

A BILL  
*of*  
GRIEVANCES



NATIONAL SOCIETY  
SONS OF THE AMERICAN REVOLUTION  
WASHINGTON, D. C.

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“A people may prefer a free government; but if, from indolence, or carelessness, or cowardice, or want of public spirit, they are unequal to the exertions necessary for preserving it; if they will not fight for it when it is directly attacked; if they can be deluded by the artifices used to cheat them out of it; if, by momentary discouragement, temporary panic, or a fit of enthusiasm for an individual, they can be induced to lay their liberties at the feet even of a great man, or trust him with powers which enable him to subvert their institutions—in all these cases they are more or less unfit for liberty; and though it may be for their good to have had it even for a short time, they are unlikely long to enjoy it.”

JOHN STUART MILL

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## FOREWORD

The documents which follow are petitions filed with the Judiciary Committee of the Senate and the Un-American Activities Committee of the House of Representatives of the Congress of the United States to bring about an investigation of the interstate traffic in propaganda textbooks and teaching materials being introduced in the public schools of the Several States, to overthrow constitutional government and to bring about the adoption of a Social Welfare State.

Our schools are being converted into agencies for the dissemination of radical propaganda, much of which originates in communist front organizations and other pressure groups. Gullible or indoctrinated "liberals" supporting these organizations appear to be responsible for this condition.

We believe the people, and particularly the parents of children in our public schools, have a right to know what is going on, and what is proposed for American Youth.

NATIONAL SOCIETY  
SONS OF THE AMERICAN REVOLUTION  
Washington, D. C.

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## SUMMARY STATEMENT OF CASE

This is an appeal to the Congress of the United States in the form of a Constitutional Petition for Redress of Grievances. It is maintained to support an investigation of conditions threatening the National Security. It concerns the dissemination of subversive propaganda to undermine the Constitution and nullify its effectiveness.

We are confronted with a subversive textbook problem national in scope. It is part of an interstate traffic in propaganda originating from Communist front organizations and other pressure groups.

The proceedings leading up to the present matter were commenced in the California Legislature to investigate a series of textbooks known as "Building America," recommended by the National Education Association for use in elementary schools. A committee of the legislature of that state found that those texts contained material originating from one hundred and thirteen fronts, and that the reference list therein included the writings of fifty authors with well-known Communist front affiliations. It was found that "this controversy far transcends the events in California and is truly national in scope."

Citizens' groups and local authorities attempting to eliminate subversive teaching are invariably confronted with passive resistance. The elimination of a particular book is generally followed by the introduction of another containing the same kind of propaganda.

The public schools are being dominated by a group of so-called "progressive" educators in the Schools of Education of our leading universities. Propaganda originating from that source is being introduced in high schools and even in the elementary grades. Much of this material is slanted to favor Socialism and Communism. Some of it is designed to convert this country into a Social Welfare type of State.

This is part of a program to use the public schools to build a New Social Order—an activity being carried on without the knowledge, consent or approval of the American People. Inexperienced children at an impressionable age are being indoctrinated with that propaganda against the will of their parents.

Two petitions are submitted herewith. One is an application prosecuted by the California Society of the Sons of the American Revolution as a direct appeal from the proceedings commenced in the legislature of that state. The other is a petition maintained by the National Society of the Sons of the American Revolution to present its own interest and that of other State Societies equally affected. The brief filed herewith contains a documented analysis of the evidence sustaining both applications.

The public importance of these questions justifies the immediate adoption of a resolution taking jurisdiction of the entire matter and providing for a committee to conduct a hearing on these petitions and to thereafter make a fair and impartial investigation sufficiently broad in scope to determine the facts and communicate them to the people with appropriate recommendations.

National Society  
Sons of the American Revolution  
Washington 6, D. C.

BEFORE THE CONGRESS OF THE UNITED STATES  
OF AMERICA

In re

Proceedings for Investigation  
of  
Subversive Propaganda Affecting  
Public Schools in the Several  
States.

PETITION

TO THE SENATE AND HOUSE OF REPRESENTATIVES  
OF THE CONGRESS OF THE UNITED STATES:

The National Society of the Sons of the American Revolution hereby applies for a Congressional Investigation of the Subversive Propaganda injuriously affecting the Public Schools of the Several States, and submits the following statement in that behalf:

Subversive textbooks are in general use in the public schools of most of the states.

They originate from sources which are interstate and national in scope.

The propaganda therein has a direct tendency to undermine and eventually to destroy constitutional government in this country.

Courses of study of this type are now recommended for elementary as well as secondary schools. The material originates from Schools of Education in our leading universities.

Effective control of this situation is beyond the power and outside the reach of processes available to the Legislatures of the several states.

There is an urgent need of a national investigation sufficiently broad in scope to cover all phases of the subject.

This petition is filed to join in and support an independent application for such an investigation presented herewith by the California Society of the Sons of the American Revolution.

That organization, which is affiliated with Petitioner, initiated proceedings in the California Legislature on February 21, 1947, to prevent the use of subversive textbooks and teaching materials in the public schools of that state.

A committee of the Legislature made an independent investigation and found that the textbooks proposed for use in that state were subversive and unfit for public school use. It identified a considerable amount of the material therein as propaganda originating from communist fronts. It found that

"This controversy far transcends the events in California and is truly national in scope."

Conditions existing in California are substantially the same as those affecting the public school systems of other states. Petitioner is interested in this matter as a national

organization committed to the support and defense of constitutional government.

The following documents originating from the proceedings initiated by the California Society of the Sons of the American Revolution are submitted in evidence and made a part of the record in support of the within application:

*Exhibit "A"*: Complaint and brief of California Society, S.A.R., filed with the Legislature Feb. 21, 1947 (reprinted under the title "The Betrayal of America");

*Exhibit "B"*: California edition of "Building America," consisting of Volume 1 for Seventh Grade and Volumes 1 and 2 for Eighth Grade;

*Exhibit "C"*: Transcript of hearings before Rules Committee of California Senate on April 3, 7 and 15, 1947, on Proceedings re Confirmation of Appointments of Joseph P. Loeb and Gilbert H. Jertberg as members of State Board of Education;

*Exhibit "D"*: Transcript of hearings before Education Committee of California Senate on April 7, 8 and 17, 1947, in re "Building America" textbooks;

*Exhibit "E"*: Resolution No. 71 of California Senate providing for appointment of a special Senate Investigating Committee on Education.

*Exhibit "F"*: First Report of Senate Investigating Committee on Education filed with Legislature June 9, 1947, concerning inquiry into the case of one Victor R. Jewett;

*Exhibit "G"*: Third Report of Senate Investigating Committee on Education filed with Legislature March 27, 1948, containing findings on "Building America" textbooks.

The California Society of the Sons of the American Revolution is a party immediately affected by this controversy, entitled as such to prosecute a direct appeal to Congress under a Constitutional Petition for Redress of Grievances. Such a petition, together with supporting brief, is filed herewith by said Society.

Petitioner, the National Society of the Sons of the American Revolution, files the within Petition as an independent application, and adopts the Petition and Brief of the California Society as a part of its moving papers herein.

The within application is prosecuted in compliance with the following resolution unanimously adopted at the annual meeting of the membership of Petitioner held at Minneapolis, Minnesota, on May 25, 1948:

"BE IT RESOLVED by the National Society, Sons of the American Revolution, in annual Congress assembled:

"*First*: That we do hereby believe and determine the following to be a true statement of the conditions affecting the public schools of many of our states, resulting from the introduction of subversive textbooks and teaching practices:

"(a) That such textbooks and teaching practices originate from sources which are interstate and national in scope;

"(b) Effective control thereof is beyond the power and outside the reach of any processes available to the Legislature of any one state;

"(c) Intelligent and informed public opinion affords the only sound method of correcting this evil in accordance with American principles;

"(d) Public opinion to be effective in this field should be made national in scope and equal in strength to the subversive influences now affecting our public school system;

"(e) An investigation of the kind required should be conducted in a judicial manner as a non-partisan and impartial inquiry, sufficiently broad in scope to inform the people as to the nature and extent of subversive education problems affecting the public schools in the several states;

"(f) That this Society under its charter has a proper and

direct interest in this subject sufficient to justify it in taking action to bring about such an investigation.

"*Second*: That we do hereby authorize and instruct the officers and request the trustees of this Society to prepare and submit a petition to the Congress of the United States calling for a national investigation of subversive teaching practices affecting the public schools in the several states to the end that appropriate action may be taken thereon, and to do and perform such acts as they may deem necessary to have said petition favorably considered."

WHEREFORE, Petitioner submits:

That the Congress of the United States should recognize the urgency and public importance of the questions here presented, by the immediate enactment of a resolution taking jurisdiction of the entire matter;

That thereafter a complete investigation should be conducted in a non-partisan and impartial manner, with open and public hearings, sufficiently broad in scope to enable Congress and the people to fully understand and to act upon the problem of subversive propaganda which now seriously threatens the continuance of constitutional government in this country;

That on completion of such inquiry, the Congress should recommend such measures to the people and to the governments in the several states as may seem best adapted to cope with this emergency.

Dated: April 19, 1949.

NATIONAL SOCIETY OF THE  
SONS OF THE AMERICAN REVOLUTION

By BEN H. POWELL III  
President General

( S E A L )

HAROLD L. PUTNAM  
Chairman of the Committee  
on Americanization

FRANK STEELE  
Secretary General

WALLACE C. HALL  
AARON M. SARGENT  
Attorneys for Petitioner

UNITED STATES OF AMERICA }  
State of California, } SS.  
City and County of San Francisco. }

HAROLD L. PUTNAM, being first duly sworn, deposes and says:

That he is Chairman of the Committee on Americanization of the National Society of the Sons of the American Revolution, and is authorized on its behalf to verify the attached petition as Chairman of such committee; that he has read said petition and knows the contents thereof; and that all matters therein stated are true to his own knowledge.

HAROLD L. PUTNAM

Subscribed and sworn to before me  
this 19th day of April, 1949.

(SEAL) CATHERINE E. KEITH  
Notary Public

in and for the City and County of  
San Francisco, State of California.

My commission expires December 16, 1950.

The California Society  
Sons of the American Revolution  
926 DeYoung Building  
San Francisco 4, California.

BEFORE THE CONGRESS OF THE UNITED STATES OF  
AMERICA.

In re  
Proceedings for Investigation  
of  
Subversive Propaganda Affecting  
Public Schools in the Several  
States.

## PETITION

TO

THE SENATE AND HOUSE OF REPRESENTATIVES  
OF THE CONGRESS OF THE UNITED STATES:

The California Society of the Sons of the American Revolution, hereinafter referred to as "Petitioner," applies for an investigation of the Subversive Propaganda affecting the public schools in the Several States, and submits the following:

### *Statement of Facts*

Petitioner is a patriotic Society directly interested in the defense of the principles enunciated in the Federal Constitution and Bill of Rights. It is vitally concerned over the subversive propaganda—originating from Communist Fronts and disseminated by University Schools of Education—now being introduced in textbook form in the elementary and secondary schools of California and other states.

For approximately ten years Petitioner has been engaged in an effort to eliminate subversive teaching materials from the California public schools, and has participated in the following proceedings maintained for that purpose:

- (1) Hearing before San Francisco Board of Education in June 1942 opposing use of the Rugg Social Science Textbooks;
- (2) Investigation of conditions in Office of California State Superintendent of Public Instruction, commenced in June 1946;
- (3) Proceedings before California State Board of Education during the period July 1946-January 1947, inclusive, opposing use of "Building America" textbooks in elementary schools;
- (4) Filing of a Petition for Redress of Grievances with the California Legislature on February 21, 1947, to prevent use of "Building America" and to investigate conditions in the State Department of Education;
- (5) Hearings before Committees of said Legislature April-July 1947 on a trial of the questions raised by said Petition, and a consideration of legislative bills introduced to correct conditions brought about by the so-called "progressive" system of education;
- (6) Proceedings before the State Board of Education October 30, 1948, to oppose confirmation of appointment of Jay D. Conner as Assistant Superintendent of Public Instruction.

The following documents and records containing evidence bearing on the above matters are submitted herewith:

- Exhibit "A"—Complaint and brief filed with the Legislature February 21, 1947.  
Exhibit "B"—California Edition of "Building America," consisting of Vol. 1 for seventh grade, and Vols. 1 and 2 for eighth grade.

Exhibit "C"—Transcript of hearings before Rules Committee of California Senate on April 3, 7 and 15, 1947, and on proceedings for confirmation of appointments of Joseph P. Loeb and Gilbert H. Jertberg as members of the State Board of Education.

Exhibit "D"—Transcript of hearings before Education Committee of California Senate on April 7, 8 and 17, 1947, in re "Building America" textbooks:

Exhibit "E"—Resolution No. 71 adopted by California Senate, creating Special Investigating Committee on Education.

Exhibit "F"—First Report of Senate Investigating Committee on Education filed June 9, 1947, concerning the case of Victor R. Jewett.

Exhibit "G"—Third Report of Senate Investigating Committee on Education filed March 27, 1948, concerning "Building America."

It has been impossible to protect the public schools of California against the introduction of subversive textbooks because these materials are part of an interstate traffic originating in University Schools of Education and Communist Front Organizations located in other states. This application is submitted as a direct appeal to the Congress of the United States to enable petitioner to obtain relief which cannot be granted by any agency of the State of California. The following is a true statement of the conditions affecting the public school system in this and other states:

### (1) *Interstate Traffic.*

There is a substantial interstate traffic in subversive textbooks and teaching materials. The propaganda set forth therein is based upon a philosophy devised by Radicals to overthrow or undermine Constitutional Government in this country. Secondary and even elementary schools are vitally affected.

### (2) *The Propaganda Line.*

The propaganda line in books of this type has the following characteristics:

(a) *Undermining respect for the Constitution of the United States.* This is accomplished by destroying respect for law and order, by questioning patriotism of the Founding Fathers, by challenging integrity of the courts, by denying the right of the judiciary to enforce the Constitution, and by generally attacking the principles essential to a government with constitutional checks and balances.

(b) *Failure in America.* Our American system is portrayed as a failure. Subtle propaganda of various kinds is used to create belief in a social welfare state.

(c) *Belief in Socialism.* There is a constant over-emphasis of poverty and distress, an unbalanced presentation of the seamy side of American life, with limited reference to our generally high standard of living and our other advantages and opportunities. Students are led to assume that they have the right to be supported by the government, and that socialism affords the only solution to our economic problems.

(d) *Communism.* False representations concerning conditions in Soviet Russia are used to create the impression that the communistic government of that country points the way to socialism and true democracy. It is suggested that any technical absence of constitutional rights in the Soviet Union is unimportant when compared with "social gains," and that the people in that country feel that their interests are being well served by "trusted leaders."

(e) *Proletarian Revolution.* The word "democracy" is deliberately used in an inaccurate sense to create belief in a prole-



tarian form of government having unlimited power, free of Constitutional restraint—where questions of right and wrong and even those concerning recognition of basic human rights depend on the will of a temporary majority. This propaganda is part of a technique to bring about a proletarian revolution that will destroy Constitutional Government.

(f) *Materialism.* There is a questioning of the basic American doctrine of *unalienable* rights<sup>1</sup> as enunciated by the Declaration of Independence. The law and also moral and ethical questions are represented as depending solely on materialism and expediency. It is denied that there is any moral basis underlying the principles essential to a continuance of our form of government. This propaganda for materialism undermines the moral standards and destroys the religious faith of our People. It interferes with the development of character based on moral values. Its technique of denying human rights is accomplished by attacking the patriotism of leaders in American history, by a false rewriting of history as a class struggle and by the suppression of information that would enable students to discover and become acquainted with our American doctrine of unalienable rights.

(g) *Agitation.* There are many items developing race and class consciousness; insinuations that our People are not getting a square deal; and propaganda generally creating the impression that reform is possible only by establishing a new social order. Much of the material included is of a kind that would train students to become agitators. There is even a questioning of the right of the government to defend itself in time of war or other emergency.

(h) *Undermining Republican Form of Government.* Under Article IV, Sec. 4, of the Constitution, the Federal Government guarantees to every state and the people thereof a "Republican Form of Government." The people of the several states are now being invaded by subversive textbooks and teaching materials moving in interstate commerce. The propaganda contained therein has a direct tendency to destroy the Republican Form of Government guaranteed to the people under this Article, and to substitute therefor a Proletarian Form of Government, which will result in Communism and dictatorship.

### (3) *Philosophy of False "Liberalism."*

The propaganda line referred to herein was established for public schools by a group of so-called "Progressive" educators who have dominated thought in many of our universities. The present leadership of the National Education Association appears to have been indoctrinated with that philosophy. The power and prestige of that organization is being used to compel acceptance of this type of instructional material.

Sincere and liberal-minded people have been led to believe that such instruction is "progressive." Because of inexperience with propaganda technique, such persons have been induced to support the movement for introduction of propaganda textbooks in our public schools.

The propaganda line of "progressive" education is supported by another and equally influential group composed of laymen who have been indoctrinated with false "liberalism." That group is advocating principles and policies that will result in an abandonment of our American doctrine of unalienable rights, and the establishment of a proletarian form of government based upon expediency.

The type of "liberal" and "intellectual" here involved has been the backbone of many communist fronts in this coun-

<sup>1</sup>As emphasis and for the sake of historical accuracy, we adopt the term "unalienable" in referring to basic human rights, to conform with the wording of the Declaration of Independence.

try. Members of this group are cooperating with "progressive" educators to inject this subversive propaganda in our public school system.

### (4) *Government by Thought Control.*

This propaganda is part of a scheme to dominate the government by controlling sources of public information. Under that technique, elementary and secondary schools will train the coming generation to advocate and believe in radical social change. Teachers will join in the plan by spreading the propaganda in their own communities.

Colleges and universities will participate by developing radical theories and devising experiments to be performed upon our constitutional and economic system.

College graduates are being indoctrinated with false "liberalism." It is their function to gain employment in key positions in the federal government, using those offices as a means of bringing about the adoption of radical policies.

### (5) *Monopoly in the Field of Education.*

The National Education Association has acquired a virtual monopoly over courses of study and educational programs in the public schools. It has a commission which attempts to determine "educational policy" and force its views on local school boards.<sup>2</sup> It has a committee to defend educators charged with radical activities.<sup>3</sup> It has sponsored subversive textbooks.<sup>4</sup> It has no committee or department to prevent the introduction of subversive propaganda in our public school system—no group to aid in the elimination of subversive textbooks when such materials become the subject of public protest. It attempts to dominate the thinking and formulate the policies of the entire teaching profession. These policies are sponsored by the present "leaders" of the National Education Association. In some cases they are actively supported by persons in key positions in the National Congress of Parents and Teachers and in State Congresses of PTA. The rank and file members of those organizations have little, if any, real control.<sup>5</sup>

### (6) *Destructive Effect on Government Affairs.*

Present and immediate dangers have developed from this condition. The following are cited as examples:

(a) *Perversion of legislative process.* Key men in the Executive Branch of our federal government are now conducting propaganda campaigns with public funds to mislead the people and bring about a public demand for the enactment of bills sponsored by radical educators. Congressional committees find it difficult to develop sound public opinion on these measures. In some instances pressure groups seek to force enactment of laws which would not stand up under a full investigation. The result has been a dangerous and unconstitutional invasion of the prerogatives of Congress and of the people.

(b) *Constitutional interpretation.* This false philosophy of education has produced general ignorance of constitutional

<sup>2</sup>Educational Policies Commission.

<sup>3</sup>National Commission for the Defense of Democracy Through Education.

<sup>4</sup>"The American Way of Business," by Oscar Lange and Abba P. Lerner, published by National Council for the Social Studies (an NEA Department); and "Building America," sponsored by the Department of Supervision and Curriculum Development of NEA, are examples.

<sup>5</sup>Article III, Sec. 2, of National By-Laws of PTA provides that "local units . . . shall not seek to direct the administrative activities of the schools or to control their policies." Members of local PTA units are not allowed to protest about textbooks or methods of instruction—such matters being "out of order" under this by-law provision. The group in charge of National and State Congresses of PTA has practical power to manipulate the entire organization.

principles. Unsound and even potentially dangerous decisions made by various departments of the federal government are allowed to go unchallenged.

(7) *Tax Exempt Foundations.*

False liberalism is being financed by large foundations, a considerable number of which are located in New York City.<sup>6</sup> These organizations are relieved of the obligation to file tax returns under federal law. Donations made to them are exempt from income, gift, and inheritance taxes.<sup>7</sup> As the result of this abuse of the tax exemption privilege, the federal Treasury is actually furnishing a considerable part of the financial support for radical activities.

(8) *Responsibility of Trustees.*

The members of the boards of trustees of the colleges and universities disseminating this radical propaganda, and the trustees of foundations giving financial support to those activities have failed to control the situation. Without an investigation, it is impossible to determine to what extent this condition may be the result of ignorance, negligence, or abdication of duty.

(9) *Infringement of Constitutional Rights.*

The course of conduct set forth in this petition is in violation of fundamental rights guaranteed to Petitioner and its members as citizens, taxpayers, and as the parents of children in our public schools. The following constitutional rights have been infringed:

(a) *Political action.* It is a violation of the Fourteenth Amendment for a state to levy taxes for the support of any school or for a state to enforce compulsory attendance laws in any school where partisan political propaganda is made a part of the course of study.

(b) *Freedom of conscience.* The parents and children of America have an unalienable right to freedom of conscience under the Declaration of Independence. That right is secured by the Fourteenth Amendment and by the first article of our Federal Bill of Rights. School programs indoctrinating children against the will of their parents infringe these natural and constitutional rights. Such programs likewise violate the constitutional right of parents to control the education of their children.

(c) *Unconstitutional subsidy.* It is a violation of the Fifth Amendment for the federal government to extend a tax exemption privilege to any organization directly or indirectly involved in a program to undermine or overthrow principles essential to a continuance of our constitutional form of government. The wrong in this case arises from the fact that taxpayers not enjoying the exemption are necessarily required to subsidize the radical activities carried on by subversive organizations enjoying and abusing the tax exemption privilege.

(10) *Problems Involved in Control of Subversive Propaganda.*

The Federal Constitution guarantees freedom of speech and freedom of the press. It establishes the legal but not the moral right to abuse or make an unfair use of this privi-

<sup>6</sup>Rockefeller Foundation; Russell Sage Foundation; Alfred P. Sloan Foundation, Inc.; Robert Marshall Foundation; Sound View Foundation, are examples.

<sup>7</sup>The privilege of tax exemption is given by the following sections of the United States Internal Revenue Code: Sec. 101, sub. 6, relieving educational, scientific and other foundations from the obligation of filing returns where "no substantial part of the activities (of such fund consists in) carrying on propaganda, or otherwise attempting, to influence legislation"; Sec. 23(o), sub. 2, permitting individual taxpayers to deduct contributions made to charities and other tax exempt funds; Sec. 312, sub. (d), recognizing deductibility of charitable bequests on the estate tax return filed by a decedent's estate; also, Sec. 1004(a), sub. 2B providing for a similar deduction on federal gift tax returns.

lege. The persons undermining our educational system are demanding this constitutional right for the purpose of disseminating intellectually false and dishonest propaganda calculated to destroy the Constitution itself. Some of them may be indoctrinated to such an extent that they fail to understand the activity in which they are in fact engaged. Others are guilty of a deliberate and flagrant abuse of free speech.

The remedy is for Congress to initiate an investigation sufficiently broad in scope to expose the intellectual dishonesty of this propaganda. This investigation will raise the following questions:

(a) *Federal power.* The federal government has no constitutional right to determine or control the subject matter of courses of study in the public schools of the several states. It cannot rightfully interfere with local school administration, with the adoption of textbooks, or with other matters of like character.

(b) *Defense of Constitution.* Congress does have a power and a definite responsibility in defending the Constitution of the United States from attempts to undermine or otherwise destroy its authority. On this ground Congress is concerned with the present interstate traffic in subversive textbooks and teaching materials.

(c) *Legal power of states.* State legislatures and school boards in local districts have full power to reject subversive books and to terminate the employment of individuals using school classrooms for propaganda purposes.

(d) *Need for facts.* These powers can only be exercised in a sound and impartial way by school boards in possession of the facts. There is no school board at the present time having access to more than a fraction of the information bearing on this question.

(e) *Limited power to investigate.* Legal process in the states is valid and enforceable only against persons and documents within the territorial limits of such states. It is impossible for a legislative committee of other agency of any state to subpoena witnesses or compel production of evidence located in any other state. This condition has imposed a definite limit on the power of the states to protect themselves.

(f) *Power of Congress.* The Congress, and only the Congress of the United States, has the necessary legal authority to subpoena witnesses and documents and to carry on the type of investigation required.

(g) *Recognition of local control.* This power can and should be exerted in a manner which will give full recognition to the right of local authorities to control their own public school systems. Under this concept Congress would investigate and make findings of fact. Its recommendations and conclusions would be advisory, being framed in a way to protect the constitutional jurisdiction of the states.

(h) *Federal legislation.* The proposed investigation may develop the need for federal legislation as to matters which are national in scope. Sound judgment would indicate that Congress should first explore the possibility of correcting these evils by an enlightened public opinion before considering the enactment of drastic measures.

*Jurisdiction*

Federal jurisdiction of the within petition is sustained on the following grounds:

(1) *Right of petition.* There is a constitutional right to maintain a petition of the kind here involved, under the doctrine of unalienable rights as set forth in the Declaration of Independence. That right is recognized by the First Amendment to the Constitution of the United States.

(2) *Office of education.* On March 2, 1867, Congress provided for a Federal Office of Education (20 U.S.C.A., Sec. 1).

That agency, originally established in the Department of the Interior, was created "to collect *statistics and facts* showing the condition *and progress of education* in the several States and Territories, and to *diffuse such information* respecting the organization and management of schools and school systems, and methods of teaching, *as shall aid the United States in the establishment and maintenance of efficient school systems, and otherwise promote the cause of education throughout the country.*" (Italics ours.) The Office of Education established by this section has not correlated and is not in a position to furnish the data on subversive education and teaching practices urgently needed at the present time. Congress is therefore entitled to exercise its own prerogative in the matter by creating a committee to make an independent study of the entire problem. The report of that committee may be required to enable Congress to act in amending the Statutes which define the present status of the Federal Security Agency and the Federal Office of Education as a subordinate part thereof.

(3) *Federal aid to education.* For the last ten years there have been repeated attempts to induce Congress to enact laws providing for federal aid to education. Some of these bills have been sponsored by individuals or organizations whose activities will be subjected to scrutiny in the present inquiry. Congress should have access to all evidence bearing on the propoganda activities of these interests in order to act intelligently on pending federal aid bills.

(4) *Tax exemption.* It appears that foundations and individuals may be involved in an abuse of the tax exemption privilege conferred by Title 26 of the Internal Revenue Code, Sections 23, 101, 812 and 1004 in supporting and engaging in the interstate traffic in subversive textbooks and teaching materials. Congress should obtain adequate information in this respect to determine what, if any, remedial legislation may be required.

(5) *National Education Association.* The NEA is a corporation organized under federal charter (Special Act of June 30, 1906). To the extent that it is sponsoring or supporting subversive teaching, NEA is pursuing a course in violation of its charter. Congress is under a duty to review the facts bearing on that question.

(6) *School Appropriations.* Congress has already granted limited subsidies for school purposes. There have been repeated attempts to bring about an increase in this financial support. Land grant colleges were established in the first instance under 7 U.S.C.A., Sec. 301. More recently there have been appropriations for school lunch programs under 42 U.S.C.A., Sec. 1751. Future legislative policy in this field can well depend upon the evidence developed from the present investigation.

(7) *District of Columbia.* Congress has direct responsibility for maintenance of an adequate public school system in the District of Columbia. The National Education Association headquarters are located in the District. Schools in that area are directly affected by propoganda and by policies sponsored by NEA, originating from Schools of Education in our leading universities and financially supported by tax exempt foundations. A recent investigation of public schools initiated by the House Committee on the District of Columbia developed facts bearing on this relationship.

*Broad Power to Maintain a Continuing Investigation.*

The Executive, Legislative and Judicial Branches of the Federal Government each have broad powers to investigate and to study the problems coming within the scope of their several jurisdictions. The Congress is primarily responsible for the maintenance of a Republican Form of Government in the States under Article IV, Sec. 4, of the Federal Constitution.

In addition, the Congress has a broad general responsibility to maintain Constitutional Government, and to provide for the national security.

An investigation of the type here suggested need not be confined to the consideration of any specific legislative bill, resolution, or other proposal. The power to investigate includes the authority to determine whether correction is possible through the development of sound public opinion or by other means which may render it unnecessary to enact drastic legislation.

The power to be exercised in this instance would constitute a danger to the continuance of Constitutional Government if entrusted to any executive officer or agency. It must be exercised by the people themselves, acting through Congress, and kept at all times under immediate public control.

WHEREFORE, petitioner prays:

That the Congress recognize the emergency and public importance of the questions here presented, by the immediate enactment of a resolution taking jurisdiction of this entire matter, providing for the appointment of a bi-partisan and impartial committee, and directing that a continuing investigation be conducted and maintained until the subject matter shall have been exhausted;

That in connection therewith, the Congress ascertain the facts and inform the people regarding the nature and extent of the present interstate traffic in propoganda textbooks and teaching materials; that full information in relation to that matter be submitted to the several states and to the people thereof; and that the Congress recommend to the people such measures as may seem best adapted to cope with this emergency.

Dated: April 19, 1949.

THE CALIFORNIA SOCIETY OF THE  
SONS OF THE AMERICAN  
REVOLUTION

By J. WILFRED CORR, *President*

WHEATON HALE BREWER

Chairman of the Citizenship Committee

H. LEWIS MATHEWSON, *Secretary*

AARON M. SARGENT  
Attorney for Petitioner

UNITED STATES OF AMERICA }  
State of California } ss.  
City and County of San Francisco }

WHEATON H. BREWER, being first duly sworn, deposes and says:

That he is Chairman of the Citizenship Committee of The California Society of the Sons of the American Revolution, and is authorized on its behalf to verify the foregoing Petition as chairman of such committee; that he has read said petition and knows the contents thereof; and that all matters therein stated are true to his own knowledge.

WHEATON H. BREWER

Subscribed and sworn to before me this 19th day of April, 1949,

(SEAL) CATHERINE E. KEITH

Notary Public

in and for the City and County of San Francisco, State of California

My Commission Expires December 16, 1950.

**BRIEF AND EVIDENCE  
IN SUPPORT OF  
PETITIONS FOR CONGRESSIONAL INVESTIGATION**

**NATIONAL SOCIETY  
AND  
CALIFORNIA SOCIETY  
SONS OF THE AMERICAN REVOLUTION**

BEFORE THE CONGRESS OF THE  
UNITED STATES OF AMERICA

In re

Proceedings for Investigation  
of  
Subversive Propaganda Affecting  
Public Schools in the Several  
States.

**BRIEF IN SUPPORT OF PETITIONS**

The attached petition is filed to support an investigation of conditions threatening our national security. It concerns the demoralization of our Public School System and the indoctrination of American Youth with subversive propaganda originating from Communist Fronts.

It is difficult for persons not in direct contact with that situation to grasp the full implications of this program. In most instances the citizen and even the community leader has limited knowledge based primarily on contact with a local situation. There is no time or opportunity to study the over-all pattern. Judgments, in the average case, are based, not upon *facts*, but upon the *opinions* of others. There is a general lack of understanding regarding fundamentals—almost no familiarity with the original source materials.

In preparing this brief we were confronted, at the outset, with the necessity of making the kind of a presentation that would acquaint others with the *original evidence* and enable them to form independent conclusions.

We think that problem has been solved, for practical purposes, by the kind of a documented statement contained in this brief. Our study is based upon ten years' experience with subversive teaching. The research to prepare the case on this petition was started in April, 1946. Our statement is based upon the documents and reference materials cited in the bibliography at page 51. Excerpts from the most important documents have been quoted in full to enable the reader to familiarize himself with that evidence. In all cases, we have cited the original records, in order that those interested in further study may pursue their own inquiry.

The documents covered by our examination appear to sustain the following conclusions:

*Nature and Extent of Interstate Traffic in Subversive Textbooks*

Public schools in most, if not all, of the states are now affected by the interstate traffic in subversive textbooks. To our knowledge this condition has been investigated in Massachusetts, New York, New Jersey, Maryland, The District of Columbia, Michigan, Wisconsin, Illinois, Texas, Washington, and California.

A Massachusetts investigation, completed in 1938, covered activities of the Progressive Education Association and other left wing groups. Inquiries in New York began in 1920. The report of the Coudert Committee, issued in 1942, disclosed serious conditions in New York City. New Jersey has appointed a special committee. Proceedings pending in Maryland involve subversive textbooks sponsored by the National Education Association. Recently, the House Commit-

tee on the District of Columbia rejected propaganda texts used in local schools. A further study is pending. The Governor of Michigan has initiated a broad inquiry. Communist books rejected in Wisconsin were exposed at about the same time by an independent investigation in California. Texas has rejected subversive books on the basis of its own investigation. Chicago schools have been the subject of public criticism for a long time. The State of Washington is inquiring into conditions in colleges and teacher training institutions. Attempts to introduce propaganda textbooks in California have aroused protest from citizens, patriotic organizations, and even from Grand Juries. Investigations in that State commenced in 1943. The inquiry leading up to the present application was initiated during the 1947 session of the State Legislature. Some of the documents bearing on the above investigations are cited in the footnote.<sup>1</sup>

*Analysis of Propaganda Textbooks in General Use*

Several years ago Dr. Ralph West Robey, of Columbia University, made an elaborate study of textbooks in common use in high schools in the several states. One Marxist, one Liberal, and one Conservative, were chosen as associates to prevent "bias, prejudice, or personal conviction from coloring the survey."<sup>2</sup>

On completion of his investigation, Dr. Robey was interviewed by Mr. Benjamin Fine, of the *New York Times*. The following conclusions were expressed:

"A substantial proportion of the social science textbooks now used in the high schools of this country tend to criticize our form of government and hold in *derision* or *contempt* the system of private enterprise . . .

"By and large, the textbooks commonly used by the 7,000,000 secondary school children of America are *poorly written*, show a lack of *scholarly competence*, and are generally on a 'very low level.' There is a notable tendency of the books to *play down* what has been accomplished in this country and to *stress the defects* of our democracy."<sup>3</sup>

This is the opinion of an expert, based on an examination of over *six hundred* textbooks in general use. That material has been put in the hands of *millions of children* in our public schools!

The report of the Robey Committee is analyzed in a series of articles written by Dan Gilbert, LL.D., for the *National Republic Magazine*, Washington, D. C., and reprinted in

<sup>1</sup>*Massachusetts*: House Doc. No. 2100, Chapt. 32, Resolves of 1937, issued in 1938; *New York*: Report of Joint Legislative Committee Investigating Seditious Activities, in 4 vols., issued 1920, also, Report of Coudert Committee, in 2 vols., issued 1942, also known as "Report of Subcommittee of Joint Legislative Committee to Investigate Procedures and Methods of Allocating State moneys for Public School Purposes and Subversive Activities"; *District of Columbia*: Rejected "Building Citizenship" by R. O. Hughes, and "Now Is the Moment" by Harold O. Rugg. *Wisconsin*: Exposed "Land of the Soviets" by Marguerite N. Stewart, by investigation concerning Delavan High School. The same book was eliminated almost simultaneously at Glendale, Calif. after an investigation by the California Committee on Un-American Activities, also known as the "Tenney Committee" (See Third Report issued 1947 at p. 313). *California*: Report of Senate Interim Committee on Public Education issued June 11, 1945, covers general conditions arising from "progressive" education. The complaint of petitioner resulting in a general investigation was filed with the Legislature Feb. 21, 1947. The State Senate created a special committee shortly thereafter. (See First and Third Reports of Senate Investigating Committee on Education under Res. No. 71.)

<sup>2</sup>Mr. Vladimir D. Kazakevich, Dr. Ida C. Greaves and Mr. A. Mackenzie Pope.

<sup>3</sup>Unless otherwise stated, all italics and other emphasis is ours.

pamphlet form under the title "Un-Americanism in High School Textbooks."<sup>4</sup> The Gilbert analysis is submitted as Exhibit No. 1. The following quotations are taken therefrom:

"It is regrettable, but true, that the average American patriot has little conception of the extent to which high school textbooks have been tainted and contaminated with un-American propaganda . . .

" . . . serious students of the 'textbook situation' are not so much concerned about the palpable crackpots, the noisy and clamorous minority of communistic professors and textbook authors who blatantly whoop it up for Bolshevism . . .

"The greatest danger to America is not that of 'overnight Bolshevik revolution.' Rather, it is that we will drift into dictatorship, stumble into Socialism, and—in the end—blunder into Bolshevism. It is a gradual process. Step by step, by calculated degrees, America is being carried along the road to regimentation . . .

"The type of propaganda which is appealing, seductive, and misleading is that cunning kind which subtly, slyly, insidiously, but systematically, plants doubt and distrust toward Americanism in the mind of its victims. The faith of youth in fundamental Americanism is gradually undermined. By degrees, he is turned away from the path of true patriotism. By degrees, he is inclined to believe that the American system must be scrapped, and that as a nation we must strike out on the path of experiments, the end of which is some form of collectivism."<sup>5</sup>

One of the texts included in the Robey Survey contained the following attack on American principles:

" . . . it remains to be seen whether America can work out a program of economic betterment without the sacrifice of our fundamental liberties, and without the regimentation, mass-herding, goose-stepping—call it what you will—which are the traits of Communism and Fascism."<sup>6</sup>

In another book, capitalism is said to be a failure.

"Just as it was impossible for our Union to exist half slave and half free, so it may become impossible for the world to exist half socialistic and half capitalistic. And there are *many who believe* that capitalism in its nineteenth-century present form would prove a weaker system than the system being developed by the Soviet Union."<sup>7</sup>

Students are told that our people have an unreasonable attachment to the Constitution.

"The difficulty in attaining the experimental habit of mind toward social or economic arrangements arises largely from a confusion of ends with means and from an emotional attachment to the instruments of social life. An illustration of such feeling is *the unreasoning, almost hysterical, attachment of certain Americans to the Constitution.*"<sup>8</sup>

A proletarian form of government is suggested as a remedy.

"Complete economic planning is possible only when there is public ownership and control of the means of production. In the United States, the Communists seek to achieve this objective by a revolution engineered by the proletariat. The socialists, although desiring the same type of society, are willing to work gradually for its orderly attainment."<sup>9</sup>

<sup>4</sup>A limited quantity of this material may be available at National Republic, Washington, D. C.

<sup>5</sup>Gilbert pp. 7-8.

<sup>6</sup>"Our Changing Government," by Samuel Steinberg and Lucian Lamm (J. B. Lippincott Co., publishers), cited by Gilbert at p. 13.

<sup>7</sup>"Our Economic Society and Its Problems," by Prof. Howard C. Hill, of University of Chicago, and Dr. Rexford Guy Tugwell, formerly Professor of Economics at Columbia; cited by Gilbert p. 21.

<sup>8</sup>Same book cited by Gilbert at p. 55.

<sup>9</sup>Same book cited by Gilbert at pp. 55-56.

Communism is said to provide a stable economic system.

"The breakdown that came in 1929 is often referred to as a world crisis. . . The crisis swept like a tidal wave over all countries but one; it washed against the borders of the Soviet Union—and receded. *The Russians were secure behind their dyke of a socialist planned economy.*"<sup>10</sup>

The children in our schools are told that the following conditions produced a change in the American attitude toward Soviet Russia:

"The Soviet government had demonstrated its stability.

"*Official support of Communist propaganda abroad had practically ceased.*"<sup>11</sup>

It is suggested that communism provides for a "classless society," quite different from Fascism.

"While Russian Communism bears certain resemblances to Fascism, the fundamental ideology and philosophy back of Communism is just the reverse of that of Fascist governments."<sup>12</sup>

In another book there is propaganda to discredit basic principles of American liberty enunciated by Thomas Jefferson. The following item appears in a discussion on public ownership of industry:

"More plausible but quite as unsound is the objection that ownership and management of industrial enterprises falls outside the scope of governmental functions. . . That theory is now utterly exploded except in the minds of people bound down by prejudice and tradition . . .

"Proposals for further democratization of the Constitution are, of course, based on the belief that the present control is not altogether democratic in character . . . This is hardly compatible with the blind worship of the Constitution which is *all too common among many classes of people* . . . To accept such a doctrine is in effect to say that the relatively few people who framed and adopted the Constitution should control our lives and destinies for all time . . ."<sup>13</sup>

Local self-government is said to be out of date.

"We often hear the old slogan that local self-government is the vital organ of democracy. But this slogan was coined before the invention of railroads and automobiles, telephones, telegraphs and radios; and no longer applies to present conditions except in part."<sup>14</sup>

Modern "democracy" is represented as a concept which breaks sharply with the past.

" . . . democracy, as understood and practiced by the American people in the past, seemed fairly well suited to the conditions of the times. These conditions, however, proved to be of a *transient* character . . .

"The school, therefore, is clearly under the obligation to show that democracy is *a way of life which breaks sharply with the past.*"<sup>15</sup>

Our school textbooks ridicule our economic system and

<sup>10</sup>"Man's Worldly Goods," by Leo Huberman, cited by Gilbert p. 27.

<sup>11</sup>"Visualized Modern History," by Philip Dorf, published by the Oxford Book Company; cited by Gilbert at pp. 32-33.

<sup>12</sup>"Society and Its Problems," by Samuel Grove Dow, cited by Gilbert at pp. 40-41.

<sup>13</sup>"Major Problems of Democracy," by Professors Seba Eldridge and Carrol D. Clark, of the University of Kansas, cited by Gilbert at p. 41.

<sup>14</sup>"Elementary Sociology," by Ross L. Finney, cited by Gilbert at pp. 41-42.

<sup>15</sup>"Democracy As a Way of Life," by Boyd H. Bode, cited by Gilbert at p. 55.

discuss the causes of poverty from the standpoint of redistribution of wealth.<sup>16</sup>

The National Council for the Social Studies, an affiliate of the National Education Association, recently issued a pamphlet advocating an indefinite continuance of rationing and other war powers exercised by the Office of Price Administration. That document, entitled "The American Way of Business," is offered as Exhibit No. 2. The following comment on permanent rationing appears at page 17:

"This sounds too revolutionary and perhaps even communistic to be applied openly, . . . It is only reasonable to expect that when a thing is done, so to speak, clandestinely and in large measure unconsciously, it will not be done as efficiently as if it were done openly with a clear recognition of the issues."<sup>17</sup>

A publication "*Education Manual EM 763*," was prepared by or for the editorial staff of the United States Armed Forces Institute, for the use of personnel of the Army, Navy, Marine Corps and Coast Guard. It advocated drastic inheritance taxes, high enough to prevent legal heirs from getting anything aside from "sentimental keepsakes" out of a decedent's estate. It recommends a tax program that would bring most of the land into the possession of the government within a century. It calls for an unlimited increase in the national debt.

The Gilbert analysis includes the following comment:

"Crime has attained in our day the proportions of a plague among modern youth. Year by year, the average age of the criminal goes lower. . . More than a million young people, under twenty one years of age have criminal records.

"If some of the social science textbooks in the high schools and colleges had been deliberately written for the purpose of stimulating a wave of crime and Communism among American youth, the impartial analyst would have to conclude that the books now widely in use are well calculated to achieve that objective. The effect of those books must be to ignite the fires of envy and hatred in the heart of the average student." (Pp. 57-58.)

Propaganda of this type has been introduced into our public schools under a system sometimes referred to as "progressive" education. That method has produced widespread illiteracy—general lack of training in fundamentals.<sup>18</sup> It is based on experimental instruction carried out by classroom activities where immature students blunder about in an effort to teach themselves. In the social studies field, it has produced *civic* illiteracy.

#### Origin of "Progressive" Education

The propaganda method of teaching history goes back to the year 1913. At that time a Committee of the National Education Association made the following recommendations:

<sup>16</sup>"My Worth to the World," by Profs. Louise I. Capen, and D. Montford Melchoir (Gilbert p. 58); "Social Life and Personality" by Emory S. Bogardus and Robert H. Lewis (Gilbert p. 59); "Problems of American Democracy," by R. O. Hughes (Gilbert p. 61); and "Democracy at Work," by Ernest B. Fincher, Russell E. Fraser and William G. Kimmel (Gilbert p. 63).

<sup>17</sup>Oscar Lange, one of the authors of this pamphlet, was an active leader in the Socialist movement in Poland before he came to America.

<sup>18</sup>Tests conducted at an elementary school at Roseville, California, indicated that only thirty-five per cent of those graduating had sufficient knowledge of reading, writing, and arithmetic to enable them to do satisfactory work in a high school. It has been necessary to get textbooks with a simplified vocabulary because of the general lack of training in fundamentals under the so-called "progressive" method of instruction.

"The aim of social science in secondary schools should be to cultivate an appreciation of social opportunities. . .

"It is suggested that the historical events be *selected with due regard to their significance*, as illustrations or statements of the social force or conditions that have made or destroyed the great historical civilizations. . ."<sup>19</sup>

This technique of "selecting events with due regard to their *significance*," became a device for re-writing history to fit a propaganda pattern.

Bulletin No. 41, issued by the United States Bureau of Education in 1913 contains some preliminary recommendations of the National Education Association regarding teaching of history. The following items appear in that report under the heading "Point of View":

". . . high school teachers of social studies have the best opportunity ever offered to any social group to improve the citizenship of the land. This sweeping claim is based upon the fact that the million and one-third high school pupils is probably the largest group of persons in the world who can be *directed* to a serious and *systematic effort*, both through study and practice, to *acquire the social spirit*."

The NEA committee decided that a study of constitutional principles was less important than a program of social reform.

"It is not so important that the pupil know how the President is elected, as that he shall understand the *duties of the health officer* in his community.

"The time formerly spent in the effort to understand the process of passing a law over the President's veto *is now to be more preferably used in the observation of vocational resources of the community*."

A significant spirit of agitation appears in the following quotation:

". . . the Committee recommends that social studies in the high school shall include . . . Community health, housing, and homes . . . human rights versus property rights, impulsive action of mobs, the selfish conservatism of *tradition*, and *public utilities*. . ."

Educators recommended that school children should discover history in the classroom as a laboratory experiment, in lieu of being given sound basic knowledge in that subject under a proper course of instruction. A professor from the University of Wisconsin discussed that project in the following terms:

". . . most of the work is done by the pupils under the constant guidance of the teacher. It is a method whereby the pupils write history and thus study it. . ."<sup>20</sup>

Professional literature of this period covers the development of our present system, whereby educators have converted our public schools into indoctrination centers.<sup>21</sup>

The NEA report issued as United States Bureau of Education Bulletin No. 41, recommends that *two-thirds* of the school time available should be devoted to "government and

<sup>19</sup>Preliminary report of committee of National Education Assn. discussed at Superintendents' Meeting held at Philadelphia Feb. 28, 1913. See May 1913 issue of "History Teachers Magazine" p. 136.

<sup>20</sup>"The Laboratory Method in Teaching and Studying History," by A. W. Wilgus, of University of Wisconsin, Jan. 1921 issue of "Historical Outlook," p. 23.

<sup>21</sup>"History Teachers Magazine," issue of Sept. 1915, at p. 212, "The Social Sciences in the High School," by Edward McMahon, Associate Professor of History, at University of Washington.

public welfare." It is suggested that these subjects are primarily concerned with the following:

"Health and sanitation, housing, pure food and milk, sewerage, waste disposal, contagious diseases, statistics, medical inspection of school children, health crusades, education, recreation, charities, correction, juvenile courts, reform schools, public utilities, transportation, light, telephone, telegraph postal system, water, city planning, sanitation and beauty."

These "determinations" were made by college professors, school superintendents and principals,<sup>22</sup> who claimed to express the views of the rank and file members of the National Education Association. According to the members of that panel, "crusades" were more important than *constitutional principles*.

During this period of intellectual ferment, educators began to apply the philosophy expounded by Professor John Dewey, of Teachers College, Columbia University. It was Dewey who argued that children should teach themselves; that a minimum of control should be exerted by the teacher. Pupils were expected to discover truth and to formulate principles in ignorance of fundamentals.<sup>23</sup>

The Dewey method was experimental education. Children were to be taken at an early age when their minds were free of influence. Necessarily they would be ideal subjects for indoctrination.

The propagandists acquiring positions of leadership in education during this period were quick to recognize the possibilities of the Dewey philosophy.

#### *Development of the Vilification Technique*

Class consciousness and character attack have such a prominent part of present day textbooks and courses of study of "progressive" educators that it may be of interest to review the development of that technique.

About 1890, a group of authors, sometimes termed the "muckrakers," began to publish articles exposing scandals in government and business. Undoubtedly this movement was aimed at correction of serious evils in the first instance. Before long, it acquired destructive force.<sup>24</sup> Lincoln Steffens,

<sup>22</sup>William Anthony Aery, Secretary of the Committee, Hampton, Va.; J. Lynn Barnard, School of Pedagogy, Philadelphia, Pa.; H. M. Barrett, Principal of East High School, Denver, Colo.; F. L. Boyden, Principal of Academy, Deerfield, Mass.; E. C. Branson, State Normal School, Athens, Ga.; Henry R. Burch, West Philadelphia High School, Philadelphia, Pa.; Alexander E. Cance, Massachusetts Agricultural College, Amherst, Mass.; Miss Jessie C. Evans, William Penn High School, Philadelphia, Pa.; F. P. Hazard, High School of Practical Arts, Boston, Mass.; S. B. Howe, High School, Plainfield, N. J.; J. Herbert Low, Manual Training High School, Brooklyn, N. Y.; W. H. Mace, Syracuse University, Syracuse, N. Y.; William T. Morrey, Bushwick High School, Brooklyn, N. Y.; John Pettibone, Principal of High School, New Milford, Conn.; James Harvey Robinson, Columbia University, New York; W. A. Wheatley, Superintendent of Schools, Middletown, Conn.

<sup>23</sup>The public has become familiar with substandard conditions and inefficiency resulting from the Dewey method. In most states, children were permitted to discuss difficult social problems in classroom activities even before they had acquired basic knowledge of the questions involved.

<sup>24</sup>Ray Stannard Baker, Ida M. Tarbell, and Lincoln Steffens were the original group (See autobiography of Steffens p. 341). Before long, others joined the movement. See "History of the Standard Oil Company," by Ida M. Tarbell; "The Shame of the Cities," by Lincoln Steffens; "Poverty," by Robert Hunter; also books by Upton Sinclair entitled, "The Brass Check," "The Cry for Justice," "The Goose Step," "The Jungle," "The Money Changers," and "The Profits of Religion."

the leader of that group, was subsequently connected with many communist fronts.<sup>25</sup>

The philosophy of the "muckrakers" was taken up by Professor Charles Austin Beard, of Columbia University, who spent a great deal of time examining tax returns and other documents concerning the wealth and property affairs of the Founding Fathers. No purpose could have been served by this "research" other than a desire to cast reflection on the men responsible for establishing our government.

With evidence of that type, Beard published books in which he asserted an economic theory of constitutional interpretation.<sup>26</sup> He insinuated that the men attending the Constitutional Convention were actuated not by patriotism, but by a desire to make money.

Shortly before his death, Professor Beard did recognize some of his errors in supporting the muckraking philosophy. He was, however, affiliated at one time with a number of well-known communist front organizations.<sup>27</sup>

Professor Harold Rugg, of Columbia, became prominent about 1920, as an author of propaganda school textbooks. More than five million sets of his Social Science books have been distributed to school children in the several states. The Rugg books adopted the philosophy and muckraking technique of Steffens and Beard.

#### *Influence of Soviet Russia*

In 1929, Professor George S. Counts, of Columbia University, began to travel and study education in the Soviet Union. His book "A Ford Crosses Soviet Russia," concerns experiences in that year. He became impressed with the Russian system. His writings on the subject are voluminous.<sup>28</sup>

In 1932, Counts assumed leadership in the "progressive" education movement. A series of papers was delivered at professional meetings in that year. These summarize the results of his Russian investigation. They were later published under the title "Dare the School Build a New Social

<sup>25</sup>American League for Peace and Democracy; American League Against War and Fascism; Book Union; Congress of American Revolutionary Writers; International Labor Defense; League of Professional Groups for Foster and Ford, Communist Candidates for President; International League Against War and Fascism; National Committee for the Defense of Political Prisoners; and Sunday Worker.

<sup>26</sup>See "American Government and Politics," "Economic Interpretation of the Constitution," and "Economic Origins of Jeffersonian Democracy," by Charles A. Beard; also "History of the United States," "Rise of American Civilization," and "America in Mid-Passage," by Charles A. Beard and Mary R. Beard.

<sup>27</sup>Charles A. Beard has been affiliated with the following fronts: American Committee for Democracy and Intellectual Freedom; Lawyers Committee on American Relations with Spain; Non-Partisan Committee for the Re-election of Vito Marcantonio to Congress; Washington Committee to Lift the Spanish Embargo; and National Emergency Conference for Democratic Rights. The latter front quoted Beard as follows in one of its publications: "With another war threatened, the Judiciary Committee of the U.S. Senate should investigate the F.B.I. before Mr. Hoover begins to round up the progressives and other independent citizens as possibly detrimental to the security of the U.S." (House Un-American Activities Committee Report, Appendix IX Section 4, page 1214 issued 1944.)

<sup>28</sup>Translation of "The New Education in the Soviet Republic" from Russian original by Albert J. Pinkevitch; "A Ford Crosses Soviet Russia"; "The American Road to Culture"; "The Soviet Challenge to America"; "Dare the School Build a New Social Order?"; "Moscow Has a Plan" (a translation of the Soviet Primer); "A Call to the Teachers of the Nation"; "The Social Foundations of Education."



Order?"<sup>29</sup> Some amazing opinions were expressed. We submit the following as examples:

"Progressive education wishes to build a new world but refuses to be held accountable for the kind of world it builds." (P. 25.)

"Our major concern consequently should be, not to keep the school from influencing the child in a positive direction, but rather to make certain that every Progressive School will use whatever power it may possess in opposing and checking the forces of social conservatism. . . ." (P. 24.)

"There is the fallacy that the school should be impartial in its emphasis, that no bias should be given instruction. . . Professor Dewey states in his Democracy and Education that the school should provide a purified environment for the child . . . I am sure, however, that this means *stacking the cards* in favor of the particular systems of value which we may happen to possess." (P. 19.)

Professor Counts challenged the Progressive Education Association to develop a theory of social welfare. He became chairman of a committee of that organization created to go into this matter.<sup>30</sup> These proceedings are summarized in a report entitled "*A Call to the Teachers of the Nation.*" We submit the following quotations from that report as further evidence of the philosophy of education which began to take hold during this period:

"In an era of unlimited possibilities the American people pass from disaster to disaster. . . With everything needful to banish poverty, to inaugurate an economy of plenty . . . they tolerate an economic system that in the best of times is wasteful, inefficient and brutal. . . (P. 6.)

"In the face of these conditions teachers, the guardians of childhood, the bearers of culture, the avowed servants of the people, cannot remain silent. To do so would be to violate every trust reposed in them by society. . . (P. 6.)

"To meet this situation teachers must not only strive to protect the educational interest in these difficult times; they must also *refashion their philosophy.* . . (P. 6.)

"Jefferson had deep regard for the common man of his day, placed his confidence in the will of the people, scorned the pretensions of the privileged classes, favored a *rebellion at least once every twenty years* to refresh 'the tree of liberty,' conceived of government in terms of the furthering of human rights, and remarked that he had 'never observed men's honesty to increase their riches.' In the Declaration of Independence, which was largely the work of his hand, he flatly repudiates the doctrine of the ruling class of the time that the central responsibility of the state is the protection of property interests. . . Here is a mighty expression of the democratic ideal that should serve again and again to encourage the overthrow of entrenched privilege. (P. 12-13.)

"This democratic-revolutionary tradition, expressed and developed in the works and lives of such men as Andrew Jackson, Ralph Waldo Emerson, Abraham Lincoln, Walt Whitman, Henry George, and John Dewey, was nourished by the mode of life

<sup>29</sup>A paper entitled "Dare Progressive Education Be Progressive?" was read before the Progressive Education Association in Baltimore; a second entitled "Education Through Indoctrination," was delivered at a meeting of the Department of Superintendence of the National Education Association; and a third entitled "Freedom, Culture, Social Planning, and Leadership" was read before the National Council of Education in Washington, D. C.

<sup>30</sup>Committee consisted of George S. Counts, Chairman, and Merle E. Curti, John S. Gamba, Sidney Hook, Jesse H. Newlon, Willard W. Beatty, Charles L. S. Easton, Goodwin Watson, Frederick L. Redefer. Report was published by The John Day Company, Inc., 386 Fourth Ave., New York City. See article "What Has Happened to Progressive Education?" by Frederick L. Redefer in "The Education Digest," issue of September 1948.

and the relative equality of economic conditions found in the new world . . . (P. 13.)

"The progressive minded teachers of the country must unite in a powerful organization, militantly devoted to the building of a better social order. . . In the defense of its members against the ignorance of the masses and the malevolence of the privileged, such an organization would have to be equipped with the material resources, the legal talent, and the trained intelligence necessary to wage successful warfare in the press, the courts, and the legislative chambers of the nation. To serve the teaching profession of the country in this way should be one of the major purposes of the Progressive Education Association." (P. 26.)

The pamphlets "Dare the School Build a New Social Order?" and "A Call to the Teachers of the Nation" are submitted as Exhibits Nos. 3 and 4, respectively. Copies thereof are available in the Library of Congress.

There were summer courses for American educators at Moscow in 1933 and 1934. That program was expanded to permit a larger enrollment. Professors from twenty-four American universities sponsored a special summer session at Moscow University in 1935. John Dewey, the father of progressive education, was one of that group. The National Education Association ran a full page advertisement in the March 1935 issue of its journal.<sup>31</sup>

The curriculum at Moscow summer school included the following items:

"Principles of the Collective and Socialist Society"—a prerequisite for admission to all other courses.

"Organization of Public Health and Socialized Medicine."

"Institutional Changes and Social Backgrounds of Soviet Society."

A photostatic copy of the announcement is offered as Petitioner's Exhibit No. 5. Names of educators sponsoring that activity are shown in the footnote.<sup>32</sup>

In 1937, the United States Office of Education issued a bulletin describing various "public affairs pamphlets" deemed to be of importance for school use. That list included the following:

<sup>31</sup>The NEA advertisement contained a large photograph of Red Square at Moscow, with an inset giving names of American professors acting as National Advisory Council at these sessions.

<sup>32</sup>The Moscow Summer Session announcement gives names of the following sponsors: "W. W. Charters, Director, Bureau of Educational Research, Ohio State University; Harry Woodburn Chase, Chancellor of New York University; George S. Counts, Professor of Education, Teachers College, Columbia University; John Dewey, Professor Emeritus of Philosophy, Columbia University; Stephen Duggan, Director, Institute of International Education; Hallie F. Flanagan, Professor of English, Vassar College; Frank P. Graham, President, University of North Carolina; Robert M. Hutchins, President, University of Chicago; Charles H. Judd, Dean, School of Education, University of Chicago; I. L. Kandel, Professor of Education, Teachers College, Columbia University; Robert L. Kelly, Secretary, Association of American Colleges; John A. Kingsbury, Secretary, Milbank Memorial Fund; Susan M. Kingsbury, Professor of Social Economy and Social Research, Bryn Mawr College; Paul Klapper, Dean, School of Education, College of the City of New York; Charles R. Mann, Director, American Council on Education; Edward R. Murrow, Assistant Director, Institute of International Education; William Allen Neilson, President, Smith College; Howard W. Odum, Professor of Sociology and Director, School of Public Welfare, University of North Carolina; William F. Russell, Dean, Teachers College, Columbia University; H. W. Tyler, General Secretary, American Association of University Professors; Ernest H. Wilkins, President, Oberlin College; John W. Withers, Dean, School of Education, New York University; Thomas Woody, Professor of History of Education, University of Pennsylvania; Harvey W. Zorbaugh, Director, Clinic for the Social Adjustment of Gifted Children, New York University.

Item No. 740, George S. Counts, "How Free Should Our Schools Be?"

Item No. 742, Mordecai Ezekiel, "Is National Planning Inevitable?"

Item No. 746, Boyd H. Bode, "Democracy Faces the Future."

Item No. 751, Compilation "Why I Am a Member of the Teachers Union" (containing letters in public high schools and in colleges supporting union activity).

Item No. 752, Henry P. Linville, "Oaths of Loyalty for Teachers" (discussing states having loyalty oaths and commenting on "pressure groups behind them").

Item No. 757, A. A. MacLeod and Harry F. Ward, "Spain's Democracy Talks to America" (concerning interview with representatives of "Democratic government of Spain").

Item No. 762, Walter Wilson, "American Legion and Civil Liberties" (concerning alleged violations of civil rights by members of the Legion).

Item No. 764, Bureau of Medical Economics, "Organization of Medical Services" (containing propaganda for socialized medicine).

Item No. 774, Compilation "Democratic Influences in Industry" (concerning proceedings of "Conference of Industrial Experimenters, Associated").

Item No. 779, Scott Nearing, "European Civil War" (a publication of Carnegie Endowment for International Peace concerning "Decline of the West; Marx, Lenin and the Workers Revolution").

Item No. 783, "Toward a New Party," published by Common Sense, Inc., 315 Fourth Avenue, New York.

Item No. 785, Thomas R. Amlie, "The Forgotten Man's Handbook."

Item No. 786, Edward Bellamy, "Plutocracy or Cooperation" (concerns planned economy).

Item No. 811, Corliss Lamont, "Soviet Russia and Religion."

Item No. 813, Anna Louise Strong, "Dictatorship and Democracy in the Soviet Union."

Item No. 891, Upton Sinclair, "Letters to Judd."

Item No. 892, Upton Sinclair, "The Way Out."

Item No. 893, Upton Sinclair, "We People of America" (concerning EPIC plan used for Sinclair campaign for governor in California).

Item No. 922, "The Disinherited Speak," a compilation concerning share-croppers.

Item No. 925, Earl Browder, "Lenin and Spain" (Address at Lenin Memorial meeting, approving Russia's attitude toward Spanish War, reproving America's attitude of blockade).

The foregoing document is offered as Petitioner's Exhibit No. 6. As Exhibit No. 7, we present a publication of the Federal Office of Education entitled "Education in the Union of Soviet Socialist Republics and in Imperial Russia." This is a reference list for professors and teachers desiring to study the Soviet system of education. The subject index at page 9 discloses that it covers such topics as

Philosophy of Education; History of Education; Special Educational Features; Citizenship; Labor Schools, Preschool; also, Teacher Preparation.

A few items from the reference list are cited in the footnote.<sup>33</sup>

<sup>33</sup>American-Russian Chamber of Commerce, Handbook of the Soviet Union; Paul Blonsky, Russia, from Educational Yearbook of Teachers College, Columbia University, 1927; George S. Counts, The Soviet Challenge to America; James G. Crowther, Industry and Education in Soviet Russia; Vera Fediaevsky and Patty S. Hill, Nursery School and Parent Education in Soviet Russia; Albert P. Pinkevitch, The New Education in the Soviet Republic; People's Commissariat of Education of R.S.F.S.R., Public Education in the Russian Socialistic Federation of Soviet Republics.

During this period a group of radical educators established a propaganda magazine known as "The Social Frontier."<sup>34</sup> Counts was editor and William H. Kilpatrick, of Columbia University, was Chairman of the Board. Rugg was a director and an active member of the editorial staff.

That publication was issued during the period from 1934 until 1942, being abandoned because of financial circumstances. There appears to have been no change of philosophy on the part of the leadership group.<sup>35</sup>

#### Development of False Liberalism

The "progressive" education movement cannot be fully understood without a study of the background of false liberalism, of which it is a part. We therefore turn at this point to an analysis of the evidence concerning communist fronts:

As Exhibit No. 8, we submit a document entitled "Open Letter for Closer Cooperation with the Soviet Union," published in the September 1939 issue of "Soviet Russia Today."<sup>36</sup> This "Open Letter" for closer cooperation with the communists was signed by one hundred and seventy-seven American "Liberals." The vocational background of these parties is of interest.

There were university presidents, college deans, and professors (mainly from departments of universities having the least contact with practical experience). There were teachers, clergymen, writers and poets. Practically all signers were "intellectuals" of one type or another.

The document sponsored by these people contained the following statements:

"The Soviet Union continues as always to be a consistent bulwark against war and aggression, and works unceasingly for the goal of a peaceful international order. . . .

"It has eliminated racial and national prejudice within its borders . . .

"It has established nation-wide socialist planning, resulting in increasingly higher living standards and the abolition of unemployment and depression . . .

"It has built the trade unions . . . into the very fabric of its society . . .

"The Soviet Union considers political dictatorship a transitional form and has shown a steadily expanding democracy in every sphere. Its epoch-making new Constitution guarantees Soviet citizens universal suffrage, civil liberties, the right to employment, to leisure, to free education, to free medical care, to material security in sickness and old age, to equality of the sexes in all fields of activity, and to equality of all races and nationalities."

<sup>34</sup>"The Social Frontier" was subsequently continued under the title "Frontiers of Democracy." The original issue of October 1934, under the editorship of George S. Counts, shows the following directors:

Wm. H. Kilpatrick, Edmund de S. Brunner, John L. Childs, Harold F. Clark, Donald P. Cottrell, George S. Counts, John Dewey, Harrison S. Elliott, Mordecai Grossman, Paul R. Hanna, Heber Harper, Sidney Hook, H. Gordon Hullfish, Alvin Johnson, F. Ernest Johnson, E. C. Lindeman, Lois H. Meek, Clyde R. Miller, Jesse H. Newlon, Harry A. Overstreet, Robert B. Raup, Rollo Reynolds, Harold Rugg, Robert K. Speer, V. T. Thayer, Hoodwin Watson and Norman Woelfel.

<sup>35</sup>See statement of Professor Harold Rugg in Dec. 15, 1943, issue, protesting discontinuance; also, article by Rugg at page 77 entitled "The Battle for Consent: Gentlemen, This is Our Moment—If!" calling for a continuance of radical activities in the field of education. This is a publication which should be carefully studied by any committee investigating the interstate traffic in subversive textbooks.

<sup>36</sup>See Appendix IX of House Committee on Un-American Activities re NCPAC, Fourth Section, page 1381, published in 1944.

The following persons signed this piece of propaganda:

Dr. Thomas Addis, Professor of Medicine, Stanford University;  
Helen Alfred, Executive Director, National Public Housing Conference;  
Prof. Newton Arvin, Professor of English, Smith College;  
Dr. Charles S. Bacon, Honorary President, American Russian Institute, Chicago, Ill.;  
Frank C. Bancroft, Editor, Social Work Today;  
Maurice Becker, artist;  
Louis P. Birk, editor, Modern Age Books, Inc.;  
T. A. Bisson, Research Associate, Foreign Policy Association;  
Alice Stone Blackwell, suffragist, writer;  
Marc Blitzstein, composer;  
Anita Block, Theatre Guild playreader;  
Stirling Bowen, poet;  
Richard Boyer, staff writer, "The New Yorker";  
Millen Brand, writer;  
Simon Breines, architect;  
Robert Briffault, writer;  
Prof. Dorothy Brewster, Assistant Professor of English, Columbia University;  
Prof. Edwin Berry Burgum, Associate Professor of English, New York University;  
Fielding Burke, writer;  
Katherine Devereaux Blake, teacher;  
Meta Berger, writer, widow of the first Socialist Congressman;  
Prof. Robert A. Brady, Professor of Economics, University of California;  
J. E. Bromberg, actor;  
Bessie Beatty, writer;  
Vera Caspary, scenario writer;  
Maria Christina Chambers, of Authors League;  
Prof. Robert Chambers, Research Professor of Biology, New York University;  
Harold Clurman, producer;  
Robert M. Coates, writer;  
Lester Cohen, writer;  
Kyle Crichton, editorial staff of Collier's Weekly;  
Mirian Allen de Ford, writer;  
Paul de Kruif, writer;  
Pietro di Donato, writer;  
William F. Dodd, Jr., Chairman Anti-Nazi Literature Committee;  
Stanley D. Dodge, University of Michigan;  
Prof. Dorothy Douglas, Department of Economics, Smith College;  
Muriel Draper, writer;  
Prof. L. C. Dunn, Professor of Zoology, Columbia University;  
Prof. Haakon Chevalier, Professor of French, University of California;  
Prof. George B. Cressey, Chairman of the Department of Geology and Geography, Syracuse University;  
Harriet G. Eddy, Library specialist;  
Prof. Henry Pratt Fairchild, Professor of Sociology, New York University;  
Kenneth Fearing, poet;  
Prof. Mildred Fairchild, Professor of Economics, Bryn Mawr College;  
Alice Withrow Field, writer;  
Sara Bard Field, writer;  
William O. Field, Jr., Chairman of the Board, American Russian Institute;  
Irving Fineman, writer;  
Marjorie Fischer, writer;  
Angel Flores, writer, critic;  
Waldo Frank, writer;  
Wanda Gag, artist;  
Hugo Gellert, artist;  
Robert Gessner, Department of English, New York University;  
Prof. Willystine Goodsell, Associate Professor of Education (retired), Columbia University;  
Mortimer Graves, of the American Council of Learned Societies;  
Dr. John H. Gray, economist, former President of the American Economics Association;  
William Gropper, artist;  
Maurice Halperin, Associate Editor, "Books Abroad";  
Earl P. Hanson, explorer, writer;  
Prof. Samuel N. Harper, Professor of Russian Language and Institutions, Chicago University;  
Rev. Thomas L. Harris, National Executive Secretary, American League for Peace and Democracy;  
Dashiell Hammett, writer;  
Ernest Hemingway, writer;  
Granville Hicks, writer;  
Prof. Norman E. Himes, Department of Sociology, Colgate University;  
Charles J. Hendley, President Teachers' Union of the City of New York;  
Leo Huberman, writer;  
Langston Hughes, poet;  
Agatha Illes, writer;  
Rev. Otis G. Jackson, Rector of St. Paul's Episcopal Church, Flint, Mich.;  
Sam Jaffe, actor;  
Orrick Johns, poet;  
Matthew Josephson, writer;  
George Kauffman, playwright;  
Prof. Alexander Kaun, Associate Professor of Slavic Languages, University of California;  
Fred C. Kelly, writer;  
Rockwell Kent, artist;  
Dr. John A. Kingsbury, social worker, Administrative Consultant, WPA;  
Beatrice Kinkead, writer;  
Lincoln E. Kirstein, ballet producer;  
Arthur Kober, playwright;  
Alfred Kreymborg, poet;  
Edward Lamb, lawyer;  
Dr. Corliss Lamont, writer, lecturer;  
Margaret I. Lamont, sociologist, writer;  
J. J. Lankes, artist;  
Jay Leyda, cinema critic;  
John Howard Lawson, playwright;  
Emil Lengyel, writer, critic;  
Prof. Max Lerner, Professor of Government, Williams College;  
Meridel LeSueur, writer;  
Meyer Levin, writer;  
Prof. Charles W. Lightbody, Department of Government and History, St. Lawrence University;  
Robert Morss Lovett, Governor of the Virgin Islands and Editor of the New Republic;  
Prof. Halford E. Luccock, Yale University, Divinity School;  
Katherine DuPre Lumpkin, writer;  
Klaus Mann, lecturer, writer, son of Thomas Mann;  
Prof. F. O. Matthiessen, Associate Professor of History of Literature, Harvard University;  
Dr. Anita Marburg, Department of English, Sarah Lawrence College;  
Dr. George Marshall, economist;  
Aline MacMahon, actress;  
Clifford T. McAvoy, instructor, Department of Romance Languages, College of the City of New York;  
Prof. V. J. McGill, Professor of Philosophy, Hunter College;  
Prof. Robert McGregor, Reed College;  
Ruth McKenney, writer;  
Darwin J. Meserole, lawyer;

Prof. Herbert A. Miller, Professor of Economics, Bryn Mawr College;  
 Harvey O'Connor, writer;  
 Clifford Odets, playwright;  
 Shaemus O'Sheel, writer, critic;  
 Mary White Ovington, social worker;  
 S. J. Perlman, writer;  
 Dr. John P. Peters, Department of Internal Medicine, Yale University Medical School;  
 Dr. Emily M. Pierson, physician;  
 Walter N. Polakov, engineer;  
 Prof. Alan Porter, Professor of German, Vassar College;  
 George D. Pratt, Jr., agriculturist;  
 John Hyde Preston, writer;  
 Samuel Putnam, writer;  
 Prof. Paul Radin, Professor of Anthropology, University of California;  
 Prof. Walter Rautenstrauch, Professor of Industrial Engineering, Columbia University;  
 Bernard J. Reis, accountant;  
 Bertha C. Reynolds, social worker;  
 Lynn Riggs, playwright;  
 Col. Raymond Robins, former head of American Red Cross in Russia;  
 William Rollins, Jr., writer;  
 Harold J. Rome, composer;  
 Ralph Roeder, writer;  
 Dr. Joseph A. Rosen, former head of Jewish Joint Distribution Board;  
 Eugene Schoen, architect;  
 Prof. Margaret Schlauch, Associate Professor of English, New York University;  
 Prof. Frederick L. Schuman, Professor of Government, Williams College;  
 Prof. Vida D. Scudder, Professor Emeritus of English, Wellesley College;  
 George Seldes, writer;  
 Vincent Sheean, writer;  
 Viola Brothers Shore, scenario writer;  
 Herman Shumlin, producer;  
 Prof. Ernest J. Simmons, Assistant Professor of English Literature, Harvard University;  
 Irina Skariatina, writer;  
 Dr. F. Tredwell Smith, educator;  
 Dr. Stephenson Smith, President Oregon Commonwealth Federation;  
 Hester Sondergaard, actress;  
 Isobel Walker Soule, writer, editor;  
 Lionel Stander, actor;  
 Christina Stead, writer;  
 A. E. Steig, artist;  
 Alfred K. Stern, housing specialist;  
 Dr. Bernhard J. Stern, Department of Sociology, Columbia University;  
 Donald Ogden Stewart, writer;  
 Maxwell S. Stewart, associate editor, *The Nation*;  
 Paul Strand, producer and photographer;  
 Prof. Dirk J. Struik, Professor of Mathematics, Massachusetts Institute of Technology;  
 Robert Tasker, scenario writer;  
 C. Fayette Taylor, aeronautical engineer, head of Automotive Labs., Mass. Institute of Technology;  
 James Thurber, artist, writer;  
 Rebecca Janney Timbres, social worker, writer;  
 Jean Starr Untermeyer, poet;  
 Louis Untermeyer, poet;  
 Mary van Kleeck, economist, Associate Director, International Industrial Relations Institute;

Stuyvesant van Veen, artist;  
 J. Raymond Walsh, economist;  
 Dr. William Henry Walsh, physician;  
 Prof. Henry F. Ward, Professor of Christian Ethics, Union Theological Seminary;  
 Lynd Ward, artist;  
 Morris Watson, New York Newspaper Guild;  
 Clara Weatherwax, writer;  
 Max Weber, artist;  
 Dr. Gerald Wendt, Director of Science and Education, New York World's Fair;  
 Rev. Robert Whitaker, Clergyman and lecturer;  
 Albert Rhys Williams, writer;  
 Dr. William Carlos Williams, writer;  
 Ella Winter, writer;  
 Richard Wright, writer;  
 Art Young, artist;  
 Leane Zugsmith, writer.

This list includes the names of prominent educators and clergymen—persons who necessarily have the power and opportunity to condition the thinking of American youth. Other intellectuals in this group hold positions enabling them to influence the adult part of our population.

Nearly all of these parties are sincere, honest, and patriotic. Most of them are either gullible, or ignorant, or misinformed, or indoctrinated. They are members of that large group which is joining, financing, and supporting most of the communist fronts operating in this country at the present time.

Congress has made an extensive investigation of communists and recognized fellow-travelers. We have a well documented record covering that phase of the problem. We do not have enough information to expose the activities of the non-subversive but hopelessly indoctrinated group of people who are making communism effective.

In 1944, the House Committee on Un-American Activities filed a report on fronts connected with the National Citizens Political Action Committee. We submit the following analysis of the evidence contained in that report.<sup>37</sup>

1. Twenty-five fronts connected with NCPAC have been engaged in supporting Russian foreign policy.<sup>38</sup>

2. Nineteen of those fronts have been created "to oppose war"—supposedly to further the cause of "world peace."<sup>39</sup>

<sup>37</sup>Report is known as Appendix IX and was issued in six sections. For convenience, material therein will be cited as follows: "IX:2:719," meaning in this instance, Appendix IX, Section Two, page 719.

<sup>38</sup>Social Workers Committee to Aid Spanish Democracy (IX:5:1577); Negro People's Committee to Aid Spanish Democracy (IX:4:1346); Lawyers Committee on American Relations with Spain (IX:3:962); American Friends of Spanish Democracy (IX:1:380); Coordinating Committee to Lift the Embargo (IX:2:666); Abraham Lincoln Brigade (IX:1:270); American Relief Ship for Spain (IX:1:489); American Rescue Ship Mission (IX:1:491); Ben Lieder Memorial Fund (IX:1:585); Washington Friends of Spanish Democracy (IX:6:1709); Washington Committee to Lift Spanish Embargo (IX:6:1701); Washington Committee for Spanish Refugee Aid (IX:6:1704); American Committee for Anti-Nazi Literature (IX:1:321); American Committee for Anti-Nazi German Seamen (IX:1:317); German American League for Culture (IX:2:765); American Committee for Free Yugoslavia (IX:1:338); Lower West Side Conference on Win-the-War Legislation (IX:4:1051); Council for Pan American Democracy (IX:2:672); Various Pro-Chinese Communist Fronts (IX:5:1475); American Friends of the Chinese People (IX:1:371); West Indies National Emergency Committee (IX:6:1745); Prestes Defense (IX:4:1473); Joint Committee for the Defense of the Brazilian People (IX:3:949); and Veterans of the Abraham Lincoln Brigade (IX:5:1647).

<sup>39</sup>American League for Peace and Democracy (IX:1:389); Friends of the Abraham Lincoln Brigade (IX:2:750); New York Peace Association (IX:4:1365); Chicago Committee for the Struggle Against

3. There are many organizations formed to "save refugees," to "aid victims of . . . Fascism" or to assist "political refugees."<sup>40</sup> These committees are an important part of the international communist movement. They are also useful in raising contributions from misguided "liberals" in this country.<sup>41</sup>

4. Slogans have been sufficient in themselves to induce some "liberals" to join and support fronts. The titles in general use by some communist organizations are of interest from this standpoint. There are, for example, many "American" and "All-American" committees. There are fronts bearing the names of patriots such as Thomas Jefferson and Abraham Lincoln. Others are for "Democracy" or "Democratic Rights," "Peace and Democracy," or "Intellectual Freedom." We cite a few of those titles in the footnote.<sup>42</sup>

War (IX:5:1618); Student Congress Against War (IX:5:1619); Abolish Peonage Committee (IX:1:267); People's Front for Peace (IX:4:1461); International Women's Congress Against War and Fascism (IX:3:848); Chicago All-American Anti-Imperialist League (IX:1:606); Committee for Peace Through World Cooperation (IX:1:640); Committee to Defend America by Keeping Out of War (IX:1:637); Committee for a Boycott Against Japanese Aggression (IX:1:632); Chicago Peace Congress (IX:1:612); All-America Anti-Imperialist League (IX:1:310); Emergency Peace Mobilization (IX:2:692); American League Against War and Fascism (IX:1:412); American Peace Crusade (IX:1:429); American Peace Mobilization (IX:1:431); Washington Peace Mobilization (IX:6:1711); Yanks Are Not Coming (IX:6:1766).

<sup>40</sup>American Committee to Save Refugees (IX:1:356); Joint Anti-Fascist Refugee Committee (IX:3:940); National Committee to Aid the Victims of German Fascism (IX:4:1169); Julius Rosenthal Memorial Committee (IX:3:957); Non-sectarian Committee for Political Refugees (IX:4:1376); Writers and Artists Committee for Medical Aid to Spain (IX:6:1765); Washington Committee for Spanish Refugee Aid (IX:6:1704); and Washington Committee for Aid to China (IX:6:1684).

<sup>41</sup>House Report on "American Committee to Save Refugees" (IX:1:356). "Communist committees to save refugees perform a most valuable function for the international Communist movement. In the first place these committees are a fruitful source of revenue from sympathetic individuals. In the second place, they serve as rescue agencies for foreign Communist operatives. With outposts throughout the world manned by those enjoying Communist confidence, they also serve as a means of blackjacking refugees in a desperate plight to do the bidding of the international network which the communists have established in this field, having at its disposal considerable financial, passport, transportation, and other facilities."

<sup>42</sup>"All-Americans": All-America Anti-Imperialist League (IX:1:310); American Committee for Anti-Nazi German Seamen (IX:1:317); American Committee for Anti-Nazi Literature (IX:1:321); American Committee for Democracy and Intellectual Freedom (IX:1:323); American Committee for Free Yugoslavia (IX:1:338); American Committee of Liberals for the Freedom of Mooney and Billings (IX:1:339); American Committee for Protection of Foreign Born (IX:1:340); American Committee to Save Refugees (IX:1:356); American Council on Soviet Relations (IX:1:363); American Friends of the Chinese People (IX:1:371); American Friends of the Soviet Union (IX:1:379); American Friends of Spanish Democracy (IX:1:380); American Fund for Public Service (IX:1:384); American Investors Union, Inc. (IX:1:386); American League for Peace and Democracy (IX:1:389); American League Against War and Fascism (IX:1:412); American Peace Crusade (IX:1:429); American Peace Mobilization (IX:1:431); American Slav Congress (IX:1:494); American Student Union (IX:1:514); American Writers Congress (IX:1:524); American Youth Congress (IX:1:525); American Youth for Democracy (IX:1:564); Chicago All-American Anti-Imperialist League (IX:1:606); German-American League for Culture (IX:2:765).

"Jefferson and Lincoln": Abraham Lincoln Brigade (IX:1:270); Abraham Lincoln School (IX:1:292); Veterans of Abraham Lincoln Brigade (IX:5:1647); Friends of the Abraham Lincoln Brigade (IX:2:750); Jefferson School of Social Science (IX:3:923).

"Democracy": American Committee for Democracy and Intellectual Freedom (IX:1:323); American Friends of Spanish Democracy (IX:1:380); American League for Peace and Democracy (IX:1:389); American Youth for Democracy (IX:1:564); Council for Pan American Democracy (IX:2:672); Emergency Defense Conference to De-

5. There are many youth organizations and fronts devoted to racial groups.<sup>43</sup> Other organizations claim to represent special economic interests.<sup>44</sup> These latter fronts have concerned themselves with unemployment, social insurance, high cost of living, the interests of government employees, and a variety of other subjects.

6. Many fronts have been organized to appeal to individuals in the arts, sciences, and professions.<sup>45</sup> Some of these groups are composed of writers and theatrical people. The purpose in those instances is to develop revolutionary writing and to support subversive theatrical productions.

7. It is a matter of common knowledge that persons in

defend Democracy at Home (IX:2:691); Hollywood Democratic Committee (IX:2:779); National Emergency Conference for Democratic Rights (IX:4:1209); Washington Committee for Democratic Action (IX:6:1693); Washington Friends of Spanish Democracy (IX:6:1709).

<sup>43</sup>"Youth Groups": League of Young Southerners (IX:3:1037); Student Congress Against War (IX:5:1619); National Student League (IX:4:1312); Southern Negro Youth Congress (IX:5:1600); Southern Conference for Human Welfare (IX:5:1580); American Youth for Democracy (IX:1:564); Council of Young Southerners (IX:2:675); American Youth Congress (IX:1:525); Washington Youth Council (IX:6:1714); Youth Committee for May Day (IX:6:1770); World Youth Congress (IX:6:1762).

"Racial Groups": Sleepy Lagoon Defense Committee (IX:5:1566); National Committee to Combat Anti-Semitism (IX:4:1172); Jewish People's Committee (IX:3:933); ICOR (IX:2:793); Michigan American Slav Congress (IX:4:1053); American Slav Congress (IX:1:494); League of Struggle for Negro Rights (IX:3:1001); Southern Negro Youth Congress (IX:5:1600); Negro People's Committee to Aid Spanish Democracy (IX:4:1346); Negro Labor Victory Committee (IX:4:1342); Negro Culture Committee (IX:4:1341); National Scottsboro Action Committee (IX:4:1309); National Negro Women's Council (IX:4:1299); National Negro Congress (IX:4:1280); Council on African Affairs (IX:2:671); Negro Playwrights Co., Inc. (IX:4:1348); Southern Conference for Human Welfare (IX:5:1580); Chicago Conference on Race Relations (IX:1:608); All-Harlem Youth Conference (IX:1:313); American Committee for Protection of Foreign Born (IX:1:340); and United Committee of South Slavic Americans (IX:5:1641).

<sup>44</sup>"Economic Groups": National Unemployment Councils (IX:4:1316); National Right to Work Congress (IX:4:1305); Project Workers Council for Joint Action (IX:5:1507); Project Workers Union (IX:5:1508); National Emergency Conference Against Government Wage Program (IX:4:1217); Provisional Committee Trade Union Conference for United Action (IX:5:1525); National Wartime Conference of Professions, Sciences, Arts and White Collar Fields (IX:4:1335); Milk Consumers Protective Committee (IX:4:1066); National Council to Aid Agricultural Labor (IX:4:1192); Farmers Educational and Cooperative Union of America (IX:2:700); New York Professional-Workers Conference on Social Insurance (IX:4:1367); New York Joint Action Committee for Genuine Social Insurance (IX:4:1358); National Joint Action Committee for Genuine Social Insurance (IX:4:1263); Interprofessional Association for Social Insurance (IX:3:915); Fraternal Federation for Social Insurance (IX:2:741); National Conference for Unemployment and Social Insurance (IX:4:1183); Daughters of the American Depression (IX:2:684); New York State Conference on National Unity (IX:4:1369); Consumers National Federation (IX:1:658); League of Women Shoppers (IX:3:1002); Consumers Union (IX:2:681); American Investors Union, Inc. (IX:1:386); Wisconsin State Conference on Social Legislation (IX:6:1746); Workers Alliance (IX:6:1749); and Washington Committee to Aid Agricultural Workers (IX:6:1681).

<sup>45</sup>Arted (IX:1:572); Artists' Front to Win the War (IX:1:574); Hollywood Writers Mobilization (IX:2:786); League of American Writers (IX:3:967); Congress of American Revolutionary Writers (IX:1:655); National Writers Congress (IX:4:1339); Artists Union (IX:1:578); New Dance League (IX:4:1349); Theatre Arts Committee (IX:5:1626); Sundry Film and Photo Organizations (IX:2:719-737); Revolutionary Theatre Organizations (IX:5:1533); League of Workers Theatre (IX:3:1024); Negro Culture Committee (IX:4:1341); National Wartime Conference of the Professions, the Sciences, the Arts, the White Collar Fields (IX:4:1335); Federation of Architects, Engineers, Chemists and Technicians (IX:2:703); National Lawyers Guild (IX:4:1267); and United American Artists (IX:5:1634).

our Churches have been greatly influenced by the propaganda of communist fronts.<sup>46</sup>

*Fronts Supporting Radical Teaching and  
Agitations of Various Types*

One of the most important fronts for present purposes is the "American Committee for Democracy and Intellectual Freedom" (IX:1:323). It appears from the House Report that this organization was established on Lincoln's Birthday in the year 1939 for the alleged purpose of "preserving and extending democracy and intellectual freedom"—but that its real object was to vilify and obstruct the operation of the Coudert Committee appointed by the New York Legislature to investigate subversive activities in New York City public schools.

Professor Franz Boas, of Columbia University, became chairman of this front. His record discloses membership in many communist organizations.<sup>47</sup> It was Boas who denounced the New York investigation as an "hysterical search for communist activities" and said that it would be well if liberals "would learn from the enthusiasm of the young Communists."<sup>48</sup>

The American Committee for Democracy and Intellectual Freedom opposed the Devany Bill, in New York, which sought to bar from teaching and civil service, persons advocating the overthrow of government by force and violence. It attacked the House Committee on Un-American Activities (IX:1:325). It was closely interlocked with the New York College Teachers Union Local 537, an organization expelled as Communist dominated by the New York Central Trades and Labor Council (AFL) in February 1939 (IX:1:326). It joined with the Westchester Conference on Democratic Rights and the American Student Union in belaboring Nicholas Murray Butler, President of Columbia University, for his stand on national defense.<sup>49</sup>

Its National Committee consists of college presidents,

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<sup>46</sup>Methodist Federation for Social Service (IX:4:1052); an organization which we understand is not an official agency of the Methodist Church. House report shows Francis J. McConnell, of NCPAC as President, and states that his affiliations with front organizations "is matched by few Churchmen in the United States." People's Institute of Applied Religion (IX:4:1463), an organization supported by Sound View Foundation, Inc., is said to be "a communist effort to gain a foothold in the South by exploiting the well known religious attachments of that section of the country." The Protestant (IX:5:1514) is a magazine which purports to be for Protestant clergymen, but actually devoted to propagation of the Communist Party line.

<sup>47</sup>Front memberships of Boas cited at IX:1:323, as follows: American Committee for Struggle Against War, American Congress for Peace and Democracy, American Peace Mobilization, American Committee for Protection of Foreign Born, Signer of Statement to the President Defending Communist Party, Conference on Pan-American Democracy, Council for Pan American Democracy, League of American Writers, Signer of Statement Protesting Ban on Communists in American Civil Liberties Union, Medical Aid Division of Spanish Refugee Relief Campaign, Medical Bureau and North American Committee to Aid Spanish Democracy, National Committee for the Defense of Political Prisoners, National Conference on Constitutional Liberties in America, National Emergency Conference for Democratic Rights, National Federation for Constitutional Liberties, New York Conference for Inalienable Rights, Refugee Scholarship and Peace Campaign, American Committee for Anti-Nazi Literature, and Non-Sectarian Committee for Political Refugees.

<sup>48</sup>Circular letter dated Nov. 20, 1939, cited at IX:1:325.

<sup>49</sup>Daily Worker Oct. 7, 1940, p. 31. See IX:1:327.

deans, university professors, and other "intellectuals." Members of that committee are listed in the footnote.<sup>50</sup>

It opposed elimination of the Rugg Social Science Textbooks from public schools in the State of New York (IX:1:336).

It opposed continuance of the Dies Committee on the ground that it constituted "a serious threat to intellectual freedom and civil rights in the United States (IX:1:331-333).

During the period of the Stalin-Hitler Pact, it advocated "collective security against Fascist aggressors." After the June 22, 1941 attack on Russia, it inaugurated a campaign to free Earl Browder (IX:1:326-328).

Twelve members of the National Citizens Political Action Committee have been affiliated with this front.<sup>51</sup>

There is a close relationship between groups agitating for "academic freedom" and those conducting campaigns for "civil liberty."

The front known as "American Student Union" is an example of student agitation paralleling the kind of activity supported by American Committee for Democracy and Intellectual Freedom. On many occasions this student group has defended teachers and students charged with communist activity (IX:1:514).

A front was organized to defend Morris U. Schappes, a self-admitted communist, convicted of perjury in courts of the State of New York and removed from the faculty of the College of the City of New York (IX:5:1555).

Several fronts were active in seeking a pardon for Tom Mooney, convicted by California courts of planting a bomb in a Preparedness Day Parade at San Francisco.<sup>52</sup>

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<sup>50</sup>Prof. Franz Boas, Columbia U.; Prof. Ruth Benedict, Columbia U.; Prof. Edgar Dale, Ohio State U.; Dean Ned H. Dearborn, N.Y.U.; Dean Christian Gauss, Princeton U.; Pres. Frank Kingdon, U. of Newark; Prof. W. M. Malisoff, Poly. Inst. of Brooklyn; Prof. Wesley C. Mitchell, Columbia U.; Prof. Ernest M. Patterson, U. of Pa.; Pres. Frank E. Baker, Milwaukee State T. C.; Prof. Eric T. Bell, Calif. Inst. of Tech.; Prof. Raymond T. Birge, U. of C.; Prof. Olga Bridgman, U. of C.; Prof. Henry M. Burlage, U. of N.C.; Prof. Walter B. Cannon, Harvard U.; Prof. Hadley Cantril, Princeton U.; Prof. A. J. Carlson, U. of Chicago; Prof. E. P. Cheyney, U. of Pa.; Prof. Arthur H. Compton, U. of Chicago; Dean David J. Davis, U. of Ill.; Prof. Paul H. Douglas, U. of Chicago; Prof. L. C. Dunn, Columbia U.; Prof. Huntley Dupre, U. of Ky.; Dean Roscoe Ellard, U. of Mo.; Prof. Mitchell Franklin, Tulane U.; Pres. George W. Frasier, Colo. College of Ed.; Pres. Frank P. Graham, U. of N.C.; Dean Leon Green, Northwestern U.; Prof. Harold M. Groves, U. of Wis.; Dr. Alice Hamilton, Hadlyme, Conn.; Prof. Earl J. Hamilton, Duke U.; Prof. Halford E. Luccock, Yale U.; Dean Malcolm S. MacLean, U. of Minn.; Prof. Clyde R. Miller, Columbia U.; Prof. Robert A. Millikan, Calif. Inst. of Tech.; Prof. S. A. Mitchell, U. of Va.; Dean Samuel B. Morris, Stanford U.; Prof. Frank Luther Mott, State U. of Iowa; Prof. William A. Noyes, U. of Ill.; Prof. J. R. Oppenheimer, U. of Calif.; Pres. Marion Park, Bryn Mawr College; Prof. Ralph Barton Perry, Harvard U.; Prof. John P. Peters, Yale U.; Dean A. A. Potter, Purdue U.; Pres. Roscoe Pulliam, So. Ill. State Normal U.; Prof. Floyd W. Reeves, U. of Chicago; Dr. George Sarton, Harvard U.; Prof. Harlow Shapley, Harvard U.; Prof. George H. Shull, Princeton U.; Prof. Henry E. Sigerist, Johns Hopkins U.; Prof. S. Stephenson Smith, U. of Oregon; Prof. L. J. Stadler, U. of Mo.; Prof. George W. Stocking, U. of Texas; Prof. D. J. Struik, Mass. Inst. of Tech.; Prof. C. Fayette Taylor, Mass. Inst. of Tech.; Prof. Edward C. Tolman, U. of C.; Prof. Harold C. Urey, Columbia U.; Prof. Leroy Waterman, U. of Mich.; Prof. Bailey Willis, Standard U. (IX:1:335).

<sup>51</sup>Mrs. Sherwood Anderson, James B. Carey, Dorothy Kenyon, Frank Kingdon, Freda Kitchwey, Max Lerner, Francis J. McConnell, William A. Neilson, Paul Robeson, S. Stevenson Smith, George Soule, and Mary van Kleeck. (IX:1:323).

<sup>52</sup>Washington Tom Mooney Committee (IX:6:1713); New York Tom Mooney Committee (IX:4:1372); American Committee of Liberals for the Freedom of Mooney and Billings (IX:1:339).

Special fronts have been organized to put up bail and to defend radicals involved in criminal cases.<sup>53</sup>

There were fronts to support the citizenship claim of William Schneiderman<sup>54</sup> and Harry Bridges.<sup>55</sup>

Twenty-two clergymen, twenty-seven educators, and sixty miscellaneous "intellectuals" signed a petition for the release of Earl Browder (IX:1:615).

Many fronts have been established for the alleged purpose of defending "constitutional liberties" and "unalienable rights." Some of these are cited in the footnote.<sup>56</sup>

On May 19, 1930, the New York Times published a statement signed by "liberals," protesting anti-communist propaganda being disseminated in this country (IX:3:104).

In November, 1937, some of these "liberals" signed a "Golden Book of American Friendship with the Soviet Union" to commemorate the twentieth anniversary of the Communist Government of Russia. This item was published in the propaganda magazine "Soviet Russia Today" (IX:2:771).

The May 3 1938, issue of "New Masses" contains a "Statement by American Progressives on the Moscow Trials." That document contains propaganda sponsored by American "liberals" to justify action of the Soviet government in condemning and executing parties in Russia who had supported the cause of Leon Trotsky (IX:5:1616).

The March 5, 1941, issue of the "Daily Worker" contains a statement in defense of the Communist Party, supported by the signatures of four hundred fifty prominent Americans. We quote the following from that document:

"In its Constitution the Communist party declares that it 'upholds the democratic achievements of the American people. It opposes with all its power any clique, group, circle, faction or party which conspires or acts to subvert, undermine, weaken or overthrow any or all institutions of American democracy . . .'"

One hundred fifteen of the parties signing this statement were educators or clergymen (IX:1:647).

Not all the people disseminating this propaganda were Communists or fellow-travelers.<sup>57</sup> A great many were merely individuals who had become hopelessly indoctrinated. They were members of a group composed of patriotic, honest, and sincere people. That is the paradox. They were patriotic, and honest, and sincere—but they were also either gullible or ignorant or indoctrinated. They were "Gulliberals"—gullible people who *thought* they were Liberals but who were

actually engaged in promoting and supporting the Communist movement. The intellectual sucker whom we refer to herein as the American Gulliberal is a type who deserves more study and analysis than he has received up to the present time. Unless and until we correctly analyze and study the intellectual behavior of individuals of this sort, we will not succeed in solving our educational problem.

#### *Background of American "Gulliberalism"*

Most of these people started in as Socialists. They conceived it to be not only their *right*, but their *duty*, to use our public school system as an agency to promote their personal views, as Socialists. They believed in that principle—and they acted on that assumption.

Before long school textbooks were re-written to expound the opinions of this group. They referred to themselves as "Frontier Thinkers." Teaching materials were slanted to such an extent that they became partisan political propaganda.

The first important step in this direction occurred in 1926, when the American Historical Association appointed a commission of "liberal" educators to investigate the teaching of history and social studies in the public schools. A preliminary report was filed in 1928. At that time the commission secured a grant of \$300,000 from the Carnegie Corporation.

Five years were spent in "deliberations." At the end of that time, the commission came forward with a report published under the title "Conclusions and Recommendations." That document is presented as Exhibit No. 9. A copy thereof is available in the Library of Congress.

Four members of the commission refused to join in the report.<sup>58</sup> The majority seem to have been influenced by the leadership of Professors George S. Counts and Charles A. Beard, of Columbia University.<sup>59</sup> These people, all of whom were "educators," made the following "determinations":

1. That our American way of life was a *failure* which must give way to a collectivist form of society;<sup>60</sup>
2. That it was necessary and proper for educators to carry on propaganda for a New Social Order, to change the attitude of the American people;<sup>61</sup>

<sup>58</sup>Frank W. Ballou, Supt. of Schools, Washington, D. C.; Edmund E. Day, U. of Mich.; Ernest Horn, U. of Iowa; and Chas. E. Merriam, U. of Chicago.

<sup>59</sup>Charles A. Beard, Columbia U.; Isaiah Bowman, Pres. of International Geographical Union; Ada Comstock, Pres. of Radcliffe College; George S. Counts, Teachers College, Columbia U.; Avery O. Craven, U. of Chicago; Guy Stanton Ford, U. of Minn.; Carlton J. H. Hayes, Columbia U.; Henry Johnson, Teachers College, Columbia; A. C. Krey, U. of Minn.; Leon C. Marshall, Johns Hopkins U.; Jesse H. Newlon, Teachers College, Columbia U.; and Jesse F. Steiner, U. of Wash.

<sup>60</sup>" . . . American society during the past hundred years has been moving from an individualistic and frontier economy to a collective and social economy. . . . Whatever may be the exact character of life in the society now emerging, it will certainly be different in important respects from that of the past. It will be accompanied by many *unaccustomed restraints* . . . *whether it will be better or worse will depend in large measure upon the standards of appraisal applied* . . ." (Conclusions and Recommendations, p. 33.)

<sup>61</sup>"The implications for education are clear . . . the effective functioning of the emerging economy . . . requires *profound changes in the attitudes and outlook of the American people, especially the rising generation*—a complete and frank recognition that the old order is passing, that the new order is emerging. . . . Continued emphasis in education on the traditional ideas and values of economic individualism . . . will intensify the conflicts, contradictions, maladjustments, and perils of the transition." (Conclusions and Recommendations, pp. 34-35.)

<sup>53</sup>Galena Defense Committee (IX:2:752); Murray Defense Committee (IX:4:1165); Political Prisoners Bail Fund Committee (IX:4:1471); International Workers Order (IX:3:849); Labor Defense Council (IX:3:961); League for Mutual Aid (IX:3:982).

<sup>54</sup>Schneiderman-Darcy Defense Committee (IX:5:1563).

<sup>55</sup>Bridges Defense Committees are discussed in detail in House Report at IX:1:592 et seq.

<sup>56</sup>National Federation for Constitutional Liberties, a front supported by Robert Marshall Foundation and Sound View Foundation, and connected with proceedings to release various radicals (IX:4:1222); National Emergency Conference for Democratic Rights (IX:4:1209); Washington Committee for Democratic Action (IX:6:1693); Michigan Civil Rights Federation (IX:4:1056); National Conference on Constitutional Liberties in America (IX:4:1182); National Conference on Civil Liberties (IX:4:1181); National Committee for People's Rights (IX:4:1179); National Committee for Defense of Liberties in America (IX:1:651); and Greater New York Emergency Conference on Inalienable Rights (IX:2:772).

<sup>57</sup>Strictly speaking, the term "Communist" applies to a card-holding member of the Communist Party. A "fellow-traveler" is an individual so closely connected with activities of the party as to justify belief that he is in fact affiliated with its organization, although direct proof of party membership may be lacking.

3. That traditional education in American philosophy and principles must be abandoned in order to relieve "social tensions."<sup>62</sup>

In 1935, the Department of Superintendence of the National Education Association issued a report entitled "Social Change and Education." That document is submitted as Exhibit No. 10. It includes statements prepared under the auspices of NEA to enable educators to determine whether our American system is a failure. None of the contributors had experience in practical affairs.<sup>63</sup>

In 1946, the National Council for the Social Studies—also an NEA affiliate—issued a report under the title "The Study and Teaching of American History." We submit that document as Exhibit No. 11. The following quotations are taken therefrom:

"Our principle for selecting what is basic in . . . history involves a reference to its *predicted outcome*. Our 'emphasis' will be determined by *what we find going on in the present* . . .

"Most of us have pledged our allegiance to an organized world community directed by intelligence . . .

"Once this assumption has been accepted, the teacher of history has at his command a principle for selecting the content of the American history course for the public schools. . . .

"The teacher who adopts this principle of selection is as intellectually honest as the teacher who relies upon the textbook author—and far more creative . . ." (Pages 12-13.)

At page 16 there is a discussion of what educators consider to be "*correct*" or "*desirable*" attitudes. At page 64 there is a chapter devoted to the subject of "*Developing Desirable Attitudes*." We find the following statement in that chapter:

"Let us in our teaching draw parallels—for instance, pointing out that Russia's suspicion of the world parallels the attitude of

<sup>62</sup>Educators stand today between two great philosophies of social economy: the one representing the immediate past and *fading out* . . . the other representing *and anticipating the future*" (Conclusions and Recommendations, pp. 36-37).

<sup>63</sup>Report includes the following articles: "The Evolution of Present-day Economic Problems," by Frederick S. Deibler, Professor of Economics at Northwestern University; "Plans for Economic Security," by the same author—advocating a broad expansion of social security; "Recent Social Trends," by Lyman Bryson, Visiting Professor of Education, Teachers College, Columbia University; "Plans for an Improved Social Life," by J. B. Edmonson, Dean of School of Education, University of Michigan; "Tendencies in Government," by Carroll Hill Wooddy, Adult Forum Leader, Des Moines Public Schools, Des Moines, Iowa; also, "The Future of Governmental Change," by the same author, including an item on "The Objectives of Political Action," with the following statement: "What of the courts, with their conservative traditions hampering constitutional change?"; "A Preface to a New American Philosophy of Education," by John L. Childs, Assistant Professor of Education, Teachers College, Columbia University; "Public Opinion and Education," by Jesse H. Newlon, Professor of Education and Director of the Lincoln School (an experimental educational project), of Teachers College, Columbia University. This chapter contains a frank endorsement of the propaganda type of education established in France, Germany, Italy and Russia. Other chapters are entitled "The Teaching Profession and Social Policy," by Jesse H. Newlon; "The Problem of Teachers for the New Education," by W. W. Theisen, Assistant Superintendent of Schools, Milwaukee, Wisconsin; "Progress in Educational Organization," by Frank W. Ballou, Superintendent of Schools, Washington, D. C.; "Education of Children," by Worth McClure, Superintendent of Schools, Seattle, Wash., advocating a "New School of Democracy," to constitute "The American Dream"; "Education of Youth," by Fred J. Kelly, Chief, Division of Higher Education, United States Office of Education, Washington, D. C.; "Education of Adults," by John W. Studebaker, United States Commissioner of Education, Washington, D. C.; concerning adult education program at Des Moines, Iowa, devoted mainly to the alleged failure of democracy and the need for a new political party.

the young and insecure American nation of the nineteenth century. Let us teach the Monroe Doctrine and our relation with South America in such a way that each recurring Argentinian crisis would not appear novel and soluble only on the basis of expediency. In short, let us link Green to Gompers, F.D.R. to Progressivism, Southern Reactionary Senators to Reconstruction, and inflation today to inflation after other wars." (Pages 71-72.)

These reports, issued by the National Education Association in 1935 and 1946, respectively, are important as evidence of the extent to which the "interpretation" of history became an established propaganda technique during that period.

The next step was to move into the field of visual education. In the early 1930's, a group of professors affiliated with the Schools of Education at Stanford and Columbia Universities sponsored a publication known as "Building America."<sup>64</sup> It was a propaganda magazine issued in monthly supplements during the school year, and contained photographs, subversive reading lists, and reference materials of left wing political groups.

The following units from the original edition of "Building America" are offered as evidence of the propaganda technique:

Exhibit No. 12: "Housing" (1935) containing material to promote the Federal Housing Program;

Exhibit No. 13: "Health" (1936), a build-up for socialized medicine;

Exhibit No. 14: "Power" (1936), propaganda for government ownership of public utilities;

Exhibit No. 15: "Youth Faces the World" (1936), Youth Movements in Germany, Russia and America;

Exhibit No. 16: "Our Constitution," published just before the November, 1936, elections, to support the plan to pack the United States Supreme Court;

Exhibit No. 17: "Social Security" (1936), advocating a broad extension of the Federal Social Security Program;

Exhibit No. 18: "News" (1937), a slanted article on the newspaper business, supporting the claims of the American Newspaper Guild;

Exhibit No. 19: "Labor" (1938), a slanted presentation emphasizing the position taken by agitators and excluding facts about Communist fronts in the labor movement;

Exhibit No. 20: "Education" (1938), supporting the Progressive Education Movement;

Exhibit No. 21: "Our Federal Government" (1938), favoring spending policies of the federal government;

Exhibit No. 22: "Civil Liberties" (1939), supporting the type of agitation carried on by Communist fronts.

The original copyright copies of the above units are on file in the Library of Congress. Those documents are offered to show the kind of propaganda sponsored by the National Education Association before public protest compelled a revision of some of the material.

"Building America" was born in a Federal Writers' Project in New York City. The first unit, "Housing," was prepared under the supervision of the Works Progress Adminis-

<sup>64</sup>The professors supporting this activity formed an organization known as "Society for Curriculum Study, Inc.," which was subsequently taken over as the Department of Supervision and Curriculum Development of the National Education Association. The Editorial Board consisted of Paul R. Hanna, of Stanford School of Education (Chairman); Lyman Bryson, Teachers College, Columbia University; H. L. Caswell, Teachers College, Columbia University; C. L. Cushman, Denver Public Schools; Claire Zyve, New York University; William G. Gray, University of Chicago; Harold Hand, Stanford University; Jesse H. Newlon, Teachers College, Columbia University.



tration. Additional money was obtained from the Rockefeller Foundation.<sup>65</sup>

As Exhibit No. 23 we submit the following advertisement:

"BUILDING AMERICA  
The General Education Board of  
THE ROCKEFELLER FOUNDATION  
provided over \$50,000.00 to  
assist in the development of  
"BUILDING AMERICA"  
Now endorsed by OUTSTANDING  
EDUCATORS in every State

Distributed by  
THE GROLIER SOCIETY INC.  
23 offices in Principal Cities  
of U. S. and Canada"

The original of that announcement is filed herewith.

It may be of interest, in passing, to observe the extent to which funds obtained from tax exempt foundations in New York City have been used to support radical activity in the educational field.<sup>66</sup>

*"Gulliberalism" and "Progressive"  
Education in California*

For almost twenty years, the California public school system has been under the demoralizing influence of the Dewey philosophy. The following account of conditions occurring in that state during this period is cited to explain what has happened elsewhere:

In California a Constitutional Amendment adopted in 1912 provided for a State Board of Education to administer a system of uniform free textbooks for elementary schools.<sup>67</sup> In 1929, many prerogatives of this board were

<sup>65</sup>A pamphlet issued by The Grolier Society, Inc., 2 West 45th Street, New York 19, N. Y., contains the following statement: "The idea behind BUILDING AMERICA was conceived in 1933, a year of widespread suffering. Two years later, BUILDING AMERICA began to be published. Grants from the General Education Board (founded by John D. Rockefeller), extending over five years, made this possible."

<sup>66</sup>During the period 1942-1947 Rockefeller Foundation made grants totaling \$239,500.00 distributed among the following organizations: Russian Institute of Cornell University, Russian Institute of Columbia University, Committee for Rehabilitation of Polish Science and Culture, Inc., American Soviet Science Society, and American Film Center, Inc. Some of this money went to the Institute of Pacific Relations, an organization carrying on propaganda to support the Communist movement in China. The Treasurer's Report of Columbia University shows receipt of the following contributions during the fiscal year 1946-1947: Carnegie Corporation of New York, \$20,000 for graduate program of Russian Institute, \$2,000 for study of Russian in American colleges, and \$25,000 for topical studies in international relations; from Rockefeller Foundation, \$50,000 "toward the development of the Russian Institute—School of International Affairs." The original grant to establish the Russian Institute at Columbia came from the Rockefeller Foundation. Alger Hiss (now under federal indictment for espionage) was, until recently, the President of the Carnegie Endowment for International Peace. John Foster Dulles is Chairman of the Board of that organization.

<sup>67</sup>Cal. Const., Art. IX, Sec. 7, adopted Nov. 5, 1912: "The Legislature shall provide for the appointment or election of a State Board of Education, and said board shall . . . adopt a uniform series of textbooks for use in the day and evening elementary schools throughout the State . . . they shall be furnished and distributed by the State free of cost or any charge whatever, to all children attending the day and evening elementary schools of the State . . ." By law the board consists of ten members "who are appointed by the Governor, with the advice and consent of two-thirds of the Senate." (Ed. Code 101.)

transferred to a State Curriculum Commission, created for the alleged purpose of *giving advice* in educational matters.<sup>68</sup> Before long, the Commission had assumed control. Its membership consisted *exclusively* of educators. Appointments to the State Board of Education were generally the result of recommendations made by those educators or by others having the same philosophy. The following conditions are the direct result of twenty years of educator-domination over the California public school system:

In 1929, the Commission published a Teachers' Guide for the kindergarten and primary grades, a book recommending many of the unsound classroom activities which have since become characteristic of the so-called "progressive" system.<sup>69</sup>

In 1936, experimental education was extended to the intermediate grades by the publication of a second manual. That manual contained suggestions for activities and "classroom discussions" to enable the children to teach themselves something about social studies and other subjects generally given in the upper grades of an elementary school.<sup>70</sup>

<sup>68</sup>Ed. Code 10001 provides for a Curriculum Commission consisting of the Superintendent of Public Instruction and ten additional members appointed by him "with the approval of the State Board of Education." Sec. 10002 requires the appointment of "at least one county superintendent of schools, one city superintendent of schools, one person employed in a junior college requiring certification qualifications, one high school principal, one elementary school principal, one college teacher of education, and one classroom teacher." Under Sec. 10003 the term is four years. There is no statutory power of removal. Sec. 10009 provides that "The Curriculum Commission shall study problems of courses of study in the schools of the State and may recommend to the State Board of Education the adoption of minimum standards for courses of study in the kindergarten, elementary, and secondary schools." Sec. 10010 provides that "courses of study in the public schools shall conform to such minimum standards when adopted." In practice, these sections gave almost complete control of the public school system to a small hand-picked group of educators. The State Board of Education abdicated its responsibilities and became little more than an agency to ratify the "recommendations" placed before it. It had no power to hire or fire policy making officers in the Department of Education. Conditions since 1930 have been very largely the result of this loss of public control.

<sup>69</sup>"Teachers' Guide to Child Development in the Kindergarten and Primary Grades" (Cal. State Printing Office, 1930). This is a manual which frankly recommends classroom activities as a substitute for textbooks and regular instruction in fundamentals. We cite the following for illustration: "Making of a Pet Park"—said to develop an understanding of industrial arts, fine arts, music appreciation, singing songs, reading, arithmetic, oral and written expression (pp. 20-23); "Studying Boats"—recommended to develop an understanding of geography, history, science, literature, and reading (p. 27); "Picnic Project"—where the children would learn some reading by writing up notices for their parents (p. 530); "Building a Chicken Coop" (p. 162); "Building a Street Car" (p. 245). The attitude toward discipline is indicated by the following statement at page 348: "If the children help to decide when . . . a 'quiet time' is needed, they will more readily learn to control themselves . . . the teacher is a member of the group, learning with them. She identifies her purposes with those of the children." Recently, at San Francisco, a member of the Board of Education announced that children in one of the schools were building a fort with orange crates—that this was part of a project to learn something about history. A school superintendent at Roseville, a railroad center, found children playing with an electric train in the classroom to learn something about transportation. These and other experiments of the same type are the result of the philosophy of John Dewey and other educators at Teachers College, Columbia University. Activities of one type or another are characteristic of the course of study at all grade levels. In the upper grades, classroom discussions are substituted for the projects of the younger children. The basic method is the same—it contemplates that children may *grope about* and thereby *discover* knowledge for themselves.

<sup>70</sup>"Teachers' Guide to Child Development in the Intermediate Grades" (Cal. State Printing Office, 1936). The following activities are listed: Building a native hut in the classroom to reconstruct the experiences of people living in the South Seas (p. 124); a covered wagon, to enable fifth grade boys to re-live pioneer days (p. 101);

"Progressive" educators do not believe in basic textbooks. They advocate classroom *discussions* as a substitute for *instruction* in fundamentals. The teacher is supposed to select the materials. That "selection" may and often does include propaganda. This is the technique frequently used to get subversive literature in the course of study. The provisions of the California Constitution requiring *basic textbooks* have been suspended for about *fifteen years*.<sup>71</sup> There was no reform of any kind until citizens' protests resulted in a Legislative investigation. We are referring here to the inquiry started in 1943, which was the *first* of a series of investigations maintained by the California Senate to determine conditions existing in the public school system.<sup>72</sup>

The failure to give proper instruction in the three R's resulted in general illiteracy. The San Francisco Board of Education has been concerned about this condition for many years. Its experience is typical.<sup>73</sup>

*Civic illiteracy* has resulted from the failure to teach American history. There are no adequate courses of study in American institutions and ideals—nothing to develop an understanding of the philosophy upon which our government is based. Statutes requiring such instruction have been generally disregarded.<sup>74</sup>

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an experiment in making soap (pp. 167-174); designing a model of the "Santa Maria" in connection with a study of Columbus (p. 78). The bibliography of the chapter on "Social Studies" cites "Dare the School Build a New Social Order?", by George S. Counts, "The Economy of Abundance," by Stuart Chase, "Education and the Social Crisis," by W. H. Kilpatrick (a Columbia educator sponsoring "Building America," who spoke at a mass meeting at New York City in February, 1935, in a campaign for repeal of the Ives Teachers' Loyalty Oath Law), "The Educational Frontier," by W. H. Kilpatrick, B. H. Bode, John Dewey, and others, also, "Remakers of Mankind," by C. W. Washburne.

<sup>71</sup>American history is a basic subject prescribed by law. It was the duty of the State Department of Education to provide a basic text in that subject for elementary schools and to provide *one book for each pupil* (Ed. Code 10302, 11151, 11291). These statutes and the provisions of the State Constitution for elementary school textbooks were disregarded entirely. No state textbook in history was provided during the period from 1936 to 1948, inclusive. There was no civics text between 1935 and 1945. State law was nullified by progressive educators who did not believe in a textbook system. For twenty years the Curriculum Commission failed to recommend minimum standards in American history, civics, the Constitution, and other basic subjects as required by Section 10009 of the Education Code.

<sup>72</sup>In 1943, the State Senate created an Interim Committee on Public Education (Sen. Res. No. 52, 55th Regular Session) to inquire into conditions brought about by progressive education. Hearings conducted by that committee brought out the fact that the schools were trying to teach without textbooks; that there was a general lack of training in fundamentals; that standards were low, and that the educational methods in general use were wholly unsatisfactory. These findings were summarized in a report filed with the California Senate on June 11, 1945. The State Department of Education took no definite action to study or adopt textbooks for elementary schools until the Legislature started this investigation. The State Board of Education received no report for textbooks in history or geography until July, 1946, one year after the Senate Committee had filed its report. A requisition form for State textbooks recently issued by the Superintendent of Public Instruction shows that history and geography texts will not be available until the Fall of 1949. This breakdown in the State textbook system has compelled the elementary schools to get along without books except in those districts where local boards shoulder the burden and provide texts to take the place of those which should have been furnished by the State.

<sup>73</sup>A survey recently completed by the San Francisco School Department shows that reading, writing and arithmetic are the three subjects in which high school students show the greatest percentage of failure. Over-emphasis on "social programs" was cited as a cause of this condition (S.F. Examiner, Mar. 7, 1949, p. 16). Aptitude tests given in other school districts have produced the same results.

<sup>74</sup>Ed. Code, Secs. 10051, 10055, require regular instruction in the Constitution, American history, and "American institutions and

Propaganda type textbooks were introduced in some local school districts in California during the early 1930's. The Rugg Series was the text in most general use. Citizens' protests brought that situation to a head when a panel of experts appointed by the San Francisco Board of Education filed a unanimous report declaring the Rugg Books to be unfit for public school use and questioning the philosophy of education upon which those books were based. We submit a copy of that report as Exhibit No. 24.<sup>75</sup>

This report had the *immediate* effect of causing the Rugg books to be eliminated in most school districts. It had no *permanent* effect in causing the educators dominating the California school system to change their basic philosophy.

For about three years there was no attempt to introduce a substitute. Finally, a group headed by Professor Paul R. Hanna, of the Stanford School of Education, organized to put "Building America" into the elementary schools of the State. There were closed meetings of the Curriculum Commission, followed by proceedings before the State Board of Education at which citizens' protests were ignored. It became necessary to take the case to the Legislature.<sup>76</sup>

On February 21, 1947, petitioner filed a complaint and

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ideals" to commence not later than the eighth grade. Under Sec. 10302 the course of study must include the Declaration of Independence and the Constitution of the United States. The State Department of Education failed to discharge its responsibilities under these sections. Where effective instruction of this type has been given in a local district, it is the result of the action of the local board.

<sup>75</sup>Panel consisted of Monroe E. Deutsch, Chm. (Univ. of Cal.), Glenn E. Hoover (Mills College), John L. Horn (Dominican College, San Rafael), Lloyd D. Luckmann, educator (now at San Francisco City College), Harold R. McKinnon (member of the San Francisco Bar), and Edgar E. Robinson (Professor of History at Stanford University). The committee report states: ". . . we question the concept of education on which these textbooks are founded . . . it does not follow that belief in democracy means acceptance of a method of education which directs the main attention of young students, usually between twelve and fifteen years of age, to a 'discussion of questions' and 'seeing all sides' rather than the study of geography and history and literature. We do not believe in the study of 'problems' as a satisfactory method of education for children of that age.

". . . These books are built upon the assumption that it is one of the functions of the school (indeed, it appears at times the chief function) to plan in the classroom (yes, indeed, the junior high school!) the future of society. From this view we emphatically dissent." An able concurring opinion was filed by Harold L. McKinnon, Esq., discussing the denial of the doctrine of unalienable rights and the anti-religious philosophy.

<sup>76</sup>The publishers of "Building America" filed a bid with the Superintendent of Public Instruction four and a half months after the deadline fixed in a call for bids; the matter was presented at a closed session of the Curriculum Committee three weeks later; citizens were denied the right to attend; the Commission adopted a "Confidential" report including recommendation for the purchase of "Building America"; that report was presented at a meeting of the State Board of Education held at San Francisco in July, 1946; there was a motion for immediate adoption even though no one except the members of the Commission had seen the report or had any opportunity to examine the books; a representative of Petitioner attended the meeting and demanded a postponement to enable him to study the material and file a protest; the matter was continued until the next meeting of the Board, held at Los Angeles on August 24, 1946; protest was renewed at that time, being backed up with proof of the subversive material contained in the books; at the suggestion of the Curriculum Commission, the Board put the matter over again and asked for "revisions"; the next Board meeting was held at San Diego on Oct. 4, 1946. At that time Petitioner disclosed that some of the propaganda in "Building America" came from a Federal Writers' project in New York City; and that a great deal of it originated in Communist Front organizations. There was another continuance. In January, 1947, the Board met at Sacramento without notice to Petitioner. It disregarded a wire requesting postponement and demanding a hearing, and passed a resolution for immediate adoption of the books subject to certain revisions. This action made it necessary to take the case to the State Legislature.

brief with the California Senate and Assembly to obtain an investigation of the entire matter. This precipitated the second legislative investigation. Copies of those documents have been offered in support of the petition herein.<sup>77</sup>

The Legislature took jurisdiction. Appropriations were withheld as a means of preserving the status quo. The Education Committee of the State Senate conducted hearings and a special committee of the Senate was appointed to continue the investigation after adjournment. This latter committee filed a unanimous report in which it found

“. . . the Building America Books to be *unfit for use in our schools.*”

We submit the following analysis of that report:

Fifty authors of the reference material cited in the Building America books were found to have communist front affiliations.

Their combined membership involved a total of *one hundred thirteen fronts.*

These texts were selected by educators who set themselves up as “experts.” The Chairman of the Curriculum Commission testified that he did not consider the books subversive. He said he was unable to find any propaganda in them.<sup>78</sup> Dr. Hanna, who was and still is the Chairman of the Editorial Board of Building America, gave the following testimony before the Senate Committee on Education:

“Senator Donnelly: Were the writers of Building America screened to find out if they had any Communistic affiliations?”

“Dr. Hanna: Not by the Federal Government, but I will tell you what I did, Senator: In the second year of the publication I was concerned about this same thing. As Chairman of the Editorial Board I felt a responsibility to the Board and my fellow educators to make sure we were not propagandizing or being open to subversive literature, so I wrote a letter which is in our files to the editors, which said, ‘This project must not have any one on its writing staff who has any connection with any Communist organization,’ and I was assured, and I assure you this has been and will be the case so long as I am connected with Building America—as far as I know, no member who has written any material for Building America has had any connection with any Communistic or subversive organization.”<sup>79</sup>

The “educators” told the members of the California Senate that “Building America” did not contain any communist propaganda. Let us now consider what the Senate Committee found in those books. As a starting point, we will take the unit on “Russia,” citing as a reference “Soviet Communism: A New Civilization?” by Sidney and Beatrice Webb. The former is one of the founders of the Fabian Society of London.<sup>80</sup>

<sup>77</sup>The complaint and brief filed with the California Legislature were published in pamphlet form under the title “The Betrayal of America” and are offered as Exhibit “A” in the petition filed herewith. The original California edition of “Building America” has been submitted as Exhibit “B.”

<sup>78</sup>Exhibit “C,” Testimony of Jay D. Conner, Senate Education Committee transcript at page 69: “Senator Donnelly: I would like to ask Mr. Conner a question: This series of books, ‘Building America,’ as first presented to the Curriculum Commission, did they, in your opinion, contain any subversive material, or any Communistic propaganda? Dr. Conner: No, Senator, not in our opinion.”

<sup>79</sup>Exhibit “C,” Senate Education Transcript, hearing of April 17, 1947, at page 116.

<sup>80</sup>The Fabian group was a Socialist society established in London during the winter of 1883-4 to reconstruct the society of England according to the Socialist pattern. It was joined by five people who have since become prominent: G. B. Shaw, Sidney Webb, Sidney Olivier (later Lord Olivier), Graham Wallas, and Annie Besant. In 1889, the Society published a volume of essays by these five, entitled “Fa-

The same unit cites “The Soviets,” by Albert Rhys Williams, in which there is a *fifteen page bibliography* to give the teachers in our elementary schools the “truth” about Soviet Russia.<sup>81</sup>

Professor Holland D. Roberts is another contributor. He was formerly at the Stanford School of Education and is now affiliated with the California Labor School, an organization teaching Communism at San Francisco.<sup>82</sup> The reference list includes the book “Soviet Farmers,” by Anna Louise Strong, an author who has received considerable notice in the press recently.<sup>83</sup> Her book is a publication of the Communist front “National Council of American-Soviet Friendship.”

The California edition of “Building America” contains propaganda in nearly every unit. Some of the educators recommending adoption of the books may have failed to recognize the communist reference material therein. Those who did, failed to bring these facts to the attention of the authorities. In the interest of brevity, we will not make a detailed study of the propaganda in the other units of “Building America.” A few items of interest are cited in the footnote.<sup>84</sup> The report of the California Legislative Investigation

bian Essays in Socialism,” which made a considerable stir in radical circles. The revolutionary socialism of that period was based on the theories of Karl Marx. This group was subsequently identified with the British Labor Party and had a great influence in bringing about national socialism in Great Britain (see Vol. 9, Encyclopedia Britanica, pages 19-20). The book on Soviet Communism, by Sidney and Beatrice Webb, is practically a blueprint on Russia, written from the Communist point of view. It would be hard to find a better reference book to indoctrinate the teachers in our elementary schools.

<sup>81</sup>Albert Rhys Williams has been affiliated with the following fronts: Friends of the Soviet Union, League of American Writers, American Russian Institute, Open Letter for Closer Cooperation with the Soviet Union, Soviet Russia, and Soviet Russia Today. His bibliography for teachers contains the following material slanted to favor Communism: “The Challenge of Russia,” by Sherwood Eddy; “Pocket-Guide to the Soviet Union,” issued by Intourist, Moscow; “Soviet Communism: A New Civilization?” by Sidney and Beatrice Webb; “Communism,” by Harold Laski; “The Theory and Practice of Socialism,” by John Strachey; “The Red Star in Samarkand,” by Anna Louise Strong; “Soviet Russia in the Second Decade,” by Stuart Chase, Robert Dunn and Rexford Tugwell; “The Planned Economy in Soviet Russia,” by Edward Lamb; “The Soviet Challenge to America,” by George S. Counts; “Impressions of Russia and the Revolutionary World,” by John Dewey; “The New Education in the Soviet Republic,” by Albert Pinkevitch. (Dilworth Rep., p. 81.)

<sup>82</sup>Holland Roberts, affiliated with: Tom Mooney Labor School, California Labor School, American Russian Institute, Model Youth Legislature, Academic and Civil Rights Council of California, and American Youth for Democracy. (Dilworth Rep., p. 81.)

<sup>83</sup>Anna Louise Strong has been connected with: American Council on Soviet Relations, Moscow News, National Council of American-Soviet Friendship, American Student Union, Consumers Union, Friday, Icor, International Workers Order, League of American Writers, Tallentire Jubilee Committee, Mother Bloor Celebration Committee, National Federation for Constitutional Liberties, Open Letter to American Liberals, Sunday Worker, Soviet Russia Today, Statement by American Progressives on the Moscow Trials, Abraham Lincoln Brigade, The Washington Book Shop (Dilworth Rep., p. 80).

<sup>84</sup>“Our Constitution” is the unit prepared to support the Court Packing Plan of 1937. The bibliography cites none of the reference material required to enable a student to understand the proceedings at the Constitutional Convention. Instead of listing good historical material, it cites “The Nine Old Men,” by Pearson and Allen, “The Rise of American Civilization,” by Charles A. Beard, “Storm Over the Constitution,” by Irving Brant, “The Ultimate Power,” by Morris Ernst; also, an article “Shall We Scrap the Constitution?” by Blanshard and Gleason in the August 1935 issue of Fortune Magazine.

The unit “Civil Liberties” cites the following authors: Prof. Zachariah Chaffee, Jr., affiliated with American Committee for Democracy and Intellectual Freedom, Citizens Committee to Free Earl Browder, Statement Defending the Communist Party, National Federation for Constitutional Liberties, and Veterans of the Abraham Lincoln Brigade; Morris Ernst, trustee of Garland Fund (a foundation support-

of those books is an amazing document which merits study by members of Congress.<sup>85</sup> It was found that members of the following fronts were directly or indirectly involved:

- (1) Academic and Civil Rights Council of California;
- (2) All America Anti-Imperialist League;
- (3) American Committee for Democracy and Intellectual Freedom;
- (4) American Friends of the Chinese People;
- (5) American League Against War and Fascism;
- (6) American Student Union;
- (7) American Committee for Protection of the Foreign Born;
- (8) American Committee to Save Refugees;
- (9) American Friends of Spanish Democracy;
- (10) American Youth Congress;
- (11) American Committee for the Struggle Against War;
- (12) American Relief Ship for Spain;
- (13) American-Russian Institute;
- (14) American Youth for Democracy;
- (15) American Council on Soviet Relations;
- (16) American Artists Congress;
- (17) American Fund for Public Service;
- (18) American Committee for Free Yugoslavia;
- (19) American Slav Congress;
- (20) American Committee of Liberals for the Freedom of Mooney and Billings;
- (21) Art Front;
- (22) Artists Front to Win the War;
- (23) Banquet Celebrating 25th Anniversary of the Red Army;
- (24) Black and White;
- (25) Conference for Pan-American Democracy;
- (26) Conference on Constitutional Liberties in America;
- (27) Consumers National Federation;
- (28) Cooperating Committee to Lift the Spanish Embargo;
- (29) Celebration of 15 Years of Biro Bidjan;
- (30) Citizens Committee to Free Earl Browder;
- (31) Citizens Committee for Harry Bridges;
- (32) Congress of American Revolutionary Writers;
- (33) California Labor School;
- (34) Council of U. S. Veterans;
- (35) Daily Worker;
- (36) Emergency Conference on Inalienable Rights;
- (37) Ella Reeve Bloor Banquet;
- (38) Friends of the Soviet Union;
- (39) Friday;
- (40) Film Audiences for Democracy;
- (41) Friends of the Abraham Lincoln Brigade;
- (42) Federation of Architects, Engineers, Chemists and Technicians;
- (43) Golden Book of Friendship with the Soviet Union;
- (44) Greater New York Emergency Conference on Inalienable Rights;
- (45) Hollywood Writers Mobilization;

ing Communist activity), National Lawyers Guild, Non-Partisan Committee for the Re-Election of Congressman Vito Marcantonio, and Medical Bureau to Aid Spanish Democracy; Arthur Garfield Hays; affiliated with All-American Anti-Imperialist League, Russian Reconstruction Farms, Inc., Art Front, Citizens Committee for Harry Bridges, Citizens Committee to Free Earl Browder, Consumers Union, Coordinating Committee to Lift the Spanish Embargo, John Reed Clubs, Lawyers Committee on American Relations with Spain, National Wartime Conference of the Professions, the Sciences, the Arts, the White Collar Fields, Non-Partisan Committee for the Re-Election of Congressman Vito Marcantonio, Washington Committee to Lift the Spanish Embargo, League of American Writers, People's Committee Against Hearst, and American League Against War and Fascism.

<sup>85</sup>The Third Report of the Senate Investigating Committee on Education, which concerns Building American textbooks, has been offered as Exhibit "G" on the petitions of the National and California Societies of the Sons of the American Revolution.

- (46) Hollywood Quarterly;
- (47) Hollywood Community Radio Group;
- (48) Hollywood Democratic Committee;
- (49) Hollywood Independent Citizens Committee of the Arts, Sciences and Professions;
- (50) International Student League Against War and Fascism;
- (51) International Labor Defense;
- (52) International Workers Order;
- (53) ICOR;
- (54) International Juridical Association;
- (55) Joint Anti-Fascist Refugee Committee;
- (56) John Reed Clubs;
- (57) Jefferson School of Social Science;
- (58) Lawyers Committee on American Relations with Spain;
- (59) League of American Writers;
- (60) League of Professional Groups for Foster and Ford;
- (61) League for Women Shoppers;
- (62) Medical Bureau to Aid Spanish Democracy;
- (63) Model Youth Legislature;
- (64) Moscow News;
- (65) Motion Picture Artists Committee;
- (66) National Conference for the Defense of Political Prisoners;
- (67) National Conference for People's Rights;
- (68) National Emergency Committee to Combat Anti-Democratic Bills in Congress;
- (69) National Emergency Conference;
- (70) National Peoples Committee Against Hearst;
- (71) National Negro Congress;
- (72) National Wartime Conference of the Professions, the Sciences, the Arts, the White Collar Fields;
- (73) Negro Playwrights, Inc.;
- (74) Non-Partisan Committee for the Re-Election of Congressman Vito Marcantonio;
- (75) National Lawyers Guild;
- (76) National Council of American-Soviet Friendship;
- (77) National Writers Congress;
- (78) National Citizens Political Action Committee;
- (79) National Committee to Abolish the Poll Tax;
- (80) Nailebn;
- (81) New York Tom Mooney Defense Committee;
- (82) New Masses;
- (83) Open Letter to American Liberals;
- (84) Open Letter for Closer Cooperation with the Soviet Union;
- (85) Progressive Committee to Rebuild the American Labor Party;
- (86) Political Prisoners Bail Fund Committee;
- (87) Prestes Defense Telegram;
- (88) Pacific Weekly;
- (89) Peoples Educational Center;
- (90) Russian Reconstruction Farms, Inc.;
- (91) Reichstag Fire Trial Anniversary Committee;
- (92) Student Congress Against War;
- (93) Supporters of Simon Gerson;
- (94) Schappes Defense Committee;
- (95) School for Democracy in New York;
- (96) Southern Negro Youth Congress;
- (97) Soviet Russia Today;
- (98) Statement Defending the Communist Party;
- (99) Southern Conference on Human Welfare;
- (100) Sunday Worker;
- (101) Statement by American Progressives on the Moscow Trials;
- (102) Soviet Russia;
- (103) Science and Society;
- (104) Schneiderman-Darcy Defense Committee;
- (105) Statewide Legislative Conference;

- (106) Tallentire Jubilee Committee;
- (107) Tom Mooney Labor School;
- (108) The Book Union;
- (109) United Committee of South Slavic Workers;
- (110) Veterans of the Abraham Lincoln Brigade;
- (111) Washington Committee for Democratic Action;
- (112) Washington Committee to Lift the Spanish Embargo;
- (113) Woman Today.

The National Education Association threatened to file a groundless libel suit against petitioner as a means of bringing about an abandonment of the charges filed with the Legislature. Educators defended this propaganda in committee hearings. The Superintendent of Public Instruction denounced the Legislature for withholding funds to purchase the books.<sup>86</sup>

Although a Senate committee report condemning "Building America" was filed March 27, 1948, the State Department of Education continued to oppose its findings. County grand juries had been concerned for some time over the subversive textbook problem. The Grand Jury of Yuba County issued a report at Marysville, California, in December, 1948, with the following comment:

*"The Legislature found the books are 'unfit for use in our schools.' Nevertheless, and even though numerous other Grand Juries and patriotic groups throughout the State objected strenuously to the books, the Superintendent of Public Instruction was reported in the press to be still determined to eventually purchase and use the books in our schools, although he was quoted as saying the attempt would not be made in 1948. . .*

*"Recently the National drive by the pro-communists to indoctrinate our children with the Russian ideology has taken off at a new tangent. Their argument, at first glance is disarmingly simple and seemingly fair. It is, briefly, that communism is bad and should be taught in our schools to show the children how superior our American form of government is when compared side by side with communism. They attempt to shame us into lowering our guard by pointing out that anyone having faith in our American way of life should not fear communism when the merits of each are held up for scrutiny.*

*"The fallacy and danger in this argument is readily apparent to any person who will take the time to consider just what it proposes, and to study briefly the methods used by left wing educators and teachers in 'impartially' presenting the good and bad points of democracy and communism."*

The report then presents an analysis of the technique used by slanting the material and by selecting illustrations not representative of average conditions. It concludes with the following recommendation:

*"That the succeeding Grand Jury be alert to any attempt by the State Department of Education to place any textbooks or publications originating within the 'Building of America' series in the schools of Yuba County. As noted in our resolution dated April 2, 1947, expurgation of the subversive sections would not satisfy our basic objections, which are directed at the persons and groups responsible for its publication and adoption in the first instance."*

A copy of this report is submitted as Exhibit No. 25.

The second Legislative investigation produced passive resistance. During the 1949 regular session, the State Senate put riders on all Department of Education Bills to prevent use of funds for the purchase of "Building America." Finally, on February 9, 1949, the Superintendent announced that

he had no intention of considering purchase of the books. He said:

*"The schools are getting along fine with newspapers and periodicals as supplementary studies."<sup>87</sup>*

Recently our attention was directed to a new attempt to get "Building America" into the hands of California public school children by first distributing it to local members of the American Library Association. A photostatic copy of the circular containing that offering is submitted as Exhibit No. 26.<sup>88</sup>

#### *The Record in California*

The people of California have had the following experience:

Demoralization of the public school system, extending over a period of nearly twenty years, the direct result of the so-called "progressive" method of education.

Investigations in many local school districts, including, particularly, the exhaustive study of the subversive textbook problem made in 1943 at the instance of the San Francisco Board of Education.

Two investigations by the State Legislature—one started in 1943 which produced no reform, the other inaugurated in 1947 and still continuing because of the defiant attitude on the part of educator groups<sup>89</sup> dominating the public school system.

There has been a temporary check on the introduction of subversive textbooks because citizens' groups are now on the alert and prepared to meet further moves in this direction. There is no educational group in the state which has indicated its *desire* or *intention* to assist in a cleanup of these conditions.

Propaganda textbooks and other subversive teaching materials originating from universities and other organizations outside the state continue to threaten the public school system.

In our attempt to deal with the false philosophy demoralizing our school system, we have been confronted with another problem, illustrated by the case of one Victor R. Jewett, removed from the high school at Eureka, California, for seditious utterances in the classroom.

Jewett was found guilty after a full hearing in the local Superior Court, the judgment being affirmed by the District Court of Appeals of this State. The following quotation is taken from the opinion of that court:

*"The statement of appellant (Jewett) to one of his pupils that it was silly and foolish to salute the American flag is certainly not calculated to promote respect for our national emblem. His admission to the witness Jacobs that he had told his pupils that 'Russia had the best government in the world, and that we had*

<sup>87</sup>Daily Palo Alto Times, Feb. 9, 1949.

<sup>88</sup>This circular, sent by the Grolier Society, Inc, of New York, to California librarians, states: "All of the people of your wonderful state should have access to these volumes to satisfy themselves of the truth regarding this remarkable publication. Due to circumstances over which the publishers have no control, these books have not moved into the schools as rapidly as planned."

<sup>89</sup>On November 26, 1948, the National Council for the Social Studies adopted a resolution at its annual meeting at Chicago, including the following provision: "Since free investigation is an integral part of our democracy, the Council condemns bans on magazines and newspapers, such as those imposed on The Nation, Building America, and Scholastic Magazine."

<sup>86</sup>Senate Rep., pp. 9-11.

one of the worst,' leads one to question appellant's fitness to instruct children of tender years. The same witness stated that appellant had said to him that Russia 'always pays its debts, it is this country that doesn't pay its debts'; that the United States was 'the aggressor in every war we have been in'; that 'we were a bully amongst nations and took advantage of all the smaller nations.' Appellant disapproved the attendance of his pupils at the cinema to view a patriotic moving picture; he distributed to his pupils, in the classroom, pamphlets commenting on Communism, and also circulated pamphlets concerning the case of Thomas J. Mooney, whom he described as a greater martyr than Abraham Lincoln; he told his pupils that he would rather be a 'live coward than go to war.' On another occasion he stated that if the United States became involved in war he 'would have nothing to do with it'; that the United States needed neither army or navy. To some of his pupils, he spoke disparagingly of Abraham Lincoln. To others he decried religion. When accused by one pupil of being a Communist, and by another of belonging to a Communist club, he made no denial. Other teachers in the school testified that pupils coming from the classroom of appellant, to theirs, were mentally disturbed by his teaching. That appellant was in correspondence with the office of the 'Western Worker,' a Communist publication, is conceded by him, as well as that he was a subscriber to, and supporter of that publication. The appellant testified as a witness on his own behalf, but much of his testimony was evasive, particularly his explanation of the purpose of the payment to him in 1934, of certain moneys by direction of the State Bank of the USSR in Moscow. Nor did he satisfactorily explain his visit with a woman representing herself to be an emissary of the Russian government.

"From the foregoing recital of acts and conduct of appellant, his unfitness to be the teacher of children of impressionable age sufficiently appears without further statement of other similar acts and conduct on his part which are disclosed by the evidence. Waiving all other circumstances, his demeanor in the classroom was in violation of the oath assumed by him to obtain his credentials entitling him to teach."<sup>90</sup>

The State Supreme Court denied a petition for review and the judgment became final on July 15, 1937.

Jewett waited for a few years and then applied for reinstatement, his application being denied by the Commission on Credentials. He then appealed to the State Board of Education, the identical board which had adopted "Building America" in spite of public protest. That matter came up at a board meeting held in San Francisco on July 13, 1946.

One board member suggested that there was no "jurisdiction" to refuse credentials except in a case where the applicant was under the age of eighteen years, or blind, or guilty of a felony involving moral turpitude. Another member said he thought Jewett should have an opportunity to "change his mind." By unanimous vote this latter suggestion was accepted and the board thereupon referred the matter to its Administrative Advisor for a "hearing." The Advisor was instructed to

"... gather such evidence on the *present beliefs and attitudes of Mr. Jewett* as will permit findings of fact as to whether Mr. Jewett *now adheres* to the beliefs and attitudes ascribed to him in the opinion in Board of Education v. Jewett, 21 Cal. App. (2d) 64. . ."

A kind of "rump" trial followed. Jewett was not sworn, although there was ample authority by statute to administer

<sup>90</sup>Board of Education v. Jewett, 21 Cal. App. (2d) 64; 68 Pac. (2d) 404.

an oath.<sup>91</sup> Being relieved of the burden of giving *sworn testimony*, Jewett then declared that the judgments rendered against him were false. He sat in a private office with his attorney<sup>92</sup> and the Administrative Advisor and gave the following "statement":

- "Q. Do you believe it is silly and foolish to salute the American flag?  
A. No.  
Q. Do you believe Russia has the best government in the world and that we, the United States, have one of the worst?  
A. No.  
Q. Do you believe that Russia always pays its debts and the United States does not?  
A. No.  
Q. Do you believe that the United States is a bully among nations and took advantage of all the smaller nations?  
A. No.  
Q. Do you disapprove of attendance upon patriotic motion pictures?  
A. No.  
Q. Do you believe that Thomas J. Mooney was a greater martyr than Abraham Lincoln?  
A. No, and I never said that.  
Q. Would you rather be a live coward than go to war?  
A. I signed up for the draft for this last war and had no intention of fighting the draft. No.  
Q. Did you say if the U.S. became involved in war you would have nothing to do with it?  
A. Definitely not.  
Q. Do you believe that the U.S. needs neither Army or Navy?  
A. No.  
Q. Do you believe that religion is to be decried?  
A. No.

On the basis of this "record," the Board decided that Mr. Jewett had "*changed his mind.*" It *unanimously* agreed to re-issue credentials. The opinions of three courts and the sworn testimony of more than a dozen good witnesses went into the discard.

It became necessary to take the Jewett case to the Legislature, along with the investigation of "Building America." Publicity resulting from hearings before the Senate Rules Committee forced Jewett to withdraw his application.<sup>93</sup>

About a year and a half after the second Legislative investigation, the State Board of Education sat to consider the confirmation of one J. D. Conner, appointed to act as Associate Superintendent of Public Instruction. There were objections on the ground that the appointee did not have the knowledge, qualifications or experience to properly discharge the duties of that office. This challenge was based upon the educational philosophy of the appointee.

We submit, as Exhibit No. 27, a transcript of certain pro-

<sup>91</sup>Ed. Code. Sec. 4841 authorizes superintendent and deputies to administer oaths. Without question the Administrative Advisor had authority to take such action under this statute, without any special delegation of power to that effect by the State Board of Education.

<sup>92</sup>Jewett was represented at this "hearing" by Herbert Resner, who is counsel for the Communist Party in California (Fourth Report of Tenney Committee, pp. 215 and 332). Resner also served as director of Tom Mooney Labor School at 678 Turk Street, San Francisco (Third Report of Tenney Committee, p. 78), and was a director of American Russian Institute, an organization with offices at 101 Post Street, San Francisco, engaged in distributing Soviet photographs and propaganda material to California teachers and school administrators.

<sup>93</sup>See Exhibit "C," proceedings of April 3, 7, 1947, before Senate Rules Committee on confirmation of Jertberg and Loeb.

ceedings at the October 30, 1948, meeting of the California State Board of Education in the Conner case. The following statement of counsel from that record will indicate the questions involved:

"We do not question the sincerity of the nominee who is up for consideration. We do not question his personal honesty nor do we question his patriotism. . .

"There is something else which is involved. *The issue here concerns the philosophy of education of the appointee.* . . It concerns the fact that he is indoctrinated with certain views which as surely as night follows day, will control and influence the manner in which the statutes of this state will be interpreted—the manner in which the power of this office will be exercised if this Board should see fit to make this appointment. . .

"Now, the philosophy of an appointee is one of the qualifications. In fact, under present conditions, it is probably the most vital qualification of all. We can not possibly administer a public school system by means of individuals whose philosophy is diametrically opposed to the philosophy of our laws, and who, even sincerely and honestly and patriotically will interpret and slant them in a direction not intended by the Legislature and not intended by the people. . .

"Therefore, let us consider this office. It is termed under the Constitution, the office of Associate Superintendent of Public Instruction. The appointee in this case will have power to dominate a large part of the public school system in this state. The duties of the office include curriculum matters at all grade levels. . . It involves the selection of textbooks, minimum courses of study. . . Philosophy has a bearing on that question. . .

"Now we have reasons for raising this question of philosophy. There is no doubt regarding our Constitutional right to do so. This man has freedom of conscience for himself. He has the right to vote as he sees fit and to do anything in private life he cares to do. . . He does not have a right to demand that we shall employ him. *He does not have a right to use our public school system as the means of putting his propaganda and his philosophy of life into the schools and into the minds of my children and your children.* He does not have that right. Therefore, our Constitutional right and moral right to challenge philosophy is absolute. It is not subject to any qualifications whatsoever.

"It is necessary for us to raise this question because we are confronted with a condition in our educational system which has led to legislative investigations which are still going on. The philosophy represented by this particular nominee is in a large measure responsible for the conditions confronting us. Correction of those conditions will not be possible until men are appointed to our department whose philosophy accords with the expressed views of the people of this state as put in the statute books by the Legislature. . ."

It is pointed out that Dr. Conner had testified before the Legislature in support of "Building America"; that the record of those hearings showed conclusively that he had no understanding of the subversive textbook problem; that he apparently did not know propaganda when he saw it, or if he did, he was indoctrinated to a point where he approved of that kind of instruction. The following statement in opposition to the appointment has a bearing on this question:

"The problem in our country today is not Communists, it is not Fellow-Travelers. The problem today is the indoctrination of false liberalism which leads sincere, honest and patriotic people to spread philosophy and to indoctrinate others. . . Practically all of (the Communist fronts operating today) are manned or supported by indoctrinated people who are honest, sincere and patriotic *by people who are either gullible, or ignorant, or indoctrinated.* . .

"This is our major problem today. It is a problem which every school board in the United States will be confronted with and required to solve within the next ten years. . . These people without knowing it, believing they are doing good for the United States . . . are actually supporting and spreading propaganda of Communism and they are undermining essential principles which must continue if our form of government is to endure."

The State Board of Education disregarded that protest and it confirmed the appointment. Its action was *unanimous*. It also re-affirmed its belief in "progressive" education.<sup>94</sup>

The recent action of the Board of Regents of the University of Washington on the cases of Professor Phillips, et al, involves the right to remove Communists and known fellow-travelers from a teaching staff on the ground that their philosophy and mental attitude are such that academic freedom, and particularly the exercise of *academic integrity*, is impossible.<sup>95</sup>

The Conner case approaches the problem from the opposite direction. It is, unfortunately, another example of the way in which boards and important officials have failed to develop an understanding of their responsibilities.

Conner was a man indoctrinated with the philosophy of false liberalism. It was clear, if not conclusive, from his own statements, that he could not discharge the duties of an Associate Superintendent of Public Instruction in accordance with the letter and spirit of the school laws of the State of California.<sup>96</sup>

This man was apparently a misguided "intellectual." He was sincere, but he was also incompetent—lacking in competence and ability to discover and keep propaganda out of the public schools.

Let us state the conclusions to be drawn from these cases. There are, in fact, three types to be considered, viz: (1) The

<sup>94</sup>Statement of Joseph P. Loeb: "The opposition to the appointment has narrowed itself so the Un-Americanism, the character and the morals of Dr. Conner are no longer in question. The only basis on which his appointment is opposed is his philosophy of education. That philosophy, as I understand his philosophy and our own, according to all the evidence, is the same philosophy for which this Board stands."

<sup>95</sup>See Report "Communism and Academic Freedom," published by University of Washington, 1949, containing the record of the tenure cases at that institution.

<sup>96</sup>Exhibit "C," April 8, 1947, Transcript of Education Committee of California Senate at p. 57, et seq., contains the following items:

"Senator Salsman: Your position, Doctor Connor, is that the Curriculum Commission passed upon these books and upon their suitability, and now stands upon its judgment? Dr. Connor: That is correct. Senator Salsman: Now, may I ask you how many members of the Curriculum Commission passed on this series? Dr. Connor: The entire Curriculum Commission. Senator Salsman: How many persons is that? Dr. Connor: Ten. . . Senator Salsman: Now, did any of these men or women find anything subversive in any of these books? Dr. Connor: No. Senator Salsman: Nothing at all? Dr. Connor: No. Senator Salsman: You are still willing to stand on your judgment as a member of the Curriculum Commission? Dr. Connor: I have stated my stand as positively as I know how." The record as to Dr. Conner was conclusive. In passing upon his appointment as Associate Superintendent it was necessary for the State Board of Education to make one of two assumptions, viz: (1) That this appointee was indoctrinated to such an extent that he did not recognize even the most obvious kind of propaganda, or (2) he realized that the material was propaganda, but considered it to be proper for use in an elementary school. In either event there was a lack of professional competence.

A particular duty of this appointee would be the enforcement of State laws against the introduction of propaganda in the course of study. Ed. Code, Sec. 8273, provides: "No publication of a sectarian, partisan, or denominational character, shall be used or distributed in any school. . . . Any school district . . . the officers of which knowingly allow any schools to be taught in violation of this section, forfeits all right to any State or county apportionment. . ."

acknowledged Communist or Fellow-traveler, (2) the Front Member who may be just a "Gulliberal," and (3) the *hopelessly indoctrinated "educator,"* who may not be a member of any front.

None of these people are competent to determine the policies of a public school system.

### *Philosophy*

The intellectual integrity of many of our "Gulliberals" has been undermined by the philosophy of Professor John Dewey of Columbia University.

According to Dewey, nothing is certain. All life is an experiment. There are no basic principles. Nothing is fundamental. The real purpose of an educational program is to "discover" truth, much as the scientist seeks to discover physical relationships by experimenting in a laboratory.

Dewey believed that adults were prejudiced—unnecessarily influenced by conservatism and tradition. He therefore selected young children at an impressionable age as subjects for his program of experimentation. He believed that the unprejudiced and inexperienced mind of a child afforded the way to discover truth and lead us to a better world.

Under Dewey, the "Progressives" made a god out of science. They took Materialism as their creed, applying the "scientific method" to governmental affairs. They were quite sure that modern science had the answer for *everything*. They believed that a better world with social justice and a more abundant life could be obtained by applying their untested theories to the general community.

Classroom "experience," activities and "experiments" were substituted for instruction in fundamentals. The teacher assumed a new role, joining with the children in the "discovery" of truth and the evolution of new principles for the conduct of society.

This was all done by classroom discussions. There was no certainty in the curriculum—nothing to interfere with this program of experimentation.<sup>97</sup>

These activities were devised by "educators"—theoretical people who spent most of their lives in other classrooms, the halls of our colleges and universities. Some of them deliv-

ered lectures and wrote papers which were used as *source material* by other educators.

Very few of these people ever taught children in an elementary school. Their "determinations" were the result of intellectual inbreeding. Some of their programs were developed at "workshops." These are meetings held at the School of Education of some university to discuss "problems." The panel generally consists of people with identical philosophies. There is little opportunity for real criticism—no chance to test theories by debate or cross-examination. Some of the fantastic reports coming from our universities can be explained on the basis of these conditions.

The "experimentalism" of John Dewey has taken us farther and farther from reality until an intellectual chasm is separating "educators" from the knowledge, common sense, and real experience of the people. "Leadership" is coming from men and women who are so indoctrinated that it is difficult for them to recognize the result of their own blundering.

### *Vilification and Class Consciousness*

At this point let us consider the "Building America" unit on "Civil Liberties" offered as Exhibit No. 22. This is an article written from the standpoint of a professional agitator, the material being arranged to emphasize class consciousness. We cite the following as examples:

At page 2 there is a picture of "working people *including Communists and Socialists* assembled in a public square in Philadelphia . . . to protest dictatorship."

Opposite, H. V. Kaltenborn is shown "editing the news."

The next page shows Norman Thomas being "pelted with eggs in Newark, New Jersey, when he spoke at an open air meeting."

The following questions are propounded for classroom discussion:

"Which groups have had their civil liberties most frequently denied?"

"What forces today threaten to destroy our democratic liberties? Which are helping to defend them?"

"How can our people work to preserve and extend civil liberties?"

There is a *short outline* concerning development of our Bill of Rights, followed by a *very elaborate discussion* of "Civil Rights Cases."<sup>98</sup>

The following references demonstrate the extent to which class consciousness is made the actual theme:

Members of the Ku Klux Klan are shown in robes and hoods terrorizing Negroes (p. 9).

Mooney and Billings appear posing for the cameraman on receiving "a pardon from the Governor of California after serving nearly 25 years in jail" (p. 10).

A group of Negroes is shown standing by "solemnly while addressed by hooded members of the Ku Klux Klan" (p. 12).

A truck load of Industrial Workers of the World is shown being taken to jail in the course of a raid (p. 13).

A crowd of "more than 15,000 persons" is shown packing a narrow Boston street "in front of the undertaking establishment

<sup>97</sup>See "Philosophies of Education," by John P. Wynne, Ph.D., State Teachers College, Farmville, Va. Chapters in this book bear the following titles: "Education and Experience"; "Relativity of Experience"; "Sociality of Experience"; "Motivation of Experience"; "Creativity of Experience"; "Selectivity of Experience"; and "Unity of Experience." At page 294 this author states: "From the standpoint of the philosophy of experimentalism, the activities constituting the curriculum can not be adequate when they are determined by prescribed subject matter in any form. . . . Some college teachers even hesitate to adopt a new text because they are almost sure to have to study it to determine how to teach it. . . . Experimentalists reject all these variants of the subject-matter theory because they see that adequate curriculum activities cannot be prescribed in advance, and that any subject-matter curriculum prescribes them in advance." At page 336 there is the following comment regarding "Moral Education": "With respect to moral and religious education, there should be little, if any, differentiation of courses, certainly not before the college level. In fact, moral and religious education may be properly conceived as aspects of general education. . . . No effort is required to see that pupils engage in the study of any special subjects, whether moral or religious. When they do face moral and religious problems as they arise, no effort is made to have pupils master specific materials beyond what the satisfaction of immediate needs requires. For instance, if the question of honesty, keeping promises, or telling the truth comes up in some connection, a decision is made that meets the demands of the situation, but no effort is made to have pupils study these problems further unless perhaps they wish to do so."

<sup>98</sup>Only four pages are devoted to development of fundamentals from Magna Charta to adoption of our Constitution. The text, in large type, is equivalent to only a page and a half. Remainder of the article dealing with "Cases" covers twenty pages and is supplemented with large photographs stressing race and class conscious situations.



where the bodies of Sacco and Vanzetti were taken after they were executed" (p. 13).

According to the authors "many people believe that these men were the victims of 'trial by prejudice'" (p. 13).

There is a portrait of Marian Anderson and a news clipping concerning denial of the use of a Washington, D. C., auditorium on her concert tour (p. 14).

Above is a cartoon from a St. Louis Newspaper depicting men with guns and rope bound for a lynching. A headline opposite the cartoon read as follows: "Missouri Negro, 19, Lynched . . ." (p. 14).

The next page contains photographs of Negroes arrested and "charged with having attacked two white girls" (p. 15).

Earl Browder is shown being arrested for vagrancy in Terre Haute, Indiana (p. 21).

On page 22 there is a picture of a striking worker being clubbed by police. Above are two other photographs, one showing a labor organizer reading a threat notice, and the other depicting men tarred and feathered by a local Vigilante Committee.

On page 23 a guard is shown protecting company property involved in a strike. An inset refers to a proposal to repeal an anti-picketing ordinance; then follows the statement; "For many years the city had a law which seriously interfered with picketing by strikers. . . Guards have many times deprived workers of their civil liberties."

Where does this propaganda come from? Quite obviously, it is the Party Line of the Political Action Committee. Appendix IX, filed by the Dies Committee in 1944, includes the following data about the setup in that front:

In 1944 it had 141 members, 83% of whom had records of affiliation with Communist and Communist front organizations. *In most instances these affiliations were neither casual nor infrequent.*

"The National Citizens Political Action Committee, taken as a whole, includes a formidable list of confirmed fellow-travelers of and fronters for Communist organizations. . . As a front organization, it represents the Communist Party's supreme bid for power . . . in this country." (IX:1:261.)

The House Report contains a documented analysis of *two hundred and forty five fronts* affiliated with NCPAC. The National Federation for Constitutional Liberties is typical. The following members of the National Committee of PAC were affiliated with that organization:

Louis Adamic, Eleanor Copenhaver Anderson (Mrs. Sherwood Anderson), William Rose Benet, Elmer A. Benson, Mary McLeod Bethune, Ernst P. Boas, W. Russel Bowie, Ethel Clyde, Joseph Curran, James A. Dombrowski, Zara DuPont, Edwin R. Embree, Elinor Gimbel, John Green, Langston Hughes, Freda Kirchoway, John A. Lapp, Max Lerner, Alfred Baker Lewis, John Frederick Lewis, Jr., James H. McGill, Carey McWilliams, William A. Neilson, Ira Reid, Paul Robeson, Reid Robinson, Arthur M. Schlesinger, Channing H. Tobias, Willard Townsend, J. Raymond Walsh, A. F. Whitney, and Mrs. Luke I. Wilson. (IX:4:1222).

The House Committee found that

"since its inception in June, 1940, the National Federation for Constitutional Liberties has, perhaps, been the foremost Communist front organization in the United States. It is highly significant that almost 25 percent of the leaders of the National Federation for Constitutional Liberties are members of Sidney Hillman's National Citizens Political Action Committee." (IX:4:1222.)

It also appears that the National Federation is a front which has been "handsomely subsidized by the Robert Marshall Foundation . . . (and) . . . the Sound View Foundation . . ." (IX:4:1222). Both of them enjoy the *privilege* of tax exemption under federal law.

The Federation has been active in demanding the release of radicals convicted of perjury and even murder.<sup>99</sup> It demanded that Congress discontinue the Dies Committee. More than a thousand people signed such a petition. About sixty per cent of them were college presidents, deans, professors, clergymen, educators and other "intellectuals" (IX:4:1239).

This is just the record of one PAC dominated front carrying on agitations for "civil liberties." Other organizations of that type are cited in the footnote.<sup>100</sup>

Of special interest is the front affiliated with PAC and organized by Professor Walter Rautenstrauch, of Columbia, to support the citizenship claims of William Schneiderman, Secretary of the Communist Party in California (IX:5:1564).

#### *Propaganda Aimed at the Destruction of Constitutional Government*

It is becoming very clear that the propaganda of "progressive" educators is training our children to become members of Communist fronts. It is also leading them to support the overthrow of constitutional government as a means of establishing a Social Welfare type of State.

It may be advisable to get our bearings before proceeding to a discussion of these points. We will therefore make a brief study of those problems from the standpoint of current events.

On Saturday, February 6th, 1937, the New York Times carried a headline indicating that the President had sought ". . . POWER TO REFORM COURTS, INCREASING THE SUPREME COURT TO 15 JUSTICES; CONGRESS STARTLED, BUT EXPECTED TO APPROVE."

A sub-heading in the same article stated that

"Constitutional Amendment and Statutory Judiciary Curb Would Be Side-Stepped."

A Presidential message received by the Senate and House contained the following explanation of the program for packing the federal courts:

"I have recently called the attention of the Congress to the clear need for a comprehensive program to reorganize the administrative machinery of the executive branch of our Government. I now make a similar recommendation to the Congress in

<sup>99</sup>Demanded release of King, Conner and Ramsey, radicals convicted of murder in California, and represented by the International Labor Defense; appealed for the release of Sam Darcy, a Communist Party organizer held for perjury; supported Vice-President Wallace in an attack on Congressman Dies; opposed federal registration of aliens; held meetings to block appropriations to the Department of Justice for an investigation of subversive activities among federal employees.

<sup>100</sup>National Emergency Conference for Democratic Rights (IX:4:1209); Washington Committee for Democratic Action (IX:6:1693); Conference on Constitutional Liberties in America (IX:1:651); Greater New York Emergency Conference on Inalienable Rights (IX:2:772); Emergency Defense Conference to Defend Democracy at Home (IX:2:691); Better Chicago League (IX:1:586), and All-California Conference for Defense of Civil Rights and Aid to Labor's Prisoners (IX:1:312).

regard to the judicial branch of the Government. *in order that it also may function in accord with modern necessities.* . . .

"It is . . . the duty of the President to advise the Congress in regard to the judiciary whenever he deems such information or recommendation necessary. . . .

"It is . . . one of the definite duties of the Congress constantly to maintain the *effective functioning* of the Federal judiciary.

"In exceptional cases, of course, judges, like other men, retain to an advanced age full mental and physical vigor. Those not so fortunate are often unable to perceive their own infirmities. . . .

"Modern complexities call . . . for a constant infusion of new blood in the courts, just as it is needed in executive functions of the Government and in private business. . . . A constant and systematic addition of younger blood will *vitalize the courts and better equip them to recognize and apply the essential concepts of justice in the light of the needs and the facts of an ever-changing world.* . . .

"If these measures achieve their aim, we may be relieved of the necessity of considering any fundamental changes in the powers of the courts or the Constitution of our Government—changes which involve consequences so far-reaching as to cause uncertainty as to the wisdom of such course."

The people were aroused. Letters of protest poured into Washington indicating disapproval at a ratio of *fifty to one*. The President delivered a radio address to reassure the people. He said:

"The Court in addition to the proper use of its judicial functions has improperly set itself up as a third House of the Congress—a superlegislature, as one of the Justices has called it—reading into the Constitution words and implications which are not there, and which were never intended to be there.

"We have, therefore, reached the point as a Nation where we must take action to save the Constitution from the Court and the Court from itself. We must find a way to take an appeal from the Supreme Court to the Constitution itself. We want a Supreme Court which will do justice under the Constitution—not over it. *In our courts we want a government of laws and not of men.*"<sup>101</sup>

On June 7, 1937, the Senate Judiciary Committee rendered a unanimous report condemning court packing as dangerous to constitutional liberty. We submit that document as Exhibit No. 28. The following quotations are taken therefrom:

"The effect of this bill is not to provide for an increase in the number of justices composing the Supreme Court. The effect is to provide a forced retirement or, failing this, to take from the justices affected a free exercise of their independent judgment. . . . *This bill is an invasion of judicial power such as has never before been attempted in this country.* . . .

"Shall we now, after 150 years of loyalty to the Constitutional ideal of an untrammelled judiciary, duty bound to protect the constitutional rights of the humblest citizen even against the Government itself, create the vicious precedent which must necessarily undermine our system?"

"It is essential to the continuance of our constitutional democracy that the judiciary be completely independent of both the executive and legislative branches of the Government and *we assert that independent courts are the last safeguard of the citizen, where his rights, reserved to him . . . come in conflict with the power of governmental agencies.*"

"*We recommend the rejection of this bill as a needless, futile, and utterly dangerous abandonment of constitutional principle.*

It was presented to the Congress in a most intricate form and for reasons that obscured its real purpose. . . . *It contains the germ of a system of centralized administration of law that would enable an executive so minded to send his judges into every judicial district in the land to sit in judgment on controversies between the Government and the citizen.* . . . Under the form of the Constitution it seeks to do that which is unconstitutional. Its ultimate operation would be to make this Government one of men rather than one of law. . . . *It is a measure which should be so emphatically rejected that its parallel will never again be presented to the free representatives of the free people of America."*

#### "Equal Justice Under Law"

The Court Bill was rejected. It led to the appointment of men with a new and different philosophy of constitutional interpretation. This seems evident from the decisions rendered after 1937.

*Teamsters.* On March 2, 1942, the Court considered a case involving members of a truckdrivers union charged with beating non-union operators and extorting money from them for the "privilege" of passing from New Jersey to New York. This was held to be a "traditional union activity" and therefore not a violation of the Federal Anti-Racketeering Act.<sup>102</sup>

*Doctors.* The American Medical Association, which was not a labor union, was held under the Sherman Act for interfering with a group health plan in the District of Columbia.<sup>103</sup>

*Schneiderman.* On June 21, 1943, the Court reversed decisions of two lower federal courts and refused to permit cancellation of a naturalization certificate obtained by William Schneiderman as the result of fraud. It disregarded the evidence and substituted its own philosophy. The following quotation is taken from the majority opinion of Justice Murphy:

"Petitioner (Schneiderman) testified that he believed in the nationalization of the means of production . . . *as far as possible for the advantage of the working classes.* He stated that the 'dictatorship of the proletariat' to him meant 'not a government but a state of things'. . . None of this is incompatible with the 'general political philosophy' of the Constitution. . . .

"Can it be said that the author of the Emancipation Proclamation and the supporters of the Thirteenth Amendment were not attached to the Constitution? . . .

"The concept of the dictatorship of the proletariat is one loosely used, upon which more words than light have been shed. . . . *Theoretically, it is control by a class, not a dictatorship in the sense of absolute and total rule by one individual.* . . . *It does not appear that it would necessarily mean the end of representative government or the federal system.*

"The Program and Constitution of the Workers Party criticized the constitutional system of checks and balances, the Senate's power to pass on legislation, and the involved procedure of amending the Constitution, characterizing them as devices designed to frustrate the will of the majority.

"The 1928 platform of the Communist Party of the United States, adopted after petitioner's naturalization . . . advocated the abolition of the Senate, of the Supreme Court, and of the veto power of the President, and replacement of congressional districts with 'councils of workers' in which legislative and executive power would be united. These would indeed be sig-

<sup>101</sup>The full text of this statement appears at pages 41-45 of the adverse report of the Senate Judiciary Committee on S. 1392, the measure introduced for "Reorganization of the Federal Judiciary."

<sup>102</sup>United States v. Local 807 of International Brotherhood of Teamsters, 315 U.S. 521.

<sup>103</sup>American Medical Assn. v. United States, 317 U.S. 519.

nificant changes in our present governmental structure—changes which it is safe to say are not desired by the majority of the people in this country—but we cannot say that a person who advocates their adoption through peaceful and constitutional means is not in fact attached to the Constitution. . .”<sup>104</sup>

We have always considered a “dictatorship of the proletariat” to be a form of tyranny, to the same extent as any other system in which *all the people* are governed by a special class, group or individual. Our government is based upon principles of *natural law* set forth in the Declaration of Independence. That document is our Magna Charta.

Under the Declaration, no government can be lawful which is not based upon *the will of the entire people*. It must be a form “deriving its just powers from the consent of the governed.”

“Whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it. . .”

It would be the right, and the duty of the people to revolt and destroy a dictatorship of the proletariat, or any other form of dictatorship, at the very instant it was established. A “constitutional amendment” purporting to set up such a tyranny would be void if adopted. We question the right to frame or adopt such a proposal. We certainly challenge the *moral right* of any citizen to advocate that sort of “constitutional change” by so-called “peaceful” means, or by any other method. The philosophy in the majority opinions in the Schneiderman case is, quite obviously, a denial of the doctrine of unalienable rights.

*Reinecke*. Recently it was necessary for the Attorney General of Hawaii to spend *thirty three days* in court proving that the Communist Party is a subversive organization. There were witnesses, innumerable documents, and many arguments to establish this obvious fact with “legal evidence.” All of this became necessary because the Court, in the Schneiderman case, had failed to take judicial notice of the fact that the Party not only advocates, but is engaged in bringing about the overthrow of government by force, violence or other unlawful means.<sup>105</sup>

The Reinecke case was a proceeding for the removal of a Communist teacher. If there is another case of that sort, it will presumably be necessary to submit this proof all over again. In theory it may require another thirty-three days trial in court for the case of each teacher, to show that the Communist Party is, in fact, engaged in a conspiracy.

In a very real sense, the Schneiderman Case has become the Dred Scott decision of our time. It is now being cited to sustain the contentions of the Communists at the treason trial in New York.<sup>106</sup>

<sup>104</sup>Schneiderman v. United States, 320 U.S. 118, at 141.

<sup>105</sup>In the Mundt-Nixon Bill and in a great deal of other legislation of this type considered by Congress and by State Legislatures, there are findings regarding the objects and subversive character of the Communist Party. These determinations should certainly be sustained by the Judiciary in view of the evidence on that subject already developed in committee hearings.

<sup>106</sup>See article “Our High Court Analyzed,” by Thomas Reed Powell, professor at Harvard Law School, in New York Times Magazine, issue of June 14, 1944: “In times past the Supreme Court has often been called the bulwark of conservatism. It is now obviously relinquishing any such role. It might conceivably become a bulwark of radicalism if the nation and the state begin leaning more to the right than to the left. We should then be entitled once more to think of constitutional law in terms of judicial domination.”

*Concentration Camps*. On August 25, 1943, the Commanding General in the Territory of Hawaii issued an order compelling a federal judge to suspend proceedings in a habeas corpus case pending before him. It was an action to release an American citizen from a concentration camp. The military order contained the following provisions:

“No clerk, deputy clerk, or other officer, or employee of the District Court of the United States for the Territory of Hawaii, shall accept or receive for filing . . . any application or petition for a writ of habeas corpus. . .

“No judge of the District Court of the United States for the Territory of Hawaii . . . shall accept . . . any application for a writ of habeas corpus. . .

“No person, either in his own behalf or as attorney . . . shall present to, file or attempt to file . . . any application or petition for a writ of habeas corpus, to or with the clerk, deputy clerk, a judge, other officer, or employee of the District Court of the United States for the Territory of Hawaii. . .

“Any judge of the District Court of the United States for the Territory of Hawaii . . . before whom a habeas corpus proceeding now is pending, shall forthwith discontinue such . . . proceeding. . .

“Neither the Honorable Delbert E. Metzger, Judge, District Court of the United States in and for the Territory of Hawaii, nor any other judge of said District Court . . . shall make or issue . . . any process . . . arising out of, by reason or because of, that certain habeas corpus proceeding now pending in the District Court of the United States in and for the Territory of Hawaii . . . entitled . . . *In the Matter of the Application of Walter Glockner. . .*”

Judges and other officers of state and territorial courts were threatened with fine and imprisonment. The order included the following section on “penalties”:

“Any judge of the District Court of the United States in and for the Territory of Hawaii, any United States Marshal . . . or other public officer . . . who directly or indirectly . . . shall violate . . . or attempt to evade . . . any provision of this General Order, upon conviction thereof by a *Provost Court* . . . shall be punished by confinement, with or without hard labor, for a period not to exceed five (5) years or by a fine not to exceed five thousand dollars (\$5,000), or by both such confinement and fine. . .”<sup>107</sup>

This was an order issued nearly *two years* after the Pearl Harbor attack. Civil authority had been re-established on March 10, 1943. The above section, making a second suspension of the writ, occurred five months after the authority of the courts had been restored. It could hardly have been issued or kept in force without express or implied authority from the President of the United States. There was a breakdown in the judicial system.

Courts of Continental United States had the power, by law, to deal with that emergency.<sup>108</sup> This authority was not

<sup>107</sup>See article by the Hon. Garner Anthony, Attorney General of Hawaii, “Marshal law, Military Government and the Writ of Habeas Corpus in Hawaii,” Vol. 31, Calif. Law Review, issue of December, 1943, at page 477.

<sup>108</sup>Under 28 USCA, Sec. 22, the Chief Justice of the United States, the Circuit Justice of any judicial circuit, and also the Senior Judge in any Circuit Court of Appeals have joint authority to assign a new judge to any area when such action is necessary in the public interest. Sec. 17 expressly provides for such action when a district judge is under disability. If the breakdown of judicial power in Hawaii was such as to deprive the Supreme Court and the Circuit Court for the Ninth Circuit of all practical power in the matter, the remedy was by issuance of process against the President, calling upon him to execute the laws of the United States by furnishing protection to

exercised. For the first time in American history, the courts were powerless.

*No Man's Land.* On October 9, 1944, the Supreme Court denied review of a case which a Circuit Court of Appeals had thrown out, without deciding the points relied on to sustain appeal. There had been a failure to exercise the appellate jurisdiction required by federal law.<sup>109</sup> That appeal raised the following questions of public importance.

(1) Whether the Chairman of the Reconstruction Finance Corporation could be required to give testimony by deposition to answer a charge involving his own conduct as an officer of that agency;

(2) Whether RFC, as majority stockholder of a corporation involved in suit, is subject to the same standard of good faith which the law required in the case of other litigants;

(3) Whether a subpoena duces tecum would lie against the Chief National Banking Examiner to compel production of documents establishing collusion between RFC and officers of a national bank charged with mismanagement and violation of federal banking laws.

This case was submitted to a panel consisting of three judges of the Circuit Court. One judge filed an irregular opinion during an adjournment without obtaining a concurring signature from any other member of the court. His action was in violation of court rules. The clerk filed this "opinion" and entered a "decree" purporting to affirm the judgment.<sup>110</sup>

The Supreme Court refused to review this case, and it also declined to grant a motion to include in its record documents that would have disclosed the irregularities in the Circuit Court. It refused to order that Court to vacate its proceedings. It declined to entertain a petition for mandamus to compel the Circuit Court to render a judgment in accordance with law.

This case has been in No Man's Land ever since March 1, 1944. The Circuit Court will not exercise its jurisdiction. The Supreme Court will not take the controversy—and it will not order the Circuit Court to dispose of it.

*Another No Man's Land.* In May, 1948, an officer of The Army of the United States, one Willis M. Everett, Jr., sought permission from the Supreme Court to file an application for habeas corpus.<sup>111</sup> It was a proceeding to set aside judgments entered by an American Military Court at Dachau, Germany, under the following circumstances:

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judicial officers in the performance of their duties. See Sen. Res. No. 19, 80th Congress, introduced by the Hon. Patrick A. McCarran, Chairman of the Senate Committee on the Judiciary, "To make a full and complete study and investigation of the administration of marshal law in the Territory of Hawaii subsequent to December 7, 1941, including suspension of the writ of habeas corpus . . ."; reintroduced by Senator McCarran in 81st Congress by Sen. Res. No. 18.

<sup>109</sup>*Denicke v. Anglo Calif. Nat'l Bank*, Case No. 155, Oct. Term, 1944, 323 U.S. 739, 676 and 816; 141 F. (2d) 285.

<sup>110</sup>Rule III, of CCA, 9th Cir. provides "Appeals shall be deemed decided when announced from the bench in a session of the court at the place of the term in which they are submitted, or when the signed opinions or other documents evidencing their decision are filed with the clerk."

<sup>111</sup>*Willis M. Everett, Jr., on behalf of Valentin Bersin, et al. Petitioner, v. Harry S. Truman, Commander in Chief of the Armed Forces of the United States, and James V. Forrestal, Secretary of Defense of the United States, and Kenneth C. Royall, Secretary of the Army of the United States, and General Omar N. Bradley, Chief of Staff of the Army of the United States, and Thomas C. Clark, Attorney General of the United States, Respondents*, Misc. No. 512, Oct. Term, 1947, 334 U.S. 824.

Petitioners were soldiers in the Germany Army charged with war crimes. Everett was the American officer appointed to act in their defense.

The petition filed by Everett disclosed that the trial was begun less than two weeks after the date of his appointment; that it was a physical impossibility to confer with defendants through inexperienced interpreters; that the case was brought on for hearing at an early date to make it impossible for him to procure witnesses.

It was alleged that petitioners were placed in solitary confinement for ten months before trial; that they were subjected to coercion as a means of obtaining confessions.<sup>112</sup>

It was also alleged that the military court was not convened in accordance with the Articles of War; that it had no power to pronounce judgment.

The men tried by this "court" were charged with issuing orders for the massacre of American troops at Malmedy—an outrage for which there can be no justification. We are here concerned with a question that may affect our own civil liberty, viz.: whether that kind of "trial" can be conducted by the Military Authorities of this country, in Germany or anywhere else, free of judicial restraint.

Everett was denied permission to file his petition. Some Justices of the Supreme Court suggested that there was a lack of jurisdiction, but were unwilling to set the case down for argument, or render an opinion indicating the grounds upon which jurisdiction was denied.<sup>113</sup>

Everett is now applying to the International Court of Justice to get the hearing which has been denied by the Courts of the United States. He is in No Man's Land. This

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<sup>112</sup>Paragraph No. 13 at page 5 of the petition contains the following charges: "As illustrative of those violations of International Agreements, the American Prosecution Team in Schwabisch Hall, Germany, would place a helmet hood completely over the head of individual plaintiffs herein, then usually a beating would be administered, after which they would be forced into a completely dark cell which was their 'trial' room. The hood was removed and each plaintiff would see before him a long table, draped with black cloth touching the floor, with candles burning at both ends of the table and a crucifix in the center. Sitting behind this table were varying numbers of American civilians, members of the Prosecution Team, who were wearing illegally the Uniform and Rank of United States Army Officers. A mock defense counsel, usually an Officer of the United States Army on the Prosecution Team, was furnished these youthful German soldiers, who, although he was not an Attorney, held himself out to the plaintiffs herein as their defense counsel. They were informed or led to believe that they were being tried by the Americans for violations of International Law. At the other end of the table would be the Prosecutor who would read the charges, yell and scream at these 18- and 20-year old plaintiffs and attempt to force confessions from them. If this method of threats failed to force desired false confessions from these plaintiffs, the mock trials would proceed by bringing in one false witness after another against them, 'proving' beyond a doubt by falsehoods that these plaintiffs were guilty of many war crimes. During the entire mock trials these purported defense counsels were making a sham and pretext of defending them. At the end of these illegal trials conducted in the name of the United States of America, these guileful defense attorneys would pretend to make a plea to this purported Army Court for mercy. Upon conclusion, these sham courts would render death penalties within 24 to 48 hours by hanging. Thereupon said false defense attorney would express his sympathy, stating that he had done the best he could for these various plaintiffs. . . All of the above described acts, deceits, and chicanery of American Justice were performed by United States civilians, under Army jurisdiction, and by Officers of the United States Army or executed under their immediate supervision and control."

<sup>113</sup>This question of federal jurisdiction over the military authorities has come before the Supreme Court in a number of cases. No litigant has ever been given an opportunity to argue and submit the matter on the merits. See *Ex parte Betz*, 329 U.S. 672; *Milch v. United States*, 332 U.S. 789; *Brandt v. United States*, 333 U.S. 836; *In re Eichel*, 333 U.S. 865, and *Everett v. Truman*, 334 U.S. 824.

may be another case where no court will take jurisdiction.<sup>114</sup>

*Discarding Precedents.* On January 31, 1944, Justice Roberts filed a dissent in *Mahnich v. Southern Steamship Co.*, 321 U.S. 96, at 113. He said:

"The tendency to disregard precedents in the decision of cases like the present has become so strong in this court of late as, in my view to shake confidence in the consistency of decision and leave the courts below on an uncharted sea of doubt and difficulty without any confidence that what was said yesterday will hold good tomorrow. . ."

In *Smith v. Allwright*, 321 U.S. 649, at 670, Justice Roberts filed another dissent calling attention to the confusion and lack of philosophy evident from recent opinions of the majority. He said:

"I believe it will not be gainsaid the (prior decision) received the attention and consideration which the questions involved demanded and the opinion represented the views of all the justices. *It appears that those views do not now commend themselves to the court. . .*

"The reason for my concern is that the instant decision overruling that announced about nine years ago, *tends to bring adjudications of this tribunal into the same class as a restricted railroad ticket, good for this day and train only. I have no assurance, in view of current decisions, that the opinion announced today may not shortly be repudiated. . .*

"It is regrettable in an era marked by doubts and confusion, an era whose greatest need is steadfastness of thought and purpose, this court, which has been looked to as exhibiting consistency in adjudication, and a steadiness which would hold the balance even in the face of contemporary ebbs and flows of opinion, should now itself become the breeder of fresh doubt and confusion in the public mind as to the stability of our institutions."

*Judicial Power.* In February, 1821, Chief Justice Marshall rendered an opinion in *Cohens v. Virginia*, 19 U.S. (6 Wheat.) 264 at page 403. He said:

"*The judiciary cannot, as the legislature may, avoid a measure. . . We cannot pass it by, because it is doubtful. With whatever doubts, with whatever difficulties, a case may be attended, we must decide it, if it is brought before us. We have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given.*"

That principle goes back to Magna Charta.<sup>115</sup> It con-

<sup>114</sup>Aside from the McCarran resolutions, the following measures have been introduced in Congress to investigate military trials: S. Res. 38 and H. Res. 27, 80th Cong., 1st Sess., re Litchfield trials; S. Res. 34 and 56, 80th Cong., 1st Sess., for a general investigation of Army and Navy court martial systems; S. Res. 39, 81st Cong., 1st Sess., same; H.R. 1233, 80th Cong., 1st Sess., to require that defense counsel acting on a court martial be of the same or higher grade than the prosecuting officer; H.R. 576, 2143 and 4361, 80th Cong., 1st Sess., for general amendment of Articles of War; and H.R. 2498, 81st Cong., 1st Sess., concerning same subject. See also H.R. 861, 80th Cong., 1st Sess., to confer jurisdiction on Federal District Court for the Territory of Hawaii to entertain damage suits against the United States for illegal imprisonment of American citizens during World War II.

<sup>115</sup>"To no one will we sell, to no one will we refuse or delay, right or justice. We will appoint as justices, constables, sheriffs, or bailiffs, only such as know the law of the realm and mean to observe it well. No freeman shall be arrested, or detained in prison, or deprived of his freehold, or outlawed, or banished, or in any way molested; and we will not set forth against him, unless by the lawful judgment of his peers and by the law of the land." (Magna Charta Chaps. 39, 40 and 45.) The right to "justice" is an unalienable one based upon natural law. It is not a mere privilege or discretion granted to the citizen at the pleasure of the State. In the Declaration of Independence it is recognized that governments are instituted among men

to secure an unalienable right—the right of the citizen to invoke the jurisdiction of a court to obtain a decision in his case.

The Great Charter was signed by King John at Runnymede on the 15th of June in the year 1215 A.D. It was confirmed by the Petition of Right in 1628 and by the British Bill of Rights in 1688. These documents constitute the Bible of the English Constitution. Our Declaration of Independence re-asserts those fundamental rights which we have recognized as the "Law of the Land" and a part of the American Constitution for the period of one hundred sixty years which followed. "Discretionary" law enforcement is a new philosophy developed after 1937.

Some of the cases cited above can only be explained on the theory that the Court is treating its jurisdiction as a "discretion" rather than a power which the citizen may invoke as a matter of right. The New Philosophy involves an entirely different concept of the nature and extent of judicial power.

There was direct evidence of this new philosophy in a ruling announced by the Court on October 9, 1944, when it declined to require a lower federal court to take jurisdiction of two cases which had been thrown out without a hearing. In this instance, the lower federal court had jurisdiction which it was bound to exercise under prior decisions of the Supreme Court. That court declined to review its former opinions. It refused to enforce compliance with those decisions, and it also declined to exercise its own jurisdiction to prevent a miscarriage of justice.<sup>116</sup>

*Tidelands.* On June 23, 1947, it was held that the Federal Government could seize valuable oil rights in tideland property belonging to the State of California, without payment of compensation. This was permitted because of an alleged "paramount interest" of the national authorities. That decision contains the principle which can be used later to nationalize industry and bring natural resources under the control of a Socialistic Federal Government.<sup>117</sup> Apparently it may be possible to confiscate private property under this principle of a "paramount federal interest" without an Act of Congress or a vote of the people.

*Exercise of "Legislative Power."* On May 3, 1948, the Court filed an opinion indicating that it may strike out in a new direction. Restrictive covenants concerning the use and occupancy of real estate—valid under the laws of the states where the property was located—were set aside because the Court did not approve of the restrictions. It was held that those contracts were a violation of the Fourteenth

to administer justice and to secure the basic unalienable right to life and liberty. In the Declaration, the King of Great Britain was charged with serious violations of Magna Charta, the Petition of Right, and the Bill of Rights of 1688. It was charged that "He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers. He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries." The grant of Judicial Power made by Article III of the Federal Constitution is not a discretion. Rather it is a provision recognizing the basic natural right of the citizen to appeal to the courts. Judicial power is the device established by the Framers of our Government to protect individuals and minorities from arbitrary action by the State. The absolute and non-discretionary nature of the judicial power is also recognized by the Fifth and Sixth Amendments, which are part of our Federal Bill of Rights.

<sup>116</sup>*Denicke v. Brigham and Doble v. Buck*, Oct. Term, 1944, Cases Nos. 196, 197; 323 U.S. 739 and 816.

<sup>117</sup>*United States v. California*, 332 U.S. 19.

Amendment. The states had not seen fit to enact statutes limiting those covenants or setting them aside under the police power. There appears to be no doubt of the constitutional power of a state legislature to exact measures of this type. We are not here concerned with the merits of the segregation problem. We are interested in the philosophy under which the Court enforced its views in this matter upon the governments of the several states.

In effect, it was held that the failure of the states to pass laws to remedy this condition amounted to a violation of the Fourteenth Amendment. If that is true, presumably a failure to enact statutes dealing with other social problems will also be a violation and a proper subject to the entry of a decree by the federal judiciary. Necessarily, there is a denial of the right of a state to refuse to pass laws considered undesirable or unworkable, and a transfer of that power and an exercise of such authority by the courts. In a very real sense, this is "judicial legislation."

If conditions resulting from these decrees develop other evils, presumably it may then be necessary for the courts to step in and reverse their decisions. That which was declared unconstitutional today may become constitutional tomorrow.<sup>118</sup>

*Injunction by Executive Order.* On February 3, 1949, the press carried an announcement concerning a hearing before the Labor Committee of the Senate. It had been suggested on the previous day that the President had the power, presumably by Executive Order, to obtain an injunction in a labor dispute; that no Act of Congress was required to confer that right. A member of the Senate Committee made the following statement:

"The very suggestion that such powers exist is a threat to the liberty of the people of the United States."

It is true that no court decision has been rendered thus far definitely confirming the existence of such a power. However, in view of the new philosophy under which there is an exercise of legislative power, failure to exercise judicial power and a tendency to expand executive power as in the Tidelands case, it would seem that the trend may be in that direction.

Although much has been written on the general subject of Supreme Court decisions, we do not know of any authoritative work discussing the specific questions here represented.<sup>119</sup>

<sup>118</sup>Shelley v. Kraemer, 334 U.S. 1. One obvious result of the kind of legal strait-jacket created by this kind of decision is the fact that careful study of local conditions and intelligent community action at a local level becomes impossible. If a given contract or regulation is unconstitutional as applied to conditions in Michigan or Missouri, it must be equally invalid in every one of the other forty-six states. We have no way of knowing whether judicial regulation in this field includes membership in lodges, fraternal orders, labor unions; whether it extends to substantially the entire list of questions raised in the President's Committee Report on Civil Rights. It possibly may even apply to marriage and other personal relationships.

<sup>119</sup>A recent book on the "New Philosophy" of interpretation is "The Roosevelt Court," by C. Herman Pritchett, Associate Professor of Political Science at University of Chicago—formerly associated with Tennessee Valley Authority and United States Department of Labor. This book, written from the New Deal standpoint, is based primarily on a selected list of recent opinions. There is no reference therein to most of the cases cited in this brief—no adequate discussion of any of the constitutional questions we are presenting. It will be found that the most important evidence of the Court's work is in the orders denying permission to file petitions for mandamus and habeas

These are the problems confronting us and our children. Constitutional Government may be either retained or lost in our generation. That is the problem and that is our responsibility. It is a burden that will fall upon the shoulders of our children when they are of voting age.

What kind of instruction are they getting to enable them to discharge this responsibility? We can answer that question by an analysis of the propaganda in the unit of "Building America" entitled "Our Constitution."

That article has been submitted as Exhibit No. 16. The original edition was published in October, 1936, to advocate the Court Packing Plan. Subsequent editions contain the same kind of propaganda.

It starts with some "historical background" given to enable the children to discuss Constitutional Government in the classroom. There is a distorted account of the American Revolution from which we quote:

"British *business men* and officials, who had invested money to develop the new continent, were *unwilling to give up any of their own profits* from Colonial business. To protect their business men, the King and Parliament made laws cutting down the profits and trade of America. . .

"Colonial assemblies, elected by American voters (*most of whom were men of money and property*), petitioned the English government to change such laws. . . .

"On June 7, 1776, Congress decided to declare the colonies free and appointed a committee (shown opposite) to draw up a statement. The committee's work was read and adopted by Congress and then released to the world on July 4, 1776, as the American Declaration of Independence."

We find the following insinuating references to the men who attended the Constitution Convention:

"Nearly all the men who gave their great talents to the job were capable, *well-to-do lawyers, planters, merchants, bankers, or business men*. Some of them had lent money to carry on the Revolution. *Many had Continental bonds and paper money which were almost worthless, but which they wanted the new government to make good*. None of the delegates was a city mechanic or a small farmer who owned little or no property." (P. 6.)

It is said that a few leading citizens "took matters into their own hands and called a convention"; that the group which assembled was not representative.

"Samuel Adams, friend of liberty, was absent. *Patrick Henry declined because he said he 'smelt a rat.'* Thomas Jefferson was in Paris." (P. 6.)

corpus, in the proceedings where certiorari was denied, and in miscellaneous orders where the controversy was not made the subject of a formal opinion. Those proceedings indicate the manner in which jurisdiction has been exercised in controversies as between the citizen and the government. The present jurisdiction is based upon the Act of Feb. 13, 1925, 43 Stat. 936, 28 USCA 345-349. The following references indicate the nature of the "discretionary" jurisdiction: Testimony of Justice Van Devanter before House Committee on Judiciary, 68th Cong., 2nd Sess., on H.R. 8206, Dec. 18, 1924, p. 23; also, Feb. 2, 1924, hearing before sub-committee of Senate Committee on Judiciary re S. 2060, 68th Cong., pp. 27-29; Senate proceedings of Jan. 31, 1925, Vol. 66, Cong. Rec., p. 2752, 2755-6, 2917, 2920; Report of Sub-Committee of Senate Committee on Judiciary re S. 2060, 68th Cong., 1st Sess., Report No. 362; Report of House Judiciary Committee on H.R. 8206, 68th Cong., 2nd Sess., Report No. 1075; Hearing before Senate Judiciary Committee, 74th Cong., 1st Sess., on S. 2176, Mar. 25, 1935; also, Adverse Report of Senate Committee on Judiciary re S. 1392, 75th Cong., 1st Sess., Report No. 711, Calendar No. 734.

The authors state that "the men of 1787 were 'without the experience of the present'"; that they "never dreamed of a country or a government like this" and would "perhaps wonder how well the Constitution they made was suited to such a changed country" (P. 2). The following questions are submitted for classroom discussion:

1. "Did the Constitution as it was drawn up and adopted serve the needs of the American people?"
2. "What changes have been made in the Constitution and the government under it? What effect have Supreme Court decisions had upon our government?"
3. "Should there be further changes in the Constitution to meet the present-day needs of our people?"

This article includes the following material bearing on the subject of Court Packing:

"The third branch of our Federal government is the Supreme Court, which is farthest removed from the people. The Court has the right to decide whether State and Federal laws are constitutional. . . .

"The Justices of the Supreme Court are appointed for life by the President with the Senate's approval, the House of Representatives having no voice in the matter. By their votes, the American people can change Congressmen and Presidents, but they have no part in the appointment of Justices to the Supreme Court. . . ." <sup>120</sup>

We find the following criticism of our system of Constitutional checks and balances:

"The system of checks and balances exists only in the United States. In no other country can a supreme court 'kill laws' and in this way hold the heavy end of the balance of powers." (P. 9.)

"If the Supreme Court decides a popular law is unconstitutional, the people through Congress and their state legislatures can amend the Constitution . . . This way of overruling the Court and changing the Constitution is usually very slow and difficult." (P. 9.)

It is apparently suggested, at least by inference, that the Constitution can be "amended" without submitting that question to the people. In this article we find the following statements bearing directly on the program of the "liberals" for Court Packing.

"Compel all Justices to retire on pensions when they reach the age of 70, thus making room for appointment of younger and more progressive men. . . .

"Add Justices to the Supreme Court, in this way making it more responsive to the will of our people." (P. 26.)

We submit as Exhibit No. 29 a copy of our brief filed with the California State Board of Education protesting the use of this Court Packing article in the public schools. <sup>121</sup>

### National Socialism

Why is the National Education Association spreading propaganda to undermine the Constitution? Why does it continue to advocate Court Packing as a means of "amend-

<sup>120</sup>"The Judges, both of the supreme and inferior Courts shall hold their Offices during good behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office." (U.S. Const., Art. III, Sec. 1.)

<sup>121</sup>This brief published under the title "Shall We Scrap the Constitution?" contains an analysis of the propaganda in the articles "Our Constitution" and "Russia." The supply has been exhausted and it is now out of print.

ing" the Constitution without the knowledge or consent of the people? Why do we invariably find "educators" behind these and similar proposals to change the fundamental law without giving the people an opportunity to vote upon them? It may be possible to answer some of these questions by studying one of the leading educational fronts in the United States, the *League for Industrial Democracy, Inc.*

This organization, created about 1905, acquired a large membership and became quite active during the late 1920's in distributing propaganda for National Socialism in colleges and among youth groups throughout the country. According to a letterhead used in September, 1935, it had for its object

"Education for a new social order based on production for use and not for profit."

We submit, as Exhibit No. 30, a photostatic copy of a letter sent by the League for Industrial Democracy to its membership under date September 9, 1935.

It appears therefrom that Robert Morss Lovett was president; that John Dewey, John Haynes Holmes, Francis J. McConnell, and Vida Scudder, were vice-presidents; and that Stuart Chase was treasurer.

Chase was author of "The New Deal"; he has been affiliated with eight Communist front organizations. <sup>122</sup> John Dewey, then a vice-president, was subsequently made Honorary President.

Lovett, the president, has been a member of no less than fifty-six fronts. <sup>123</sup> He was one of the sponsors of the Cul-

<sup>122</sup>American Committee to Save Refugees; Russian Reconstruction Farms, Inc.; Artists Union; Consumers National Federation; Descendants of the American Revolution; Friends of the Soviet Union; Prestes Defense; and Federal Arts Council of Workers Alliance. (See Appendix IX.)

<sup>123</sup>Robert Morss Lovett, at one time Governor of the Virgin Islands, has been affiliated with the following fronts: All-America Anti-Imperialist League; American Committee for Democracy and Intellectual Freedom; American Committee of Liberals for the Freedom of Mooney and Billings; American Committee for Protection of Foreign Born; Group of 350 Noted Americans Condemning Alien-Baiting; Form Council on Relations with USSR organized by Corliss Lamont at a meeting of "Friends of the Soviet Union"; American Friends of the Chinese People; American Friends of Spanish Democracy; American League for Peace and Democracy; American League Against War and Fascism; United States Congress Against War; Friends of the Soviet Union; Russian Reconstruction Farms, Inc.; Article in Oct. 10, 1941 issue of New York Times appealing for help on behalf of the Russian people; American Student Union (including sponsorship of an article in Feb. 1937 issue of "Student Advocate" supporting student agitation); Member of National Advisory Committee of American Youth Congress; Book Union; Citizens Committee for Harry Bridges; Chicago All-American Anti-Imperialist League; Committee for Boycott Against Japanese Aggression; Committee to Defend America by Keeping Out of War; Committee to Save Spain and China; Conference on Constitutional Liberties in America; Film Audiences for Democracy; Friday; Director of Garland Fund; Signer of Golden Book of American Friendship with the Soviet Union; International Labor Defense; International Workers Order; League of American Writers; League for Mutual Aid; International Student Conference Against War and Fascism; National Mooney Council of Action; Mother Bloor Celebration Committee; National Committee to Aid Victims of German Fascism; National Committee for the Defense of Political Prisoners; National Committee for People's Rights; National Emergency Conference; National Emergency Conference for Democratic Rights; Statement Calling for Discontinuance of the Dies Committee; National Federation for Constitutional Liberties; National People's Committee Against Hearst; National Right to Work Congress; National Writers Congress; New Masses Letter to the President; Non-Partisan Committee for the Re-election of Congressman Vito Marcantonio; Open Letter to American Liberals; Open Letter for Closer Cooperation with the Soviet Union; Open Letter Protesting the Ban on Communists in the American Civil Liberties Union; Advisory Editor of "Champion"; Contributing Editor of "Sci-

tural and Scientific Conference" held at the Waldorf Astoria in New York City March 25-27, 1949.

Bishop Francis J. McConnell, a vice-president of the League for Industrial Democracy, has "a list of affiliations with Communist-front organizations which is matched by few churchmen in the United States." He has been connected with *thirty-five* fronts<sup>124</sup> and is president of the Methodist Federation for Social Service, an organization carrying on radical activities for many years.<sup>125</sup>

Reverend John Haines Holmes, another vice-president of the League, has a well-documented record of front affiliations. He has been a member of no less than sixteen organizations of this type.<sup>126</sup> Vida Scudder, of L.I.D., was a professor of English at Wellesley. Her background is similar.<sup>127</sup>

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ence and Society"; Member of Committee Arranging Parade of "People's Front for Peace" at Chicago in August, 1937; Prestes Defense; Soviet Russia Today; Chicago Committee for the Struggle Against War; Student Congress Against War; American Pushkin Committee; also, Editor of New Republic. (See Appendix IX.)

<sup>124</sup>See IX:4:1052; also analysis in other parts of Appendix IX, indicating that McConnell, aside from being a member of the National Citizens Political Action Committee, was also affiliated with the following Communist Front organizations: American Committee for Democracy and Intellectual Freedom; Signer of Petition by that organization to discontinue the Dies Committee; American Committee for Protection of Foreign Born; American Committee to Save Refugees; American Friends of the Chinese People; American Friends of Spanish Democracy; American League for Peace and Democracy; American League Against War and Fascism; American Relief Ship for Spain; American Student Union; Appeal for Lawrence Simpson; Citizens Committee to Free Earl Browder; Committee for Peace Through World Cooperation; Committee to save Spain and China; Coordinating Committee to Lift the Embargo; Exiled Writers Committee; International Labor Defense; Joint Committee for the Defense of the Brazilian People; League of American Writers; Methodist Federation for Social Service; Michigan Civil Rights Federation; National Committee to Abolish the Poll Tax; National Conference on Civil Liberties; Congress of American Soviet Friendship; National Emergency Conference for Democratic Rights; National Right to Work Congress; New York Peace Association; Non-Partisan Committee for the Re-election of Congressman Vito Marcantonio; Editorial Advisor of "The Protestant"; Peoples Institute of Applied Religion; American Friends of the Chinese People; Reichstag Fire Trial Anniversary Committee; Schappes Defense Committee; Washington Committee to Lift Spanish Embargo; and Washington Friends of Spanish Democracy.

<sup>125</sup>The House Committee found that Methodist Federation for Social Service "is not and never has been an agency of the Methodist Church. In fact, numerous protests have been registered by Methodists over many years against the use of the name Methodist by the Methodist Federation for Social Service. These protests have been based upon the pro-Communist views and activities of the Federation." (IX:4:1052.)

<sup>126</sup>American Friends of Spanish Democracy; American League Against War and Fascism; Russian Reconstruction Farms, Inc.; Citizens Committee to Free Earl Browder; Council for Pan-American Democracy; Member of Advisory Board of Descendants of the American Revolution; Friends of the Soviet Union; Greater New York Emergency Conference on Inalienable Rights; Labor Defense Council; League of American Writers; Open Letter to United States Senate Opposing Dempsey Deportation Bill; National People's Committee Against Hearst; New York Tom Mooney Committee; Prestes Defense; American Pushkin Committee; and Consumer-Farmer Milk Cooperative, Inc. (See Appendix IX.)

<sup>127</sup>American Committee for Democracy and Intellectual Freedom (signed petition to discontinue the Dies Committee); American Committee to Save Refugees; American Friends of Spanish Democracy; American League for Peace and Democracy; Statement in October 10, 1941 issue of New York Times appealing for help on behalf of Russian people; American Student Union; Coordinating Committee to Lift the Embargo; Greater New York Emergency Conference on Inalienable Rights; League of American Writers; Petition for Dismissal of Charges Against Sam Darcy; Statement of January, 1943 to House of Representatives Calling for Abolition of Dies Committee; Open Letter for Closer Cooperation with the Soviet Union; Editorial Advisor of "The Protestant"; Reichstag Fire Trial Anniversary Committee; Veterans of the Abraham Lincoln Brigade; and Washington Committee to Lift the Spanish Embargo. (See Appendix IX.)

The executive director of the League is one Harry W. Laidler, who is a signer of the "Golden Book of American Friendship with the Soviet Union" to commemorate the twentieth anniversary of the establishment of the Soviet "Republic."<sup>128</sup>

The September 9 1935, letter of the League is a solicitation, and contains the following statement regarding future activities:

"... We must launch student organizations everywhere and at once, early in the college and high school year. We must build up the lecture circuits in new centers. We must arrange various radio programs. We must complete the pamphlets begun in the summer. These are preliminary to establishing a new research service which we believe will double the amount of research produced and reach a much larger audience than we had in the past. . . .

"In addition to our major program, the L.I.D. continues its work of active cooperation with other groups. By arrangement with the New Beginning group, which carries on underground work in Germany, one of its leaders is to come to America *under our auspices*. With several defense organizations we are undertaking a campaign to widen the support for Angelo Herndon; we are active on the Sacramento Defense Committee to fight the criminal syndicalism laws in California. Other joint efforts find the L.I.D. actively participating."

We submit as Exhibit No. 31 a document entitled "L.I.D. Pamphlet Series—Winter 1948-49." It includes the following items:

*British Labor on Reconstruction in War and Peace*—Interim Report of the National Executive Committee of the British Labor Party.

*A Program for Labor and Progressives*, edited by Harry W. Laidler, Stuart Chase, M. J. Coldwell and others.

*New Zealand's Government at Work* by S. B. Sutch—"A meaty account of the achievements of this small but significant laboratory of Socialist experimentation."

*A Case for Socialism*, by Fred Henderson—"One of the classic expositions of the arguments for Socialism; noted for its wide social vision, simplicity and clarity of thought."

*What Price Telephones?* by Norman Perelman—"A thorough and illuminating description of the telephone industry with the consideration of the possible public control of the nation's telephones."

*Toward a Farmer Labor Party*, by Harry W. Laidler—"Background for independent progressive political alignment in America."

*Health Security for the Nation*, by John Kingsbury—"An outstanding contribution in the field of public health by one of its distinguished pioneers."

*The League for Industrial Democracy: 40 Years of Education and the Task Ahead*, by Upton Sinclair, Harry W. Laidler, Dr. Frank Scott, Arthur Creech Jones and others, edited by Harry W. Laidler, 1945.

*Thirty-five Years of Educational Pioneering*, by John Dewey, Jonathan Daniels, Norman Thomas and Harry W. Laidler. "The L.I.D. celebrates past achievements and asks where do we go from here?"

This is the propaganda for National Socialism in America being put into the hands of students in colleges and even in our high schools. It is, quite obviously, an effective way to supplement the material we find in "Building America" and other publications of the National Education Association.

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<sup>128</sup>Fourth Report of Tenney Committee, page 248.



### *Morningside Heights*

At the northern end of Manhattan Island, in New York City, there stands a bluff with an altitude of about two hundred feet overlooking the Hudson, and the Harlem and East Rivers. It is the site of Columbia University—an institution which has claimed the right to dominate public education in America.

Degrees in education at Teachers College, Columbia, are sought by men and women all over the country. Many of them go there for summer session. Others rely upon the publications and educational "leadership" furnished by this university. There is probably no institution of higher learning in the country which has had such a profound influence upon our public school system at all grade levels. The "roll of honor" at Columbia includes the names of the following men who have set themselves up as "frontier thinkers" in education.

*John Dewey*, a professor of philosophy, now professor emeritus, who, as we have noted, was an officer and is now the Honorary President of the League for Industrial Democracy. He was a member of the National Advisory Committee sponsoring the 1935 Summer Session for American Educators at Moscow University and has been affiliated with the following fronts:

American Committee for Anti-Nazi Literature;  
American Committee for Democracy and Intellectual Freedom (a signer of statement issued by that organization to abolish the Dies Committee);  
Vice-Chairman of Medical Bureau of American Friends of Spanish Democracy;  
Vice-President of American Society for Cultural Relations with Russia;  
Member of American Advisory Committee for "The Open Road," an organization to promote travel and study in the USSR;  
Member of Ben Leiber Memorial Fund—an organization supporting Communist intervention in the Spanish Civil War;  
Coordinating Committee to Lift the Spanish Embargo;  
Sponsor of Non-partisan Committee for Re-election of Congressman Vito Marcantonio. (See Appendix IX.)

*William H. Kilpatrick*, a professor of education at Teachers College—the philosophical successor of Dewey—a man who has been affiliated with the following Communist organizations:

American Committee for Anti-Nazi Literature;  
American Committee for Protection of Foreign Born;  
Committee for a Boycott against Japanese Aggression;  
Associated Film Audiences;  
Greater New York Emergency Conference on Inalienable Rights. (See Appendix IX.)

It was Kilpatrick who spoke at a mass meeting in New York City in February, 1935, in a campaign for repeal of the Ives Teacher's Loyalty Oath Law of that state.<sup>129</sup>

*George S. Counts*, the professor at Teachers College who conceived the idea of converting our schools into political action committees. The recommendations made by Professor Counts will be found in the pamphlets "Dare the School Build a New Social Order?" and "A Call to the Teachers of the Nation."

<sup>129</sup>Described in booklet "Oaths of Loyalty for Teachers," by Henry R. Linville, Chm. of Comm. on Academic Freedom of American Federation of Teachers; see general discussion of this matter in June, 1935, issue of Social Frontier Magazine.

Counts brought "distinction" to Columbia University by his travels in the Soviet Union; by his work in translating "The New Education in the Soviet Republic" from the Russian original by Albert J. Pinkevitch; and by his agitations for radical education, conducted through the "Progressive" Education Association for the last twenty years. He has been affiliated with the following fronts:

American Committee for Democracy and Intellectual Freedom;  
American Friends of the Chinese People;  
American League Against War and Fascism (Member of National Executive Committee);  
American Student Union (member of Advisory Board);  
Consumers National Federation;  
Coordinating Committee to Lift the Embargo;  
Council for Pan American Democracy;  
Friends of the Soviet Union (member of National Committee);  
Sponsor of International Student Congress against War and Fascism;  
Member of National Committee against Censorship of the Theatre Arts;  
Member of National Committee for Defense of Political Prisoners;  
National Committee for People's Rights;  
New York Tom Mooney Committee;  
Student Congress against War;  
American Pushkin Committee.  
(See Appendix IX.)

*Harold Rugg*, professor of education at Teachers College, seems to have been the "educator" chosen to introduce the subversive propaganda of the Columbia "frontier thinkers" into our public school system. He is the author of the Rugg Social Science Series which has been rejected after public protest and eliminated in most of the states. Several million copies of these books were put into the hands of American school children as a part of a program to build a new social order.

*Franz Boas*, of Columbia, is the "educator" who has the "distinction" of founding the Communist front known as "American Committee for Democracy and Intellectual Freedom" on Lincoln's Birthday in 1939, to defend Communists and to vilify and obstruct a committee of the New York Legislature engaged in investigating subversive activities in the public schools of that state (IX:1:323-325). The following members of the faculty at Columbia sponsored the meeting called to organize this front:

*Prof. Franz Boas*, chairman, whose front affiliations have already been cited in this brief.

*Prof. Ruth Benedict*, affiliated with American Committee for Protection of Foreign Born; American Committee to Save Refugees; Council for Pan American Democracy; Greater New York Emergency Conference on Inalienable Rights; Guest Lecturer at Jefferson School of Social Science on "Race, Race Theories and Politics"; League of American Writers; National Emergency Conference; and National Wartime Conference of the Professions, the Sciences, the Arts, the White-collar Fields. (Appendix IX.)

*Prof. L. C. Dunn*, affiliated with Allied Voters against Couderd; American Committee for Protection of Foreign Born; American Committee to Save Refugees; Equality; Greater New York Emergency Conference on Inalienable Rights; Speaker at Meeting held by National Council of American-Soviet Friendship at Madison Square Garden November 8, 1943, in Honor of Harold L. Ickes; National Emergency Conference; National Wartime Conference of the Professions, the Sciences, the Arts,

the White-Collar Fields; and Open Letter for Closer Cooperation with the Soviet Union. (Appendix IX.)

*Prof. Robert S. Lynd*, affiliated with American Committee for Protection of Foreign Born; American Committee for Friendship with the Soviet Union; American Investors Union, Inc.; author of the propaganda books "Middletown" and "Middletown in Transition"; signer of petition for release of Earl Browder; statement in October 10, 1941, issue of New York Times appealing for help on behalf of the Russian people; Committee for Boycott against Japanese Liberties in America; Consumers Union; Member of Advisory Board of Faect's Technical School, and affiliated with Federation of Architects, Engineers, Chemists and Technicians; Gerson Supporters; League of American Writers; Director of American Russian Institute; Signer of Statement opposing movement to outlaw the Communist Party; Sponsor of Congress of American Soviet Friendship; National Emergency Conference; National Emergency Conference for Democratic Rights; National Federation for Constitutional Liberties; Open Letter to American Liberals; Open Letter Protesting the Ban on Communists in the American Civil Liberties Union; and Veterans of the Abraham Lincoln Brigade. (Appendix IX.)

*Prof. Clyde R. Miller*, affiliated with American Committee for Protection of Foreign Born; American Council on Soviet Relations; American League for Peace and Democracy; signer of statement defending the Communist Party, appearing in March 5, 1941, issue of the Daily Worker; Consumers Union; Council on Pan American Democracy; Member of Advisory Board of Descendants of the American Revolution; Associated Film Audiences; Gerson Supporters; League of American Writers; signer of statement opposing movement to outlaw the Communist Party; National Emergency Conference; National Emergency Conference for Democratic Rights; signer of January 1943 statement to House of Representatives opposing continuance of the Dies Committee; People's Institute of Applied Religion; and sponsor of meeting at Hotel Roosevelt, New York City, Feb. 25 1941, on the subject "Protestantism Answers Hate" (statement of sponsors of this meeting indicates that Miller is "director of institute of propaganda analysis"). (Appendix IX.)

*Prof. Wesley C. Mitchell*, affiliated with American Friends of Spanish Democracy; American Society for Cultural Relations with Russia; Statement in Oct. 10, 1941, issue of New York Times appealing for help on behalf of the Russian people; Greater New York Emergency Conference on Inalienable Rights; Signer of statement opposing movement to outlaw the Communist Party; National Council for American Soviet Friendship; National Emergency Conference; National Emergency Conference for Democratic Rights; National Wartime Conference of the Professions, the Sciences, the Arts, the White-Collar Fields; and New York State Conference on National Unity. (Appendix IX.)

*Prof. Walter Rautenstrauch*, affiliated with American Committee for Protection of Foreign Born; chairman of American Committee to Save Refugees; American League for Peace and Democracy; American Peace Mobilization; Citizens Committee for Harry Bridges; Signer of statement appealing for release of Earl Browder; Committee for Boycott against Japanese Aggression; Committee to Defend America by Keeping Out of War; Signer of statement defending the Communist Party; Conference on Constitutional Liberties in America; International Committee on African Affairs; Emergency Peace Mobilization; Federation of Architects, Engineers, Chemists, and Technicians; Friday; Greater New York Emergency Conference on Inalienable Rights; Member of committee organizing Jefferson School of Social Science; Lecturer at Jefferson School on the subject "Science in the World Today"; Joint Anti-Fascist Refugee Committee; League of American Writers; American Association

of Scientific Workers; German American Emergency Conference, Inc.; Signer of statement opposing movement to outlaw the Communist Party; Conference on Constitutional Liberties in America—affiliated with National Federation for Constitutional Liberties; New Masses Letter to the President defending the Communists; Open Letter for Closer Cooperation with the Soviet Union; Reichstag Fire Trial Anniversary Committee; Open Letter to Governor Dewey requesting pardon for Morris E. Schappes, an educator sentenced to jail in New York State for subversive activity in New York City Schools; National Chairman of Committee organized to defend the American Citizenship of William Schneiderman; signer of statement defending Veterans of the Abraham Lincoln Brigade; and signer of petition to the President in the same matter published in April 2, 1940, issue of New Masses. (Appendix IX.)

*Prof. Harold C. Urey*, affiliated with American Committee for Protection of Foreign Born; American Committee to Save Refugees; Coordinating Committee to Lift the Embargo; Friends of the Abraham Lincoln Brigade; Greater New York Emergency Conference on Inalienable Rights; League of American Writers; Signer of statement opposing movement to outlaw the Communist Party; Speaker at Nov. 8, 1943, meeting held by National Council of American Soviet Friendship in Honor of Harold L. Ickes and Senator Claude Pepper; National Emergency Conference; National Emergency Conference for Democratic Rights; Signer of statement to the President in defense of Abraham Lincoln Brigade; and Washington Committee to Lift the Spanish Embargo. (Appendix IX.)

This is an *incomplete* statement of the "Roll of Honor" at Columbia.

#### *Cambridge, Massachusetts*

The interstate traffic in subversive teaching materials should be considered in connection with the general propaganda attack now being made on our American form of government. It is one phase of the cold war in which Communists and National Socialists are, for the moment, engaged in a joint effort. The public school system is one of the objectives. Those schools can most readily be dominated by infiltrating schools of Education and other departments in our universities. For that reason the universities occupy a key position in this struggle.

Unfortunately, we do not have a completely documented record on Columbia. However, there is available an up-to-date report on conditions at Harvard, which we submit herewith as Exhibit No. 32. It appears from this report that no less than *seventy-six* members of the faculty of Harvard University have Communist front affiliations; and that a total of one hundred and twenty-four fronts are involved.<sup>130</sup>

Without doubt the conditions disclosed in this report could be duplicated in many, if not most, of the universities in this country. It should therefore be understood that in citing evidence from Harvard, we are probably discussing a general condition. The report submitted as Exhibit No. 32 contains the following statement:

"The seriousness of communist-front affiliations is not to be measured solely in *quantitative* terms—some communist fronts have been more obviously subversive than others. The dates also should be taken into consideration. Affiliation with communist front organizations in 1948 and 1949 has a significance which would not necessarily attach to such association in 1933 or '34, for the reason that each passing year has added to

<sup>130</sup>"Red-ucators at Harvard University," published by National Council for American Education

public understanding of the sinister character of communist front organizations.

"Inclusion of a professor or instructor in this list is not conclusive evidence that he is a communist. *He may be simply naive.*

"Similarly, this list does not necessarily include all Harvard professors who may be pro-communist. Some of the most malific and dangerous persons in America are not on any communist front: they are secret members of the Communist Party—sometimes high in its council.

*"The greatest indictment against the professional fellow travelers of the Communist Party is that they lend an air of harmlessness, even respectability, to the vicious, debased movement that is Communism. . . ."*

"In the early days, a person possibly could have been affiliated with a communist front and yet be innocent of any desire to aid Communism. Those, however, who have participated in recent years—since the activities and purposes of these organizations have become so well known—can be viewed with suspicion. *Most people will infer logically that when a professor is on several communist fronts, it is no accident—that he knows what he is doing.*

"This dossier does not include the affiliations of the professors listed herein *and other Harvard professors with certain other organizations, some of which are approximately as bad but have not been sufficiently labeled as subversive.* Neither does this list include the names of other members of the faculty who extol the glories of Socialism, Collectivism and planned economy, who snipe and sneer at capitalism, and who are *unalterably opposed to the American system of freedom and free enterprise.*

"A few of the names listed here are professors 'emeritus.' In some instances, these were active professors at the date of their association with the communist fronts. In any case, however, they are *still carried in the University catalog and are using the prestige of Harvard to aid communists in their avowed program to destroy America.*"

In the analysis which follows we have eliminated all members of the Harvard faculty whose records do not show affiliation with a substantial number of fronts. Even with that elimination, we find more than twenty professors whose background should be a matter of concern to those interested in the preservation of Constitutional Government.

According to the report submitted as Exhibit No. 32, the following is the "Roll of Honor" at Harvard:

*Two Ministers of the gospel*—Rev. Frederick May Eliot<sup>131</sup> and Rev. Sidney Lovett.<sup>132</sup>

*Three philosophers*—Hugh Cabot, lecturer on "Human

<sup>131</sup>American Committee for Protection of Foreign Born, 4-17-42 and Jan. 1947; American Committee for Spanish Freedom, 1-7-46; American Council on Soviet Relations, undated leaflet; Congress of American Soviet Friendship, Dec. 1942; Coordinating Committee to Lift the Embargo, undated booklet; Joint Anti-Fascist Refugee Committee, 10-27-43; National Council of American Soviet Friendship, 5-18-43, June 1943, 7-5-43, and 1-7-48; National Federation for Constitutional Liberties, Jan. 1943; Protestant, June 1944; Reichstag Fire Trial Anniversary Committee, 12-22-43; Soviet Russia Today, 2-22-43; Spanish Refugee Appeal, undated leaflet; United States Arrangements Committee for the World Youth Conference, July 1945; United States Soviet Friendship Congress, 9-29-43. In this footnote and in those which follow concerning members of the Harvard faculty, the figures cited refer to dates on which the persons in question are said to have had such affiliations.

<sup>132</sup>American Committee for Protection of Foreign Born, 5-15-40, 9-11-41, and undated pamphlet; Committee for Citizenship Rights, 1-10-42; Defense of Communist Schools, 4-7-48; Schappes Defense Committee, 10-9-44.

Relations";<sup>133</sup> Ralph Barton Perry, emeritus professor of philosophy;<sup>134</sup> and William Ernest Hocking, professor of natural religion, moral philosophy and civic polity.<sup>135</sup>

*One sociologist*—Pitirim Alexandrovitch Sorokin.<sup>136</sup>

*Three professors of medicine*—none of them engaged in active practice, viz: Allan Macy Butler, professor of pediatrics;<sup>137</sup> Alice Hamilton, emeritus professor of industrial medicine;<sup>138</sup> and George Richards Minot, emeritus professor of general medicine.<sup>139</sup>

*Two astronomers and one meteorologist*, viz: Bart Jan Bok, professor of applied astronomy;<sup>140</sup> Charles Franklin

<sup>133</sup>American Review of Soviet Medicine, 12-17-44; American-Soviet Medical Society, Oct. 1945; National Council of American-Soviet Friendship, Dec. 1942, June, 1943, and undated folder; National Reception Committee to the Russian Delegation, 7-16-43; Russian War Relief, June 1942 and 10-10-41; Soviet Russia Today 2-22-43.

<sup>134</sup>American Committee for Democracy and Intellectual Freedom, 1-17-40, 4-13-40 and 5-26-40; American Committee for Protection of Foreign Born, 4-17-42; American Committee to Save Refugees, undated leaflet; Committee of Welcome for the Very Reverend Hewlett Johnson, 9-22-48; Defense of Communist Schools, 4-7-48; Medical Aid to Russia, Sept. 1941; National Council of American Soviet Friendship, June 1945, March 1947, 1-7-48; 5-4-48, 6-23-48, July 1948, 10-12-48, and 10-25-48; National Reception Committee to the Russian Delegation, 7-16-43; New Masses, 8-13-41; Russian War Relief, 10-10-41; Soviet Russia Today, 2-22-43; Statement against US Policy in Mexico, 5-6-40; United States Soviet Friendship Congress, 9-29-43.

<sup>135</sup>Committee of One Thousand, 1-3-49; Committee of Welcome for the Very Reverend Hewlett Johnson, 9-22-48; Denunciation of the Hartley Committee, 1-1-49; National Council of American-Soviet Friendship, 1-7-48, 5-4-48, 10-12-48, and 10-25-48; Protestant, 1-22-41; Protestant Digest, 12-27-39; Protestant Digest Associates, undated leaflet; Statement Defending the Communist Party, 3-5-41.

<sup>136</sup>American Committee for Protection of Foreign Born, July 1948; American Russian Institute, 10-19-43 and undated folder; American Slav Congress, 1945; Committee of Welcome for the Very Reverend Hewlett Johnson, 9-22-48; Denunciation of the Hartley Committee, 1-1-49; Educators for Wallace, Oct. 1948; International Workers Order, Nov. 1943; National Council of American-Soviet Friendship, Nov. 1947, 1-7-48, 5-4-48, July 1948, 10-12-48, and 10-25-48, Protestant, July 1944; Supporter of Samuel Wallach, 11-12-48.

<sup>137</sup>Committee of One Thousand, 1-3-49; Committee of Welcome for the Very Reverend Hewlett Johnson, 9-22-48; Denunciation of the Hartley Committee, 1-1-49; Independent Citizens Committee of the Arts, Sciences and Professions, 6-23-45; National Council of the Arts, Sciences and Professions, 8-18-48, 10-9-48; 10-19-48, and 3-25-49; National Wallace for President Committee, 3-23-48; Progressive Citizens of America, 10-25-47; Supporter of Samuel Wallach, 10-12-48.

<sup>138</sup>American Committee for Anti-Nazi Literature, 3-24-39; American Committee for Democracy and Intellectual Freedom, 1-17-40, 4-13-40, and 5-26-40; American Committee for Protection of Foreign Born, 1947; American Committee to Save Refugees, undated folder; American-Soviet Science Society, 4-15-46 and 9-10-48; Citizens Committee to Free Earl Browder, undated leaflet; Committee for Citizenship Rights, 1-10-42; Committee of Welcome for the Very Reverend Hewlett Johnson, 9-22-48; Consumers National Federation, undated leaflet; Friends of Italian Democracy, 1947; Friends of the Soviet Union, undated booklet; Greater New York Emergency Conference on Inalienable Rights, 9-17-40; National Council of American-Soviet Friendship, 2-10-44, 1-7-48, 5-4-48, 10-12-48, and 10-25-48; National Emergency Conference, 5-13-39 and 5-19-38; National Emergency Conference for Democratic Rights, 2-15-40; National Federation for Constitutional Liberties, Jan. 1943; National Free Browder Congress, 2-25-42; Russian Reconstruction Farms, 3-20-26; Science and Society, Fall 1946; Soviet Russia Today, Nov. 1947; Statement Defending the Communist Party, 3-5-41; United States Soviet Friendship Congress, 1942.

<sup>139</sup>American Committee for Indonesian Independence, 1946; Medical Bureau to Aid Spanish Democracy, 7-20-37; National Council of American-Soviet Friendship, 5-18-43, June 1943, 7-5-43, 1-7-48, 5-4-48, 10-12-48, and 10-25-48; National Federation for Constitutional Liberties, Jan. 1943.

<sup>140</sup>Committee of One Thousand, 1-3-49; Council for Pan American Democracy, 6-8-45; Greater New York Emergency Conference on Inalienable Rights, 9-17-40; National Federation for Constitutional Liberties, Jan. 1943; National Wallace for President Committee, 3-23-48; National Wartime Conference of the Professions, 5-8-43; Progressive Citizens of America, 10-25-47; Schappes Defense Committee, 10-9-44.

Brooks, professor of meteorology,<sup>141</sup> and Harlow Shapley, professor of "practical" astronomy.<sup>142</sup> Shapley received considerable notice in the press recently because of his position as chairman of the "Cultural and Scientific Conference for World Peace" held at the Waldorf-Astoria.

*Three professors of history*—Francis Otto Matthiessen, professor of history and literature,<sup>143</sup> George Sarton, professor of the history of science,<sup>144</sup> and Arthur Meier Schlesinger, general professor of history.<sup>145</sup>

*One professor of law*—Zechariah Chafee, Jr.<sup>146</sup>

<sup>141</sup>American Committee for Democracy and Intellectual Freedom, 4-28-41; Citizens Committee for Harry Bridges, 9-11-41; Defense of Communist Schools, 4-7-48; National Federation for Constitutional Liberties, 12-26-41; Schappes Defense Committee, 10-9-44.

<sup>142</sup>American Committee for Democracy and Intellectual Freedom, 1-17-40, 4-13-40, and 5-26-40; American-Soviet Science Society, 4-15-46 and 9-10-48; Citizens Committee to Free Earl Browder, undated letterhead; Conference on Puerto Rico's Rights to Freedom, 1-5-46; Congress of American Women, 9-23-47; Council for Pan American Democracy, 12-3-40 and 6-8-45; Greater New York Emergency Conference on Inalienable Rights, 9-17-40; Independent Citizens Committee of the Arts, Sciences and Professions, 12-24-44, June 1945, and 2-19-45; Joint Anti-Fascist Refugee Committee undated leaflet; League of American Writers, 7-31-40; National Committee on Atomic Information, 7-15-46; National Council of the Arts, Sciences and Professions, 6-11-48 and 3-25-49; National Emergency Conference, 5-13-39 and 5-19-38; National Emergency Conference for Democratic Rights, 2-15-40; National Wartime Conference of the Professions, 5-8-43; New Masses, 9-25-45 and 11-27-45; New Masses Letter to the President, 4-2-40; Progressive Citizens of America, 10-25-47; Spanish Refugee Appeal, undated leaflet; Veterans of the Abraham Lincoln Brigade, 4-2-40.

<sup>143</sup>American Committee for Protection of Foreign Born, March 1948, May 1948, and 2-8-49; American Russian Institute, 10-19-43 and undated folder; Artists Front to Win the War, 4-16-42; American Youth for Democracy, April 1944; Citizens Committee to Free Earl Browder, 3-11-42; Citizens Committee for Harry Bridges, 9-11-41; Citizens Victory Committee for Harry Bridges, 6-8-43; Civil Rights Congress, 4-16-47; Committee for Citizenship Rights, 1-10-42; Committee for a Democratic Far Eastern Policy; 3-19-48; Committee for Equal Justice for Mrs. Recy Taylor, 1945; Committee to Sponsor the Daily Worker, 6-24-45; Committee of Welcome for the Very Reverend Hewlett Johnson, 9-22-48; Conference on Constitutional Liberties in America, 6-7-40; Congress on Civil Rights, 4-27-46; Defense of Communist Schools, 4-7-48; Denunciation of Hartley Committee, 1-1-49; Educators for Wallace, Oct. 1948; Friends of Italian Democracy, 4-17-47; National Council of the Arts, Sciences and Professions, 10-19-48 and 3-25-49; National Federation for Constitutional Liberties, 12-19-40, 12-26-41, 9-11-42, and Jan. 1943; National Reception Committee to the Russian Delegation, 7-16-43; National Wallace for President Committee, 3-23-48; New Masses, 3-6-45 and 12-25-45; New Masses Dinner Committee, 1-23-45; Open Letter for Closer Cooperation with the Soviet Union, 1939; Samuel Adams School for Social Studies, 1945; Schappes Defense Committee, 2-9-42 and 10-9-44; Sleepy Lagoon Defense Committee, 8-9-44; Supporter of Samuel Wallach, 11-12-48; Testimonial Dinner to Carol King, April 1948; Veterans of the Abraham Lincoln Brigade, 2-21-40; Win-the-Peace Conference, 4-5-46; Writers for Wallace, 10-21-48.

<sup>144</sup>American Committee for Democracy and Intellectual Freedom, 1-7-40, 4-13-40, 5-26-40, and 4-29-41; American Committee for Protection of Foreign Born, 4-17-42; American Committee to Save Refugees, undated leaflet; Citizens Committee to Free Earl Browder, 3-19-42; Committee for Equal Justice for Mrs. Recy Taylor, 1941; National Emergency Conference, 5-13-39; Open Letter on Harry Bridges, 7-19-42; National Federation for Constitutional Liberties, Jan. 1943; National Wartime Conference of the Professions, 5-8-43; Schappes Defense Committee, 10-9-44.

<sup>145</sup>American Committee for Democracy and Intellectual Freedom, 1-17-40; American Friends of Spanish Democracy, 2-16-38 and 2-21-38; Congress on Civil Rights, 4-27-46; Council for Pan American Democracy, 6-8-45; Metropolitan Interfaith and Interracial Coordinating Council, 1945; National Citizens Political Action Committee, 1944; National Emergency Conference, 5-13-39; National Emergency Conference for Democratic Rights, 1940; National Federation for Constitutional Liberties, 12-26-41, 9-11-42, and Jan. 1943; Open Letter on Harry Bridges, 7-19-42.

<sup>146</sup>American Committee for Democracy and Intellectual Freedom, 1-17-40; Citizens Committee to Free Earl Browder, 1942; National Federation for Constitutional Liberties, Jan. 1943; Statement Defend-

*One professor of English*—Howard Mumford Jones.<sup>147</sup>

*One professor of psychology*—Gordon Willard Allport.<sup>148</sup>

*Two professors of engineering*—Comfort Avery Adams, an emeritus professor of electrical engineering,<sup>149</sup> and Albert Sprague Coolidge, lecturer on chemistry.<sup>150</sup>

*One professor of geology*—Kirtley Fletcher Mather.<sup>151</sup>

This documented record, concerning conditions in one university, is evidence of the kind of "intellectual leadership" we are getting in our colleges and universities today.

ing the Communist Party, 3-5-41; Veterans of the Abraham Lincoln Brigade, 2-21-40.

<sup>147</sup>Committee of Welcome for the Very Reverend Hewlett Johnson, 9-22-48; National Committee to Combat Anti-Semitism, 5-24-44; National Council of American-Soviet Friendship, 5-18-43; June 1943, 5-4-48, 10-12-48, and 10-25-48; Progressive Citizens of America, 10-25-47.

<sup>148</sup>American Committee for Democracy and Intellectual Freedom, undated booklet; American Committee for Protection of Foreign Born, 3-29-41; 9-11-41, and 10-28-41; Boas Letter in Reply to Sedgwick, 3-8-38; Committee on Election Rights, 9-24-40; Committee of Welcome for the Very Reverend Hewlett Johnson, 9-22-48; Coordinating Committee to Lift the Embargo, undated booklet; Medical Bureau and North American Committee to Aid Spanish Democracy, 7-6-38; National Emergency Conference, 5-13-39; National Emergency Conference for Democratic Rights, 5-13-40; National Federation for Constitutional Liberties, 12-26-41 and Jan. 1943; New Masses Letter to the President on Behalf of Communists, 4-2-40; Spanish Refugee Relief Campaign, 11-16-39.

<sup>149</sup>American Student Union, Feb. 1937; Denunciation of Hartley Committee, 1-1-49; Citizens Committee to Free Earl Browder, undated letterhead; Council for Pan American Democracy, 12-3-40; Federation of Architects, Engineers, Chemists and Technicians; Greater Boston Peace Strike Committee; League for Mutual Aid; National Associates, 10-13-47; National Citizens Political Action Committee; National Emergency Conference, 5-13-39; National Emergency Conference for Democratic Rights, 2-15-40; Washington Committee to Lift the Spanish Embargo, 1-31-39.

<sup>150</sup>American Committee for Democracy and Intellectual Freedom, 1-17-40 and 4-29-41; American Committee to Save Refugees, 1942; Citizens Committee to Free Earl Browder, 1942; Committee of One Thousand, 1-3-49; Council for Pan American Democracy, 12-3-40; Greater New York Emergency Conference on Inalienable Rights, 9-17-40; Joint Anti-Fascist Refugee Committee, 6-19-42; National Emergency Conference, 5-13-39; National Emergency Conference for Democratic Rights, 5-13-40; National Federation for Constitutional Liberties, Jan. 1943; Open Letter on Behalf of Harry Bridges, 7-19-42; Statement against US Policy in Mexico, 5-6-40.

<sup>151</sup>American Committee for Democracy and Intellectual Freedom, 1-17-40; American Committee for Protection of Foreign Born, 9-11-41, 10-28-41, March, 1948, May 1948, and 2-8-49; American Council on Soviet Relations, 1940; American League for Peace and Democracy, 12-7-38; American Preparatory Committee, International Student Conference at Prague, 8-17-46; American Relief Ship for Spain, 9-3-38; American Rescue Ship Mission, 2-13-41; American Slav Congress, 10-12-47; American Youth for Democracy, April 1944; Citizens Committee to Free Earl Browder, 3-19-42; Civil Rights Congress, 2-28-47; Committee for a Democratic Far Eastern Policy, 1-23-48; Congress on Civil Rights, 4-27-46; Council for Pan American Democracy, 6-8-45; Council of U.S. Veterans, undated letterhead; Defense of Communist Schools, 4-7-48; Friends of the Abraham Lincoln Brigade, 3-22-39; Friends of Italian Democracy, 4-17-47; Greater Boston Peace Strike Committee, undated leaflet; International Labor Defense, June 1939; Joint Anti-Fascist Refugee Committee, undated leaflet; League of American Writers, 7-31-40; League for Fair Play, 1945-1946; National Council of American-Soviet Friendship, 5-18-43, June 1943, 1-7-48, 5-4-48; 6-23-48, 10-12-48, and 10-25-48; National Federation for Constitutional Liberties, 12-26-41, 9-11-42, and Jan. 1943; National Wartime Conference of the Professions, 5-8-43; New Masses Letter to the President, 4-2-40; People's Congress for Democracy and Peace, 11-3-37; Protestant, 1-22-41; Protestant Digest Associates, undated leaflet; Reichstag Fire Trial Anniversary Committee, 12-22-43; Statement against US Policy in Mexico, 5-6-40; Soviet Russia Today, 2-22-43; Supporter of Samuel Wallach, 11-12-48; United States Arrangements Committee for the World Youth Conference, July 1945; United States Soviet Friendship Conference, 9-29-43; Veterans of the Abraham Lincoln Brigade, 2-21-40; Win the Peace Conference, 4-5-46.

### The Case of Dr. Wirt

On March 23, 1934, the House Committee on Interstate and Foreign Commerce received the following statement from an eminent educator, Dr. William A. Wirt, of Gary, Indiana:<sup>152</sup>

#### "Plan of Revolutionists"

"The fundamental trouble with the 'brain trusters' is that they start with a false assumption. *They insist that the America of Washington, Jefferson, and Lincoln must first be destroyed and then on the ruins they will reconstruct an America after their own pattern.* They do not know that the America of Washington, Jefferson and Lincoln has been the 'new deal' and that during the eighteenth and nineteenth centuries we have been making great social progress. The common man is getting his place in the sun. Why try to put him back into the Dark Ages?

"Last summer I asked some of the individuals in this group what their concrete plan was for bringing on the proposed overthrow of the established American social order.

"I was told that they believed that by thwarting our then-evident recovery they would be able to prolong the country's destitution until they had demonstrated to the American people that the Government must operate industry and commerce. . . .

"The most surprising statement made to me was the following 'We believe that we have Mr. Roosevelt in the middle of a swift stream and that the current is so strong that he cannot turn back or escape from it. We believe that we can keep Mr. Roosevelt there until we are ready to supplant him with a Stalin. We all think that Mr. Roosevelt is only the Kerensky of this revolution.' . . .

"I asked how they would explain to the American people why their plans for retarding the recovery were not restoring recovery. 'Oh,' they said, 'That would be easy.' All that they would need to do would be to point the finger of scorn at the traitorous opposition. These traitors in the imaginary war against the depression would be made the goats. And the American people would agree that they, the 'brain trusters,' had been too lenient and in the future they, the 'brain trusters,' should be more firm in dealing with the opposition. . . .

"*I was frankly told that I had underestimated the power of propaganda.* That since the World War propaganda had been developed into a science . . . that the power of public investigation in their own hands alone would make the cold chills run up and down the spines of other business leaders and politicians—honest men as well as crooks.

"They were sure that they could depend upon the psychology of empty stomachs, and they would keep them empty. The masses would soon agree that anything should be done rather than nothing. . . .

"They were sure that the leaders of industry and labor could be kept quiet by the hope of getting their own share of the Government doles in the form of loans and contracts for material and labor, provided they were subservient.

"*They were sure that the colleges and schools could be kept in line by the hope of Federal aid until the many 'new dealers' in the schools and colleges had control of them.*"<sup>153</sup>

The House adopted a resolution creating a select committee of five members to make an investigation. This committee was instructed

<sup>152</sup>The late Dr. William A. Wirt was an educator with a national reputation, author of the Gary Plan for use of school buildings as Community Civic Centers, an administrator of ability, well known in the profession.

<sup>153</sup>The full text of the Wirt statement appears in the House Report No. 1439, 73d Congress, 2d Session, House Calendar No. 244, filed May 2, 1934.

". . . to summon Dr. William A. Wirt, of Gary, Ind., before it and to require him to reveal the sources of the statements he has made . . . and to bring before it all officials and other persons alleged by Dr. Wirt to have given him said information, or to be connected in any way with said activities. . . ." <sup>154</sup>

Dr. Wirt appeared before the Select Committee on April 10, 1934. Certain individuals designated by him were examined on April 14th. He was denied the opportunity to make an opening statement. Neither he nor his attorney, the Honorable James A. Reed, was permitted to question or cross-examine any of the witnesses. The minority members of the Committee were also denied that right. It developed from the hearing that the following persons were involved in these charges:

Henry A. Wallace, Vice-President of the United States;  
Harry Hopkins, Federal Emergency Relief Administrator;  
David Lillenthal, Director of Tennessee Valley Authority;  
Harold Ickes, Public Works Administrator;  
Arthur Morgan, and H. A. Morgan, Directors of T.V.A.;  
Frederick Howe, Consumers' Counsel of Agricultural Adjustment Administration;  
General William A. Westervelt, Assistant Administrator of Agricultural Adjustment Administration at Gary, Indiana.

The minority members of the committee demanded the right to subpoena these witnesses. The majority decided that it was "unnecessary." On May 2, 1934, the majority filed a report with the following statements:

". . . it was unnecessary to examine any other witnesses. . . . From all of the evidence presented to the committee there was none whatever showing that there was any person or group in the Government service planning to 'overthrow the existing social order' or planning or doing any of the things mentioned in Dr. Wirt's statement."

The minority members of the committee filed a statement with the following protest:

"We cannot join in the majority report. The committee has not met its responsibility as directed by the House in House Resolution 317, enacted by the House of Representatives on March 29, 1934. On the contrary, we report that the committee has by a studied effort deliberately refrained from obtaining the information which it was directed to obtain by such resolution. We further report that the committee has not only deliberately refrained from obtaining such information but has deliberately suppressed the obtaining of such information. . . .

"There can be no question but that the committee was required to subpoena and call in witnesses to ascertain what, if any, public officials were connected with said activities, to wit, 'carrying out a deliberately planned revolution or attempting to thwart the program of a national recovery.' Whether or not such people had talked with Dr. Wirt was entirely immaterial. . . .

"As soon as the resolution was passed and the committee was appointed by the Speaker, the first act of the committee . . . over the protest and votes . . . of the minority members, was to pass a resolution limiting the first day's hearing to the testimony of Dr. Wirt with Dr. Wirt's testimony limited to the specific question of naming the people with whom he talked and setting forth their specific conversation. Thereafter the majority members of the committee, over the protest and vote of the minority members, limited the second day's hearing to the bringing before

<sup>154</sup>Resolution is set forth in Transcript of April 10, 1934 Hearing of Select Committee of the House of Representatives in the case of Dr. William A. Wirt, 73d Congress, 2d Session, Proceedings on H. Res. 317.

the committee the six specific witnesses with whom Dr. Wirt talked at a particular party and refused to call any other witnesses that were named by Dr. Wirt in his testimony. . . .

"As further evidence that the majority members of the committee used this hearing for the avowed purpose of discrediting the witness Dr. Wirt and suppressing the truth with no reasonable desire or effort to obtain the truth, we point out the following:

"First, Dr. Wirt was denied the opportunity in his own way to make his opening statement. When the majority members denied to Dr. Wirt this opportunity, they denied to him a right and a privilege which has been enjoyed by all of the hundreds and thousands of witnesses who have ever appeared before congressional committees, House or Senate.

"Second, it denied to the minority members the right to call a single witness whom they designated or chose to call before the committee. In doing this the committee again repudiated all the precedents of congressional investigations. In doing so the majority members made it inevitable that the proceedings would be a suppression of the truth rather than an uncovering of the truth. As an illustration, what would have the Teapot Dome investigation amounted to if the majority members of the committee investigating those transactions had denied to Senator Walsh, a minority member, the right to call before the committee to examine under oath any and all witnesses whom he chose to call? . . .

"This committee is not authorized to sit in judgment upon the relative merits of the old order of a free people or a Government-regulated mode of American life. Under a broad, common-sense construction of the resolution creating the committee, we were commissioned to investigate whether Government officials, believing in a socialized American order, were so functioning as to facilitate its establishment. . . .

"This the American people are entitled to know. This it was not only the privilege but the duty of the committee to ascertain.

"Unfortunately, the committee booted away its opportunity.

"We therefore take the position that the committee has not performed its duties under the resolution and that the committee should be directed by the House to proceed to complete its duties under the resolution."

The following documents concerning proceedings in the case of Dr. Wirt are offered in evidence:

Exhibit No. 33—copy of transcript of April 10 and 14, 1934, Hearings before Select Committee of House of Representatives under Resolution No. 317;

Exhibit No. 34—majority and minority reports filed with the House on May 2, 1934, in the case of Dr. Wirt, pursuant to Resolution No. 317.<sup>155</sup>

#### *Recent Activities of Educators and Other Intellectuals*

As Exhibit No. 35, we submit a photostatic copy of the announcement of the "Cultural and Scientific Conference for World Peace," held at the Waldorf-Astoria in New York City, March 25-27, 1949. This document states that the opening session of the conference on Friday evening, March 25th, would be to

"WELCOME OUR INTERNATIONAL GUESTS"

"Honored guests: *leading foreign intellectuals who are invited to participate.*"

<sup>155</sup>We understand that these documents are only available at present in the Library of Congress and the New York Public Library. The latter has a microfilm from which copies may be obtained on request.

The "Honored Guests" referred to in that announcement were Communists from Soviet Russia sent to this country to spread propaganda against the Atlantic Pact. This document contains the names of *two hundred and seventy-three* American "intellectuals" sponsoring the meeting, viz:

"Berenice Abbott, Louis Adamic, Franklin P. Adams, Rev. Stacy Adams, Dr. Thomas Addis, Stella Adler, Ralph Alswang, Edith Atwater, Rev. Wade C. Barclay, Dr. Bernard Baum, Howard Bay, Thomas Bell, Leonard Bernstein, Dr. Algernon D. Black, Dr. Sarah Gibson Blanding, Henry Blankfort, Michael Blankfort, Marc Blitzstein, Kermit Bloomgarden, Dr. Ernest P. Boas, B. A. Botkin, Dr. W. Russell Bowie, Richard O. Boyer, Kay Boyle, Millen Brand, Marlon Brando, Prof. Dorothy Brewster, J. Edward Bromberg, Rev. Thoburn T. Brumbaugh, Henrietta Buckmaster, Richard Burgin, David Burlink, Dr. Allan M. Butler, Angus Cameron, Dr. George D. Cannon, Rabbi D. A. Jessurun Cardozo, Prof. A. J. Carlson, Morris Carnovsky, Saul Carson, Alan Carter, Norman Cazden, Rev. Mark A. Chamberlin, Edward Chodorov, Jerome Chodorov, Rev. Karl M. Cheverowsky, Serge Chermayeff, Henry S. Churchill, Dr. Rufus E. Clement, W. G. Clugston, Robert M. Coates, Dr. Stanley Cobb, Lester Cole, Aaron Copland, Norman Corwin, Howard Da Silva, Jules Dassin, Dr. Leo M. Davidoff, Jo Davidson, Hallie Flanagan Davis, Dr. Herbert John Davis, Prof. John J. de Boer, Adolf Dehn, Albert Deutsch, Dr. Albert C. Dieffenbach, Martha Dodd, Prof. Dorothy W. Douglas, Prof. Harl R. Douglass, Olin Downes, Muriel Draper, Paul Draper, W. E. B. Du Bois, Barrows Dunham, Arnaud D'Usseau, Prof. Irwin Edman, Prof. Thomas I. Emerson, Guy Endore, Philip Evergood, Prof. Henry Pratt Fairchild, Howard Fast, Jose Ferrer, Lion Feuchtwanger, Dorothy Canfield Fisher, Rev. Joseph Fletcher, Lukas Foss, Joseph Gaer, Leatrice Joy Gilbert, Vincent Glinksky, Vladimir Golschmann, Henrietta L. Gordon, Jay Gorney, Morton Gould, James Gow, Charles Graham, Shirley Graham, William Gropper, Chaim Gross, Ernest A. Grunsfeld, Jr., Robert Gwathmey, Uta Hagen, Talbot Hamlin, Dashiell Hammett, E. Y. Harburg, Prof. Georgia Harkness, Pearl M. Hart, Dr. Marion Hathway, Rev. Edler G. Hawkins, Prof. Michael Heidelberger, Lillian Hellman, Herman Herrey, Stefan Heym, Rev. Charles A. Hill, Dr. Cecil E. Hinshaw, Carmelita Hinton, Ira A. Hirshmann, Rose Hobart, Rev. Chester Hodgson, Syd Hoff, Judy Holliday, Libby Holman, Charles P. Howard, Langston Hughes, Mary Hunter, W. A. Hunton, Charles Irving, Crockett Johnson, Matthew Josephson, Albert E. Kahn, Dr. George Kalnitsky, Garson Kanin, Robert W. Kenny, Dr. John A. Kingsbury, Philip Klein, Howard Koch, Prof. Isaac M. Kolthoff, Alfred Kreyborg, Leon Kroll, Harry C. Lamber-ton, Corliss Lamont, Millard Lampell, John Lardner, Ring Lardner, Jr., Prof. Oliver Larkin, Rev. John Howland Lathrop, Sidney Laufman, Arthur Laurents, John Howard Lawson, Dr. Warner Lawson, James Lechay, Canada Lee, Emil Lengyel, Kenneth Leslie, Ray Lev, Joseph H. Levy, Dr. Robert M. Lindner, Rt. Rev. S. Harrington Littell, Alan Lomax, Rev. Donald G. Lothrop, Prof. Oliver S. Loud, Prof. Robert Morse Lovett, Harry L. Lurie, Prof. Robert S. Lynd, John C. McGailliard, Prof. Wayne McMillen, Prof. Curtiss D. MacDougall, Luther K. MacNair, Norman Mailer, Albert Maltz, Thomas Mann, Prof. Grace F. Marcus, John Martin, Prof. F. O. Matthiessen, Wesley H. Maurer, Dr. Leo Mayer, Prof. Otto Meyerhof, Arthur Miller, Dr. Benjamin F. Miller, Dr. Clyde R. Miller, Dr. Philip Morrison, Jacob Moscovitz, Rev. J. Edward Moseley, Willard Motley, Rt. Rev. Arthur W. Moulton, Dr. Otto Nathan, Rabbi Louis I. Newman, Michael M. Nisselson, Clifford Odets, Elizabeth Olds, John O'Shaughnessy, Prof. Thornton L. Page, Aubrey Pankey, Prof. Erwin Panofsky, Dr. Edwards A. Park, Father Clarence Parker, Dr. Linus Pauling, Jennings Perry, Dr. John P. Peters, Oscar Pettiford, Helen U. Philips, Prof. Melber Phillips, Prof. Sey-

mour M. Pitcher, Prof. Walter Rautenstrauch, Anton Refregier, Bertha Reynolds, Wallingford Reigger, Prof. Walter O. Roberts, Paul Robeson, O. John Rogge, Harold Rome, Dr. Theodore Rosebury, Jonas Rosenfield, Jr., Norman Rosten, Muriel Rukeyser, Rose Russell, Robert St. John, Alexander Saxton, Dr. Bela Schick, Dr. Margaret Schlauch, Artur Schnabel, Budd Schulberg, Rev. John R. Scotford, Edwin Seaver, Ben Shahn, Dr. Harlow Shapley, Artie Shaw, Dr. Guy Emery Sipler, Herman Shumlin, Edith W. Simester, Mitchell Siporin, John Sloan, Dr. Maud Slye, Agnes Smedley, Raphael Soyer, Rev. Frederick K. Stamm, Alfred K. Stern, Donald Ogden Stewart, Paul Strand, Prof. Dirk J. Struik, Howard Edwin Sweeting, William M. Sweets, Prof. Florence Sytz, Arthur Szyk, George Tabori, Helen Tamiris, Prof. Leland H. Taylor, Prof. Randall Thompson, Dalton Trumbo, Rexford G. Tugwell, Louis Untermeyer, Olive Van Horn, Mary Van Kleeck, Hilda Vaughn, Prof. Oswald Veblen, Prof. Eda Lou Walton, Sam Wanamaker, Dr. Harry F. Ward, Theodore Ward, Prof. Colston E. Warne, Dr. Alfred H. Washburn, Fredi Washington, Max Weber, Charles Weidman, Sid Weiss, Edward Weston, Prof. Frank W. Weymouth, Jay Williams, Henry Wilcox, Ella Winter, James Waterman Wise, Hon. James H. Wolfe, Ira Wolfert, Maxine Wood, William Wyler, Dr. Edward L. Young."

A group of intellectuals headed by President Robert L. Hutchins, of the University of Chicago, is backing a movement for World Government. The following statement issued by the Committee for Constitutional Government contains a good analysis of some of the dangers involved in that proposal:

"Among the powers this world government would have are the following:

"Equip and direct the world army, which would supplant all national armies, other than small police forces. The American planners of world government no doubt support a world army which would never, never be used against our country and people. But the idea of a world constitution is without value unless the world government is to have the power to use its army, navy and atom-bombs against any nation whatever.

"Therefore, the world army could be used against us if we were bad, or 'imperialistic,' as others may decide. Furthermore, we would be unable to resist, for under the plan our own defense forces would be liquidated.

"It is interesting to contemplate American-born soldiers, commanded by foreign generals, waging war against their native country; or the nationals of any other country against their own people. Would this, in fact, be treason?

"The proposed constitution also contemplates that the world government shall have the power to levy taxes all over the world. As the United States is now helping to support 16 foreign nations, including the richest, one can guess once and guess right the particular spot on the globe which would be selected for the extraction of the bulk of the money.

"The world government would also have the power to decide national boundaries and form new nations. The planners do not, of course, plan that it would vote to return Alaska to Russia from whom we bought that territory in 1867. However, we do know there are men in Moscow who would like Alaska back; and if Moscow got enough votes, that would be the result.

"This brings us down to the big brass tack: How is the voting to be done in One World, Incorporated? How will all these questions be decided? Who will wear the pants?

"The World has about 2,250,000,000 people. Only one quarter are white. The rest are yellow, brown and black. We have 147,000,000 people, or 7%. Assuming, as we must, that in the sight of God every human being on the planet is of equal worth, there should be one vote per person, in order to be 'democratic.' At least each nation should have representation in the world

government in proportion to its population. This is the way Congressmen are apportioned among our 48 states. Therefore, in any question vital to us Americans, we would be out-voted 93 to 7, unless we could gather or buy votes among other nations, most of whom envy us.

"Any other voting arrangement which would give us representation, not according to our population, but according to our wealth, would create first class and second class citizens in the world government. . .

"These are some of the questions this fantastic world constitution presents to us. They cannot be shrugged off. As ex-President Hoover and Hugh Gibson say in 'The Problem of Lasting Peace,' 'Being in a minority in a super-government, the political, economic and social control of our country would ultimately pass from our hands, and all the assurances of our fundamental institutions would be lost.'"<sup>156</sup>

A "Commission on Human Rights" was established by an order of the United States promulgated at Geneva, Switzerland, on December 27, 1947. It is engaged in framing "*An International Bill of Rights*" to have the force and effect of law as between the nations adhering to it. It would probably be construed in this country as an amendment to the Constitution of the United States in the event of any conflict with our present fundamental law. Frank E. Holman, President of the American Bar Association, has issued the following statement regarding that project:

"It is revealing to note the 'makeup' or personnel of the Commission before examining the results of its work.

"Mrs. Eleanor Roosevelt is its chairman and the sole U. S. representative—she is not a person in any sense trained in legal draftsmanship. She is primarily a social reformer.

"Australia's representative is Col. William Roy Hudgson—by training a military man and from his biography a person whose experience has been confined to government service.

"The United Kingdom's representative is Lord Dukeston—a person with no legal training and so far as his biography shows, no familiarity with legal draftsmanship—a trade unionist by profession.

"*These three are the only Anglo-Americans or representatives of English speaking peoples on the Commission of eighteen members.*

"It is this Commission which has undertaken to draft a 'Bill of Rights' for the people of the United States which so far as the Covenant is concerned is to be ratified as a treaty and under our Constitution to become the *supreme law of the land* and in due course *implemented against all of us by the decrees of a new International Court of Human Relations.*

"In spite of this extraordinary and revolutionary program the press and the public and even the Bar seem largely oblivious to the program and how far in certain particulars it is at variance with our fundamental concept of individual rights and freedoms and how far in other particulars it is a *proposal for worldwide socialism to be imposed through the United Nations on the United States and on every other member nation.*"<sup>157</sup>

On the domestic scene we find professors George S. Counts and Harold Rugg continuing their propaganda for a Social Welfare State. As Exhibit No. 36, we submit the book "Now Is the Moment," by Professor Rugg, eliminated from public schools in the City of Washington after an investiga-

<sup>156</sup>Statement of Samuel B. Pettengill, Release No. 1049, Issued by Committee for Constitutional Government, 205 E. 42nd St., New York 17, N. Y.

<sup>157</sup>Address of Frank B. Holman "The Proposal for an International Bill of Rights," delivered before annual meeting of State Bar of California, at Santa Barbara, California, in September, 1948.

tion by the House Committee on the District of Columbia. The following quotations are taken from that book:

#### *In re Social Planners*

"A key group, which already constitutes a potential national council of design and reconstruction, is assembling at Washington . . . Every Valley is sending its talent—from Iowa the practical prophet of the Century of the Common Man . . . from Texas the successful business man . . . from the metropolis the experienced idealist social worker. . . .

"Not only are the creative energies assembling; they are beginning to push the social system in the direction of a better world. Here, on the very threshold of consummation, is the thing we have dreamed of and pled for . . . science in government . . . research in government . . . In short, a government of social engineering. . . ." (Pages 3-4.)

#### *Propaganda to Be Handled by Educators*

". . . Although a few of our most discerning statesmen . . . see and are stating clearly the grave task before the nation, there is no large vocal minority telling the Congress that they want something done about it. How can there be when most of the people lack the facts with which to make up their minds? How can there be unless *we, who are responsible* for assembling the facts and for organizing study and discussion machinery, get the facts before them?"

#### *Federal Office of Education—a Propaganda Bureau*

"To break the Washington bottleneck which has held back American education, there is one major step . . . that is to create an 'Office of Education for Peace.'

". . . a powerful new Office devoted solely to winning the peace should be created. But even that will be of little use unless the Office is given unlimited resources—a budget running into millions to reach ten, twenty, thirty million Americans day after day, week after week, without letup. . . .

"(We) must help put an end to the fear and inertia in our profession . . . Make it absolutely clear to the Commissioner that he has complete autonomy; that he can try anything within reason at least once; that he is really the Chief-of-Staff of the forces that are fighting the War-at-Home over a free, abundant, and creative World; that conventional routine ways of doing things are not wanted. . . . Let Washington make it clear that there shall be no more appeasing in education!" (Pages 233-234.)

### OUR BILL OF GRIEVANCES

The Public School System of this country has been converted into a propaganda agency to support the projects, campaigns, crusades, ideas and personal philosophies of a self-appointed group of "educators" who now assert the right to dominate and control that system.

These men intend to nullify the Constitution with propaganda. Their purpose is to create a Social Welfare type of state under a Proletarian Form of Government.

A socialistic government is not a democracy. It can only function where there is absolute power to dominate the people. It is the first step toward dictatorship and oppression.

American democracy is the democracy of Thomas Jefferson, made effective under a constitution securing individual liberty. It is a Republican Form of Government—the kind of government guaranteed to the people by the Constitution of the United States.

The Constitution does not provide for a Proletarian Form of Government. It does not provide for National Socialism.

The people alone have the right to determine any changes to be made in their form of government. They have the right to make that decision without being put under the influence of propaganda.

We are entitled to a public school system in which these principles will be taught to the Youth of America.

There is no place in that system for individuals desiring to use their position or authority to promote any New Deal, Old Deal, Fair Deal, Square Deal, Re-deal or any other kind of Deal.

It is wrongful to make those schools an agency of The Political Action Committee, or any other Action Committee or Pressure Group.

We dare not use our schools to "Build a New Social Order." We deny the right of any individual or group to issue a "Call to the Teachers of the Nation" to use those schools for such a purpose. These are the methods of Stalin and Hitler. They cannot be tolerated by the free people of America.

It is a violation of our constitutional rights to make the public school system an instrument for the dissemination of the propaganda of any partisan or political group or other special interest in the community.

It is a violation of our right and the right of our children to freedom of conscience to use those schools to disseminate slanted or intellectually dishonest propaganda.

The parents and children of America have the right to a public school system where instruction is based upon *truth*. They have the right to oppose any and all school programs and activities where propaganda is substituted for the truth.

Our people have the right to reject the experimentalism and unsound philosophies of the men who are followers of John Dewey. They have the right to instruct "progressive" educators to organize school programs based upon a rejection of this philosophy. If the persons so instructed are unwilling to carry out the policies of the people in this respect, it is the right of the people to employ other educators who will make those policies effective.

The people have lost patience with so-called "progressive" educators who are still carrying on dissertations and discussions, interpretations and reinterpretations, applications and reapplications of the obsolete and discredited Dewey School of Philosophy. They are concerned about the effect of that philosophy in training our children to become members of Communist fronts.

The people have the absolute power and the sole right to control the public schools. To insure freedom, it is necessary for them to maintain that control at the local level.

Educators do not have the right to dominate or control that system at any level.

This is our Bill of Grievances. The following Constitutional Rights have been infringed:

1. The right to a nonpolitical public school system maintained and operated in a way that will secure freedom of conscience and prevent the introduction of all partisan, political, subversive and other intellectually dishonest propaganda.

2. The right to prevent the use of that system to support the programs of political action committees, political parties and other pressure groups.

3. The right to prevent abuse of the privilege of tax exemption on the part of individuals, trusts, foundations and



other organizations engaged in contributing to the support of radical activities.

4. The right to have the schools accept and discharge their responsibility in educating our youth in the American tradition to equip them for the task of supporting and defending constitutional government in America.

#### THE RIGHT OF PETITION

This is a constitutional petition for Redress of Grievances. We are appealing to the Congress of the United States, and, through the Congress, we are making a direct appeal to the

People themselves. Such a petition constitutes a solemn exercise of our right of self government. It is an historic remedy available at all times to resist oppression.

We invoke that jurisdiction now to support and defend Constitutional Government and provide for the National Security. The Congress, and the Congress alone, has power to afford relief in this emergency. We call for the exercise of all authority available under the circumstances.

Dated: April 19, 1949.

AARON M. SARGENT  
Attorney for Petitioner.

“We cannot absolutely know that all these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places and by different workmen,—Stephen, Franklin, Roger, and James, for instance,—and we see these timbers joined together, and see they exactly make the frame of a house or a mill, all the tenons and mortises exactly fitting, and all the lengths and proportions of the different pieces exactly adapted to their respective places, and not a piece too many or too few, not omitting even scaffolding—or, if a single piece be lacking, we see the place in the frame exactly fitted and prepared yet to bring such piece in—in such a case we find it impossible not to believe that Stephen and Franklin and Roger and James all understood one another from the beginning, and all worked upon a common plan or draft drawn up before the first blow was struck.”

ABRAHAM LINCOLN

Springfield, Illinois  
June 16, 1858

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## DOCUMENTS SUBMITTED WITH PETITION

- Exhibit "A":*  
Complaint and brief of California Society, S.A.R., filed with the State Legislature Feb. 21, 1947, to support an investigation of "Building America" textbooks.
- Exhibit "B":*  
Original set of California edition of "Building America" proposed for use in elementary grades.
- Exhibit "C":*  
Transcript of hearings before Rules Committee of California Senate on April 3, 7 and 15, 1947, on proceedings re confirmation of appointments of Joseph P. Loeb and Gilbert H. Jertberg as members of State Board of Education.
- Exhibit "D":*  
Transcript of hearings before Education Committee of California Senate on April 7, 8 and 17, 1947, in re "Building America" textbooks.
- Exhibit "E":*  
Resolution No. 71 of California Senate providing for appointment of a special Senate Investigating Committee on Education.
- Exhibit "F":*  
First Report of Senate Investigating Committee on Education filed with Legislature June 9, 1947, concerning inquiry into the case of one Victor R. Jewett.
- Exhibit "G":*  
Third Report of Senate Investigating Committee on Education filed with Legislature March 27, 1948, containing findings on "Building America" textbooks.

## DOCUMENTS CITED IN BRIEF

- Exhibit No. 1:*  
Pamphlet "Un-Americanism in High School Textbooks," by Dan Gilbert, LL.D., a reprint of articles in National Republic Magazine, Washington, D. C.
- Exhibit No. 2:*  
Pamphlet "The American Way of Business—The Role of Government in a System of Free Enterprise," by Oscar Lange and Abba P. Lerner, published by National Association of Secondary School Principals and National Council for the Social Studies—Departments of National Education Association, 1944.
- Exhibit No. 3:*  
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- Exhibit No. 4:*  
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- Exhibit No. 5:*  
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- Exhibit No. 6:*  
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- Exhibit No. 7:*  
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- Exhibit No. 8:*  
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- Exhibit No. 9:*  
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- Exhibit No. 11:*  
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- Exhibit No. 12:*  
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- Exhibit No. 13:*  
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- Exhibit No. 14:*  
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- Exhibit No. 17:*  
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- Exhibit No. 18:*  
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- Exhibit No. 19:*  
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- Exhibit No. 20:*  
"Building America" unit "Education," published in 1938.
- Exhibit No. 21:*  
"Building America" unit "Our Federal Government," published in 1938.
- Exhibit No. 22:*  
"Building America" unit "Civil Liberties," published in 1939.
- Exhibit No. 23:*  
Original advertisement distributed by The Grolier Society, Inc., of New York, disclosing contribution of \$50,000 by the Rockefeller Foundation to assist in the development of "Building America."
- Exhibit No. 24:*  
Copy of Report of Panel appointed by San Francisco Board of Education to investigate Rugg Social Science Textbooks.
- Exhibit No. 25:*  
Report of 1947-1948 Grand Jury of Yuba County filed at Marysville, California, concerning difficulty of eliminating subversive textbooks from public schools.
- Exhibit No. 26:*  
Photostatic copy of announcement sent by Grolier Society, Inc., of New York, to members of California Library Association in March, 1949, to introduce the California edition of "Building America" in public schools.
- Exhibit No. 27:*  
Partial transcript of proceedings of October 30, 1948, before California State Board of Education on confirmation of J. D. Conner as Associate Superintendent of Public Instruction.
- Exhibit No. 28:*  
Adverse report of Senate Committee on the Judiciary, 75th Congress, First Session, opposing bill for packing the United States Supreme Court.
- Exhibit No. 29:*  
Pamphlet "Shall We Scrap the Constitution?" containing a copy of the brief filed with California State Board of Education in August, 1946, to oppose propaganda in "Building America" units on "Our Constitution" and "Russia."
- Exhibit No. 30:*  
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- Exhibit No. 31:*  
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- Exhibit No. 32:*  
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- Exhibit No. 33:*  
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- Exhibit No. 34:*  
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