

MAKING CIVIL RIGHTS LAWS WORK AT HOME BASE

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CIVIL rights laws can work. Sometimes they do; sometimes they do not. Whether they do or do not depends most of all on whether or not people want them to work. And the people who want them to work need not be numerous, but they must be vocal; they must be organized; they must know what they want; and they must have an infinite amount of patience.

I have a story to tell about New Jersey and some of its towns and cities.

Now, my associates and myself have had to meet some everyday practical problems in civil rights on the local community, local neighborhood level, where these problems become very practical and very real. We have had a chance to see how some of these laws work and what influences they have over people. We who are the community organizers in the field of civil rights and intergroup relations have a pretty concrete objective in an area where generalities are most fashionable; and our objective has been to get something done about the welfare, the security, and the happiness of *all* Americans no matter what their color or religion, or nationality background. We are trying to do that by making use of the best that there is in the laws of America and the best that exists in the spirit of Americans.

This is not new to social workers. The children's worker knows of the impact

upon the child of rejection and frustration because he is a Jew or a Negro; the group worker is aware of Negro-Jewish tensions, and of Christian-Jewish tensions and of the need for *community* action to alleviate them; certainly the administrator and the board member see problems in Community Chest or Welfare Council relationships that constitute a hazard to good community relationships. We are all in this; it is a question of how much, and when, for each of us.

First of all, when we talk about civil rights laws, what we really mean most of the time are not civil rights laws as much as civil rights education. As an example, let me point out that New Jersey was the second state in the Union—New York was the first—to enact a Fair Employment Practices Law. The responsibility for administering that law is placed in the State Department of Education's Division Against Discrimination. The law declares that the chief of the Division Against Discrimination and his staff must first attempt to educate, to mediate—in other words, to talk an alleged violator out of his discriminatory behavior. The Division's job is to stop the un-American practice of discrimination short of the use of punitive measures. Now out of nearly 500 verified complaints in the five years of existence, the Division Against Discrimination has

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not yet either called for a single public hearing nor asked for a single finding of guilt which would invoke the fine and imprisonment sections of the act.

Employers have been threatened with punitive measures, but they have also responded, and the result has been that large numbers of employment opportunities have opened up in the State of New Jersey for groups of people who otherwise would not have had them.

The law against discrimination has enabled us to challenge successfully the lies that exist in the minds of millions of people. To employers who are convinced they are telling the truth when they say that their employees will not work harmoniously with certain minority groups, the law declares that they must not discriminate against members of minority groups. The demand of the law flies directly into the face of what everyone believes to be a fact. The employer hires members of minority groups because he must; the employees have to make an adjustment; there is no choice; a state administrative agency with its professional staff assists in the adjustment process—and with what result? Hiring practices for minorities are improved; people who would never have associated with members of other groups begin to find that they can do so successfully and many even find they like them. The general community which always "knew" that such groups could not get along in the same office or plant finds that they can, and the general climate of opinion for good group relationships is improved.

The chief task of the Division, then, is one of education: Education by discussion; by urging a new experience; by forcing an action, and sometimes by extreme pressure with attending publicity.

In New Jersey, we were not satisfied

with limiting this kind of attack upon discrimination and prejudice to matters affecting employment. Therefore, when our State Constitution was revised in 1947, the handful of us who were concerned with civil rights enough to want to do something about them, decided we would try to have the powers of our Division Against Discrimination broadened to include not only employment, but all other aspects of civil rights. We wanted, for instance, the same Division Against Discrimination to be in a position to extend its educational and mediation efforts to cover civil rights problems involving restaurants, hotels, bowling alleys, skating rinks, swimming pools, kindergartens, trade schools, colleges and universities, and all other places of public accommodation.

And so, New Jersey organizations with an aggressive, active interest in civil rights came together. First, a bill had to be drafted. That was to be the task of the American Jewish Congress. Second, an efficient state-wide organization had to be formed which would carry weight with the Legislature. It had to have a high degree of "acceptability." That task was for the Essex County Intergroup Council, the largest of two or three interfaith, interracial organizations in the state, whose invitation to a joint planning conference would secure a response. Out of that first state-wide conference emerged the Joint Council for Civil Rights. Represented at that meeting or subsequently approving the proposed bill were such organizations as the League of Women Voters, the State Council of Churches, the American Association of University Women, the Federation of Women's Clubs. A score or more of minority group organizations joined in from the beginning. In addition to the American Jewish Congress,

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they included the B'nai B'rith, National Council of Negro Women, State Federation of Colored Women's Clubs, American Jewish Committee, Jewish Community Council of Essex County, National Association for the Advancement of Colored People, and others.

There was opposition. The Joint Council had to intensify its efforts. State-wide forums were held. Letters, telegrams, 'phone calls, petitions, and personal visits to senators and assemblymen were organized. County chapters of the State Council were created, and leadership sprang up where none appeared before. Organizations accustomed to paying lip service to American ideals suddenly found small groups within their own membership pressing them to bridge the gaps between the ideal and the real and take a stand for civil rights. The wheels really began to roll; but it wasn't until the following legislative session when, with the active support of the Governor, and with the unwillingness of the opposition to declare itself openly, and with continued efforts by the members of the Joint Council for Civil Rights, the bill became law in the Spring of 1949.

A combination of skills and conviction was required to obtain this law. We had lots of conviction, but could have used more skill. The social workers could have augmented our skills in many ways, and they had the conviction too; but apart from some sporadic aid from a few, we were not quite on speaking terms with each other. Possibly neither of us really felt that professional social work was expected to do anything about this kind of social action. And they did not. We did not even make a serious effort to involve the social workers. I am afraid we still have very little to do with one another; and it is a big mistake.

The campaign for a civil rights law served a greater purpose than the passage of the law. It did something that reached into the homes of city people and brought Jew and Christian, and Negro and white together in common purpose. It dug into rural and industrial areas of South Jersey and turned up people who had all kinds of common problems to meet and were getting together now for the first time to solve them. And in the suburban areas of North Jersey, talk about civil rights and better group relationships and the use of educational media for creating good will became more and more fashionable.

Groups now are meeting and discussing ways of dealing with local civil rights problems, but their efforts would be more productive if among them were more folk skilled in group dynamics, in methods of group discussion, and in the psychology of motivation. Community groups are making valiant attempts, but often they are in deep water, and aren't aware of it until they have experienced a failure. Social workers can play an important part here, and in so doing may find to their surprise that their contribution becomes as valid to their professional goals as a well-developed case work relationship or group experience. In fact, a major experience of our Jewish Youth and Young Adult Councils in Essex County took place around the struggle for our Civil Rights Law.

Under the new law, there existed a *permissive* arrangement whereby mayors might, if they wished, appoint local municipal civil rights commissions. These civil rights commissions were empowered to study local conditions, to carry out community education programs and make recommendations to the governing bodies for the improve-

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ment of group relations. As a result of the widespread campaign of the Joint Council for Civil Rights, citizens throughout the state are now clamoring for municipal civil rights commissions. Twenty-four have thus far been established, and they are getting into the very bedrock of prejudice and discrimination in their local communities.

These citizen bodies have begun to act.

Already, nearly 300 citizen-leaders, in 24 municipalities, members of civil rights commissions, are becoming aware of the civil rights issues in their communities and the various methods available to them for solution. They are taking beginning steps toward meeting these problems. In one community, the investigation of a complaint against a policeman for unwarranted use of law enforcement powers against minority groups led to citizens' questioning of the whole process of law enforcement in relation to minorities. In another community, a citizens' group charged that in a neighborhood largely populated by Negroes, white children are given free access to schools outside their regular districts with resultant deterioration of school and of community relationships. This resulted in a complete investigation by the board of education and in efforts to correct these unfair practices by both education officials and citizen groups. In another community, joint meetings of the civil rights commission and the board of education resulted in a program to improve relations among minorities in a highly industrialized city through the use of educational facilities—the forum, discussion groups, involvement of teachers in human relations education, and increased awareness of top school and city officials about what goes on in the minds of rejected people.

In another community, private organizations in a public meeting with the civil rights commission are invited to state what they would like to see the civil rights commission do to improve group relations. In the same city, the public housing authority and the civil rights commission agree that a private inter-group agency will serve as the coordinator of an educational program among the entire staff of the public housing projects to eliminate segregation and to achieve integration of racial groups in newly developed housing. In a number of upper middle-class suburban communities, support by citizens' groups for better human relations programs encouraged the school superintendents to the point where they plan actively for methods of indoctrinating teachers and pupils in human relations education. In communities throughout the state, adult education facilities scramble for the services of the professionally-competent so that beginnings can be made in their communities in human relations and community education. Several industries introduce group discussion on problems of prejudice and discrimination on the foreman-workman level in an effort to promote better group relations in the plant. Rutgers, the state university, is called upon to expand its summer workshop in human relations to include one and two-week workshops to train community leaders in dealing with problems of group relationships.

What I have described is a small piece of something much greater and much grander. Despite some setbacks, the past year—the past five years—have produced revolutionary changes in group relations. They have come about as part of the orderly process of a democratic society.

Group relations issues are no longer matters for one minority or for minori-

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ties alone. They concern all, and the welfare of all rests upon solutions for the few.

Our commendation of democratic principles to the rest of the world depends upon readjustment of our own domestic practices. This readjustment is occurring, due both to outside pressures and to internal change. The creation of Israel has had a favorable effect upon attitudes toward Jews. Nearly full employment has reduced intergroup competition for jobs and increased integration in skills above that of common

labor. The aura of respectability has been snatched from the anti-democratic concepts of inequality, whether of biological equipment or educational facilities; it is becoming less and less respectable to silently approve of "hate" organizations, and racial epithets and labels are unpopular and sometimes illegal.

Now is the time. Now is the time to make the most of this trend. Now is the time to extend further the full meaning of social welfare by a full participation of every individual in this current American revolution.

LEGISLATION AND LITIGATION

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THE subject of the following presentations is "Civil Rights and Civil Liberties in 1950." This paper is limited to a discussion of a subdivision of that broad topic, legislation for civil rights, the enforcement of such legislation, and litigation as a means for protecting and expanding civil rights.

First, it should be stated briefly how community relations agencies came to have a substantial concern with the whole field of civil rights and civil liberties. The first agencies set up by groups in the Jewish community to work in this field began as a type of defense agency with very limited interests. Their primary concern, when they were founded, was to fight against derogatory Jewish stereotypes which appeared occasionally in the press and on the stage. From this they expanded their activities into a fight against every aspect of anti-Semitism. And as time went on, they found that the fight against anti-Semitism could not be separated from the fight for democracy.

But one might properly ask how it can be that, in this great country of ours, which in many ways served as a pattern for democratic governments all over the world, it is necessary to fight for democracy. The answer lies in the dynamic nature of our society and of democracy. Systems of government do not come into being full-grown, like Athene springing from the head of Zeus. They develop in an earth-bound struggle over periods

of many decades towards an ideal. And here in our own country that struggle is still going on, the struggle to close the substantial gap between our democratic preachments and our actual practices.

It was said above that inevitably the agencies of the Jewish community which were devoted to the fight against anti-Semitism found that their fight was, in reality, a fight for democracy. This arose from the fact that basically the fight against anti-Semitism is a fight to preserve and protect the dignity of the Jew as an individual. And the essence of democracy is that it is dedicated to the preservation of the dignity of the individual.

What then are the pre-essentials of the dignity of the individual? First, obviously, the individual must be free from the threat of bodily harm. He must be secure in his person. He must be secure, not only against lynching or beating by private individuals, but also against violence by agents of the state. Hence, agencies such as ours have uniformly supported federal and state anti-lynching legislation. They have supported legislation designed to unmask the Klan and other terrorist organizations. They have joined in seeking to educate police departments to their duty to protect the civil rights of all.

A second basic essential of human dignity is the right of every individual to participate in the operations of the body politic on the basis of equality without