITICIANS INTERFERE

The faculty met on April 15 and recessed without announced decision until April 17. At this second meeting, City Councilman Hugh Quinn, with unprecedented and brazen effrontery, appeared in person to demand the right to attend the meeting for the announced purpose of listening to the debate and watching the voting. The faculty admitted Mr. Quinn to receive his request but denied him the privilege of observing the proceedings.

Mr. Quinn departed in anger, saying, "I'll have to see what can be done about conditions at Queens College if you people don't do something about them." He was reported by the press as threatening to use his influence in the finance committee of the City Council to cut off appropriations for the College. For the duration of the controversy it was hinted broadly in many quarters that the faculty's failure to "vote right" would jeopardize the college's appropriations.

After Councilman Quinn's departure the faculty adopted a resolution, 55-42, sustaining all past actions of the student council. This resolution, which appeared to uphold the right of student-self-government, had the effect of barring the American Youth for Democracy from the campus. A few weeks later, the students of the college showed their determination to defend the right of students to join whatever organizations they wished. In an election held in May, 1947 they swept the student council out of office and elected a council pledged to uphold the right of organization.

Those who might have supposed that the faculty action which had been demanded by the press, by local politicians and by "patriotic" societies would end the matter were rudely jolted. The appeasement merely sharpened local appetites. Democratic County Leader James A. Roe demanded on April 22 that the Board of Higher Education investigate the college on the ground that the resolution should have passed unanimously.

"I want to know who those 42 instructors are," said Mr. Roe. Republican County Leader Frank Hanna made it a bi-partisan policy when he announced his concurrence.

On May 4 Congressman Henry Latham of Queens, wrote to Congressman J. Parnell Thomas requesting investigation of the situation at Queens College. On May 5 Congressman Thomas replied that it was the responsibility of the Board of Higher Education to investigate the College, but that if no action were taken by the Board, he would lay the matter before the Un-American Activities Committee.

Latham wrote immediately to the Board to ask, "Have 42 Communists or fellow travelers crept into Queens College as instructors?" And he added: "The very least which should be done, and this immediately, is to release to the public press the minutes

of all meetings of the faculty and student-faculty groups concerning AYD, and names of the faculty members who voted to support it." Mr. Roe demanded the resignation of President Paul Klapper and Dean Harold Lenz.

THE RABID PRESS

The atmosphere created by the press at this time is best illustrated by an editorial entitled "Rats-Nest in Queens?" which appeared in the New York Daily Mirror, a Hearst paper, on May 12, 1947. Calling for punitive action against the 42 members of the faculty who had voted against the majority resolution, it said:

"'Academic freedom' is a silly old shibboleth dragged out when convenient to shield intellectual dimwits and pedagogical fanatics from the consequence of their misconduct."

Immediately after this episode, Mr. Henry Schultz, member of the Board of Higher Education, introduced a resolution to change the by-laws governing student activities by insertion of the following matter: "No group with any program to subvert by force or fraud the Government or Constitution of this State or of the United States shall be permitted to organize" in the colleges.

Pointing out that the by-laws already permitted the Board to take disciplinary action against any student who broke the law, this resolution was condemned by all student councils, teacher organizations, the American Civil Liberties Union, the Civil Rights Congress, prominent laymen interested in the colleges, and by two of the municipal college presidents.

The Board invited members of the faculty to express their opinions regarding the proposed amendment. Dean Harold Lenz, of Queens College, appeared before a subcommittee of the Board to recommend rejection of the Schultz Amendment. President Wright and Dean Theobald of City College and President George Shuster of Hunter College did likewise.

EDUCATION—QUEENS COLLEGE

The day after Dean Lenz's opinions were given to the subcommittee, the widest publicity through the medium of sensational journalism was accorded Democratic County Leader James Roe's demand that he be dismissed. In the furor thus created Mr. Roe frankly revealed his attitude. Claiming to have investigated the college, he declared:

"We also found that many of the professors came from other states and did not know the conditions in Queens, that many had peculiar backgrounds and seemed to lack the proper interest in the student body — from the Queens point of view. The profes-

sors should be bona fide residents of Queens or of the city and should be fully cognizant of the wishes of the students and their parents who pay the taxes that make the college possible and the salaries of Dean Lenz and other professors. All un-American groups and the professors who tolerate them must go. Queens is an American God-fearing community and those who don't see eye to eye with us have no place in our midst. We want our students taught 'Queens style' or not at all."

Day after day the local press thundered denunciations of Dean Lenz and called upon the Board to adopt the Schultz Amendment.

STUDENTS' RIGHTS CURTAILED

The Board rejected the amendment. But it passed, at the same time, a resolution based on the Thomas-Rankin Committee's standards of loyalty and Attorney-General Tom Clark's Loyalty Order list. It branded as subversive the American Youth for Democracy and enjoined the faculties to strict vigilance in their supervision of student activities, but left to them continued responsibility for the administration of the original by-law governing extra-curricular activities.

- Acting, in effect, on invitation of the Board of Higher Education, the faculty, for the first time in the history of Queens College, voted to deny students the right to manage their own affairs by banning the American Youth for Democracy from the campus, regardless of the wishes of the student council which was now mandated by its constituents to maintain the right of self-organization for any group qualifying under the by-laws.

The faculty, with the exception of a minority of 40, had forgotten its decision of April 17 which had seemingly been based on the principle of upholding student self-government. Its action was condemned by the student council, and shortly thereafter a new council was elected of which 27 of the 28 elected were committed to the chartering of all organizations which meet the requirements of the by-laws.

Thus what started as an attack on a particular student organization ended by depriving all students of the right of self-organization and self-government. What started as an attack on student rights ended in an attack on members of the faculty. The role played by the press of Queens County was completely irresponsible and vicious. It conducted a campaign against the college using the same techniques that are used in a crusade against vice or in the manufacture of a "crime wave". The tone of the local press was moderated only after Dean Lenz filed suit for libel.

Finally, it should be noted, that joined in unholy association for a witch-hunt were the leaders of the local Democratic and Republican machines, the Hearst press and local publishers, "patriotic" societies and "taxpayers" association.

Fighting Back

The love of freedom and independence is deeply rooted in our country. It breaks through all efforts at control of speech and thought and action. In every outstanding case of attack on civil rights and academic freedom many teachers and even more students have broken through the wall of intimidation and fear and have had the courage to resist.

PERHAPS the most remarkable example of this is the situation in Michigan. Academic freedom committees of faculty members and students were formed to fight the Callahan Committee. State-wide conferences of student veterans and of civic organizations of all kinds were convened to protest the action of the committee. 114,000 citizens throughout the state signed petitions against the Callahan Act. So widespread was the protest and indignation that the State Attorney General has declared the act unconstitutional. Almost as widespread has been the state-wide opposition to the Tenney Committee in California on college campuses by trade unions and by other organizations.

In New York City, the Teachers Union, C.I.O. was able to get the support of the New York City and New York State C.I.O., the New York City American Veterans Committee, Progressive Citizens of America, parents' groups as well as of thousands of individuals in fighting against the dismissal and punishment of Mr. Isadore Rubin.

Students in Michigan, in California, at Queens College, at City College have shown their profound hatred of thought control. In the face of hysterical newspaper attacks, the students at Queens College banded together to elect a student council dedicated to upholding the right of organization. Students at City College faced with the ban of a Communist speaker wore tags which read, "We can think for ourselves, Dr. Theobald." When Howard Fast spoke at New York University after being banned at the other colleges, students formed lines more than a block long and waited for admission. Mr. Fast had to speak to two separate meetings.

NOTED SCHOLARS SPEAK OUT

Outstanding scholars have lent their prestige to the fight for freedom, and have helped clear the air of degrading and confusing prop-

aganda. Henry Steele Commager's article, "Who Is Loyal to America?" in the September 1947 issue of Harpers magazine was reprinted and widely circulated. President Conant of Harvard led a group of college presidents in speaking against the Barnes Bill in Massachusetts (excluding communists from schools and colleges) and against extending repressive measures like President Truman's loyalty order to the colleges. No doubt Dr. Conant's stand helped bring about the defeat of the Barnes Bill.

Professor Harlow Shapely's courageously expressed contempt for the Un-American Committee resounded throughout the academic world.

Professor Lyman Bradley's courage in facing a prison sentence for contempt of the committee has shown how far a man of courage and conviction is ready to go in upholding his principles.

Seventy outstanding citizens in Massachusetts, including eight college presidents have branded the conduct of the committee in the Shapley case "a recent and glaring example of disgraceful procedure."

Twenty-two Yale law professors have urged President Truman to abolish the Un-American Committee and condemned the President's loyalty order.

Five of America's leading scientific societies, meeting in March, 1948 adopted resolutions "deploring the actions and procedure" of the Un-American Committee as "inimical to the nation's good".

A clear cut and courageous stand on the political rights of teachers was presented at the annual meeting of the American Association of University Professors on February 28th, 1948. Speaking for the Committee on Academic Freedom and Tenure, Professor George R. Shannon said,

"The association will take the position that professors have the rights of other citizens to belong to any political party they wish." The report pointed out that some university professors would be accused of Communist activity, and indicated that violations of academic freedom would be protested even if the victims were members of the Communist party. The only case in which the association would not support a faculty member would be if he were actually involved in trying to overthrow the government of this country."

Recognition of the right of teachers, within legal limits, to the political privileges enjoyed by other citizens came in an important decision made on January 8, 1948 by Dr. Lewis A. Wilson, acting Commissioner of Education of New York State. Dr. Wilson ordered the re-instatement at the College of the City of New York of Mr. Francis Thompson who had been suspended in September, 1941, and subsequently dismissed on the charge that he had once been a member of the Communist Party.

Going beyond the immediate case, Dr. Wilson ruled that a teacher could not be dismissed for exercising his constitutional right of belonging to any political party which was a legal party in the state.

(It should be noted that Dr. Ordway Tead, Chairman of the Board of Higher Education of New York City, has expressed great indignation at this curtailment of the Board's assumption of power to fire teachers for political opinions or affiliations. The Board is appealing Dr. Wilson's decision.)

FIGHT AGAINST DISCRIMINATION

In the South there are white students as well as Negroes who are seeking to abolish the most pervasive and shocking denial of academic freedom — the denial of equal education on an equal footing to Negro students. George Mac Arthur, editor of the student weekly at the University of Georgia, called for admission of Negroes to the university. Most striking is the action of 1,000 white students at the University of Oklahoma in February, 1948. Here Mrs. Ida Lois Sipuel Fisher had been denied admission in spite of a United States Supreme Court ruling that Mrs. Fisher had to be admitted in the absence of a Negro university with equal facilities. The white students voiced their indignation and burned a copy of the fourteenth amendment to indicate that the fourteenth amendment was dead on their campus.

The Southern Conference for Human Welfare represents the growing number of citizens both Negro and White in the South itself who support the fight for the National Association for the Advancement of Colored People (NAACP) in its campaign to wipe out discrimination and segregation in education.

The successful campaign for a State University in New York State was part of the fight against discrimination not only against Negroes, but against Jews — against whom a publicly denied but effective quota system is practised in most of our institutions of higher learning.

EVERY PROTEST COUNTS

Every protest against tyranny, every campaign against repression has positive results even when there is no apparent victory on the particular issue being fought. It sets back the repressive forces; it makes them less ready to go on to new campaigns. On the other hand, acquiescence in any abridgment of academic freedom inevitably leads to further attacks. Every teacher who is silent in the face of attacks, who takes no positive part in the fight for a free education, makes it that much easier for the enemies of freedom.

The fight for civil rights and academic freedom must become stronger, better organized. It must embrace every organization and individual who values democracy, who does not want to see those who oppose suppression and war silenced. It must gather sufficient momentum to sweep aside the loyalty orders and loyalty laws, the investigating committees, those who seek to ban books and control speech and thought.

The Teachers Union CIO has dedicated itself to do its part in this great crusade. It would welcome communication from the member organizations and individuals. It invites into its ranks all those who want to strike a blow for freedom.



