

## Revolt on Rio Grande

# Farm Workers Strike

By JOHN SPRAGENS, JR.  
(Staff Correspondent)

RIO GRANDE CITY, Texas—Instead of "Freedom now," the cry is "Viva la Huelga!"

Huelga is the Spanish word for strike, and in the Rio Grande valley of Texas hundreds of farm workers are on strike at the height of the melon season. They are holding a civil rights march. They explain, "Civil rights means equal opportunity, and we don't have equal opportunity."

The march is only part of this strike which has set the power structure of Starr County on its ear. They had not expected it. They probably had not realized that the workers had the spirit to carry out an effective protest. And so they try to shift the blame to outside "agitators."

A local union leader explains that the groundwork for the strike, and the union which is its organizational framework, has been going on since 1961. This year the people were ready to strike.

The "outsiders" say, "It would have happened anyway. We may have speeded it up some." Outside help has come from many sources. The one the power structure referred to was the National Farm Workers Association, the young union which recently won its first contract from the Schenley farms in Delano, California after a seven-month strike.

Now the word is out and help comes from many places. A major supporter is the Roman Catholic church. The Bishop's Committee for the Spanish Speaking, in San Antonio, has sent food and clothing by the truckload.

The teamsters have sent 3,000 pounds of potatoes. Other individuals and groups have donated money, food and clothing.

As marchers gather in front of the courthouse a priest speaks to county officials inside. "If the church didn't support these people in the past, we'll support them now."

Area newspapers referred to

the strike as a revolution, and in a sense it is. The farm workers have never been organized before. But their demands should not have to seem revolutionary. They are asking only "A decent wage for a decent day's work." They want \$1.25 an hour instead of the wages as low as 40 cents an hour that are paid now.

As one priest points out to county officials, "A living wage is not revolutionary. By God, if they don't get it I'll be back again and again and again!"

In Starr County the rich alluvial soil of the valley farmlands begins to yield to the gravel of ranch country. The richness of the land and the warmth of the climate allow the farms to produce as many as three crops a year. Besides melons, the irrigated fields produce cotton, tomatoes, lettuce, celery and other vegetables.

Most of the farm land in the area affected by the strike is controlled by fewer than a dozen large growers. The political reality of water control boards and the economic difficulty of finding markets make the survival of small farmers difficult, though not impossible.

The power structure, dominated by the large growers, has thrown up a legal wall to limit the effectiveness of the strike. An injunction, which the union is appealing, prohibits mass picketing at the entrances to the farms. Texas law requires pickets to be at least 50 feet apart, and under such conditions it is hard to explain the purpose of the strike to workers the growers bus in from Mexico.

So strikers gather at the international bridge to pass out literature in Spanish and to talk with the Mexicans. Still, the Mexicans come to work because the pay in Mexico is even worse. A day's pay—five dollars in the U.S.—grows to sixty pesos on the other side of the river.

The Mexican workers cross the border with "green cards," resident alien passports which are issued to persons who say they want to come to the U.S. to live and work, and who may want to

become U.S. citizens. But border restrictions have been relaxed since World War II created a need for labor along with a shortage of housing.

A U.S. Customs inspector, even though he does not like unions, says of the green card carriers: "They should live here and spend their money here, but they don't." If the Mexican workers had to pay U.S. prices they might be more sympathetic to the cause of the union.

One grower told newsmen that the work in the fields was not worth more than 85 cents an hour, the top wage paid to field workers in Starr. But the work is hard and hot and dry, and workers who do not bring their own water with them have only the water from the irrigation canals. And foremen, one to each five workers, drive them hard. Even conversation is not allowed.

The growers ignore these conditions of near-slavery as easily as they accept the idea that "what the work is worth" is more important than whether a man can

(Continued on page 3)



FOOD FOR THE STRIKERS is distributed at a warehouse owned by Margil Sanchez, a local strike leader. Food, clothing and money have been donated to the union by many groups and individuals to keep the strike going. (Photo by John Spragens.)

## The Southern PATRIOT

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### Return to Campus

## SNCC Seeking New Workers

By ELLA BAKER

(Miss Baker has served as advisor to SNCC since its earliest days and is a member of the SCEF staff.)

ATLANTA, Ga.—Promise of a new thrust in the Civil Rights movement was evidenced at a recent week-end Southern Student Conference held here.

More than 200 students from 20 predominantly Negro colleges were convened by the Student Nonviolent Coordinating Committee (SNCC) as part of its renewed and expanded program of working with college students.

The majority of young folk attending the conference came from Alabama, with delegates from Alabama State, Talladega, Tuskegee and Stillman colleges.

Other schools and states represented were Albany State, Morehouse and Spellman colleges in Georgia; Florida Memorial College at St. Augustine; Bennett, A & T and Livingston colleges in North Carolina; Alcorn, Mississippi A & M, Holly Springs and Tugaloo colleges in Mississippi; Lincoln University in Pennsylvania; Fisk University and A. & I. University in Tennessee; and Virginia Union University.

Central to both formal and informal discussions were problems of the lack of academic freedom, quality education, and the desire of students to become active participants in the fight for freedom. Repeatedly it was stated that many students wanted to become involved but were not sure of what to do or how to begin.

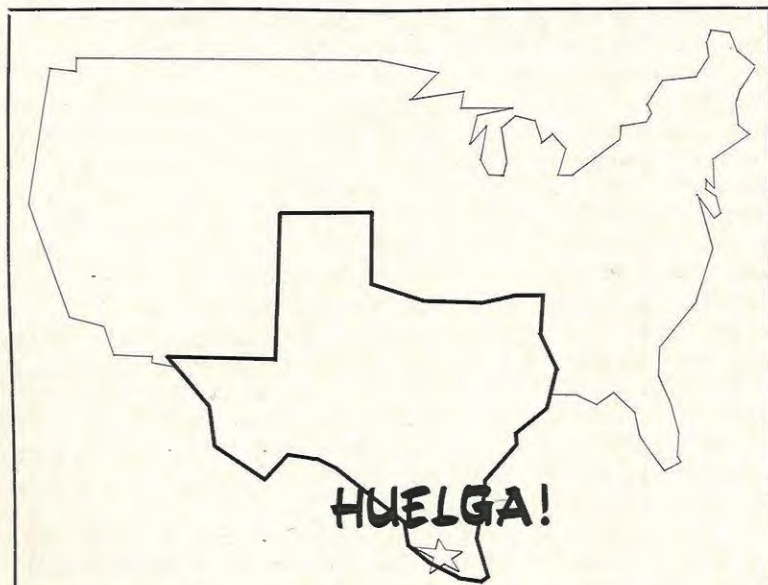
This uncertainty was partially answered by the reports of how students at Alcorn College in Mississippi were revolting against what was termed the "plantation-type atmosphere" and "repressive regulations" on their campus.

The large Alcorn delegation, some of whom had already been expelled from school for their organizing efforts, gave added fervor and determination to the conference, and helped to generate a spirit reminiscent of the 1960-61 student meetings.

The revitalized SNCC campus

program is geared to stimulate new recruits into the movement. Although large numbers of students participated in the 1960 Sit-In demonstrations, only a small percentage of the thousands of students enrolled in Negro colleges have ever become Movement "workers".

A contributing factor to this has been the pressure of both parents and college officials to keep young people in school. As early as the spring of 1960, immediately after the first thrusts of the student protests, (Continued on page 4)



THE STAR MARKS STARR COUNTY on this enlarged map of Texas. It is the center of a strike by farm workers in the Rio Grande Valley in Texas. Farm land extends southeast from Starr County along the Rio Grande River, which forms the southern border between Texas and Mexico. Alluvial deposits from the river make the farmland some of the nation's richest. The climate combines with the rich soil to make several crops a year possible in fields irrigated from the river. The strike may spread farther down the valley as workers seek to secure a fair share of the land's richness in return for the work they put into it. (Map by John Spragens, Jr.)

## Libel Conviction Upset

(By Staff Correspondent)

HAZARD, Ky.—The U.S. Supreme Court has reversed the conviction of a college student who was charged with criminal libel for a pamphlet he wrote during a mine strike in this area in 1963.

The decision was a significant victory for free speech and important for civil rights groups now beginning or planning to organize in the Southern mountains.

The case was that of Steve Ashton, who was a student at Oberlin College when he came to Eastern Kentucky. He had been collecting food and clothing for striking miners.

During his visit here, he wrote a report on conditions among the strikers. The report had uncomplimentary things to say about the local police chief, sheriff, and newspaper publisher. For that, he was convicted of criminal libel and sentenced to six months in prison and a \$3,000 fine.

The Supreme Court said that the Kentucky criminal libel law, as applied in this case, was unconstitutional. The trial judge at Hazard had instructed the jury that criminal libel is "any writing calculated to create disturbances of the peace, corrupt the public morals, or lead to any act which, when done, is indictable."

The high court said that interpretation was "too vague to be enforced."

Ashton was represented by Ephraim London, an attorney for the American Civil Liberties Union, and Ben Jack Combs, Pikeville, Ky.





**NEGRO-WHITE UNITY** was dramatized in recent efforts of Louisville firemen to win pay increases. Firemen Thomas Dale (left) and Daniel Whigham joined in six-day sleep-in and hunger strike at City Hall to focus attention on inadequate pay. Here Dale and Whigham at City Hall doorway greet hundreds of Louisville unionists who marched to support them. At lower right is Richard Miller, leader of Louisville Central Labor Council, AFL-CIO. Dale is president of Professional Firefighters Local 345; Whigham is the union's delegate to Central Labor Council. Other Negro and white firemen joined in steady picket of City Hall. Dale and Whigham ended hunger strike after city officials agreed to negotiate on union demands. (Photo by John Spragens, Jr.)

## Book Notes

### Biography of an Idealistic Carpetbagger

Albion Tourgée (1838-1905) was a leader in America's first integrated civil rights movement, incomplete from within while frustrated from without, during the so-called Reconstruction Period in the South.

Otto H. Olsen's *Carpetbagger's Crusade: The Life of Albion Winegar Tourgée* (Johns Hopkins Press, Baltimore, 1965, \$7.95) should interest anyone concerned with important historical antecedents of the present "Movement". It contains a thorough, well-documented description of the political and literary intricacies of Tourgée's life, which was deeply involved in North Carolina Reconstruction events.

From the Western Reserve (Ohio), with the devout New

England ancestry that birthplace implied then, Tourgée moved from disinterest in politics or slavery, through military service during the Civil War (he was badly injured, then wounded, imprisoned briefly), into intense postwar personal involvement in both political and racial struggles in North Carolina, where he settled.

He remains important both for his historical role in Reconstruction activities there, and for having written, in novels and essays, the fullest account of the experiences of a sincerely idealistic carpetbagger.

Unfortunately, Tourgée the man is occasionally submerged in a welter of historical detail (see Chapter 13). Also, important per-

sonal information is occasionally merely alluded to, then left undeveloped.

When Dr. Olsen reports that Tourgée's enemies attacked him for adopting a young Negro girl, then relates nothing more, he neglects an important personal element in his subject. A section summarizing the entire range of Tourgée's relationships with the Negroes he knew would have been most helpful.

Generally, however, Dr. Olsen deserves praise for revealing so much about a man whose best insights are valuable for this very moment. Take, for instance, the following, quoted by Dr. Olsen from Tourgée's finest novel, *A Fool's Errand*:

The Nation nourished and protected slavery. The fruitage of slavery has been the ignorant freedman, the ignorant poor-white man, and the arrogant master. . . . Now let the Nation undo the evil it has permitted and encouraged. Let it educate those whom it made ignorant, and protect those whom it made weak. . . . Do not try to shuffle off the responsibility, nor cloak the danger. Honest ignorance in the masses is more to be dreaded than malevolent intelligence in the few. . . . Poor-Whites, Freedmen, Ku-Klux, and Bulldozers are all alike the harvest of ignorance. The Nation can not afford to grow such a crop.

—RICHARD WEBER

### Valuable History

The fourth volume of Philip S. Foner's history of the U.S. labor movement is entitled "The Industrial Workers of the World, 1905-17." A whole chapter on the Southern lumber drive of that period, plus some parallels with the present situation, add to its value for Southerners. (International Publishers, 381 Park Avenue South, New York, N.Y., \$8.50.)

## Free Speech Fight

### UNC Tests State Speaker Ban

By CAROL STEVENS  
(Staff Correspondent)

CHAPEL HILL, N.C. — The most publicized free speech fight on a southern campus is taking place here at the University of North Carolina.

Since 1963 when the State legislature unanimously passed a law limiting campus speakers, a campaign to repeal the ban has been building up. This spring the fight went to the U.S. district Court.

The law specifies that no member of the Communist Party of the United States, no person known to advocate the overthrow of the government of the United States or North Carolina, and no person known to have pleaded the Fifth Amendment anywhere, anytime, in connection with communist or subversive activities or associations, will be allowed to use state educational facilities for public speaking.

Many reasons are given as to why the legislature passed the ban in the first place. Some say a red scare got started by rumors that the Chapel Hill campus was a hotbed of radicals. UNC has a long record of student protest—the militant movement for de-

segregated public facilities in 1963 was started by the Student Peace Union and other campus groups.

But when the Southern Association of Colleges and Universities threatened to drop accreditation of North Carolina schools on the grounds of political interference by the legislature, a lot of people began to reconsider the ban.

Last summer Gov. Moore appointed a commission to study the law. The commission recommended making the boards of trustees of the colleges and universities responsible for deciding who should speak on campus. In November the legislature adopted the proposal and the trustees of the University of North Carolina and the other schools immediately rubber-stamped it.

The 36-member Students for a Democratic Society (SDS) chapter at Chapel Hill and many moderate groups vigorously protested the action. SDS decided to lead the way with some test cases.

They invited Herbert Aptheker, historian and member of the Communist Party, and Frank Wilkinson, chairman of the National Committee to Abolish HUAC, to speak in March.

SDS got tentative clearance for the speakers from Chancellor Sharp, who referred the decision to the trustees' executive committee. Faculty and students appealed for a favorable decision but the committee said only the full board of 100 could decide. And the full board also refused to decide, insisting it was up to the chancellor.

Meanwhile Sharp had resigned so the decision fell to Acting-chancellor Sitterson, who denied the request.

SDS issued a new invitation to Aptheker and Wilkinson, leaving several dates in the spring and fall open. Sitterson then refused to allow them to speak during the spring, leaving it open as to the fall.

(Aptheker without question falls under the speaker ban law. But Wilkinson pleaded the First not the Fifth, Amendment in two appearances before the House Un-American Activities Committee. The second time, he served a year in prison on a charge of contempt.)

The SDS organized a number of groups into the Committee for Free Inquiry (CFI). A broad-based coalition including SDS, the Carolina Forum, Debate Society, YMCA and YWCA, the Daily Tarheel and the Student Legislature all backed CFI, headed by student body president Paul Dickson.

The events that followed are described by Atty. Dan Pollit of the Law School, Chuck Schunior of SDS, and a Daily Tarheel columnist who covered the free speech story.

Wilkinson and Aptheker were scheduled to speak March 9. When they were refused permission, they came to campus and spoke to a crowd of 2,000 at the Confederate Monument on the quadrangle. Campus police interrupted the meeting and ordered the speakers off campus. So they moved, with the crowd, to the other side of a low wall bordering the quadrangle, and continued their speeches there.

That night Aptheker spoke at the Community Church in Chapel Hill and Wilkinson spoke at Hillel Foundation.

When students at Duke University in Durham heard of the incident they had Aptheker (Continued on page 4)

### A Poverty Worker's Fight

(By Staff Correspondent)

NEW ORLEANS, La.—Mrs. Virginia Collins has lost her job as a community organizer in the New Orleans anti-poverty program after allowing a protest meeting against police brutality to be held in the program's community center.

The meeting was held by Vista volunteers June 13 to protest the treatment of Clifford Fields, a Negro real estate salesman, by three local policemen. Fields was arrested when he stopped at the scene of an auto collision; he said he was beaten by police.

The day after the protest meeting, leaders of the Social Welfare Planning Council, the agency of the Office of Economic Opportunity (OEO) for which Mrs. Collins worked, called her in and gave her a choice of resigning or being fired.

When she refused to resign they fired her, saying her six-month probationary period had expired and an evaluation indicated that she "would be happier in a different work situation." She was given a month's pay and told to leave immediately.

This was the second time in five days that a protest against police action had resulted in serious consequences for Mrs. Collins, a longtime leader in the New Orleans Negro community and a SCEF board member.

On Friday, June 10, she was arrested after she protested to police who were arresting her 16-year-old son, allegedly for breaking a traffic light. All of the traffic lights at the intersection were intact when Mrs. Collins arrived at the scene and began arguing with police.

She and a 17-year-old daughter, who protested Mrs. Collins' arrest, were both charged with disturbing the peace, resisting arrest, reviling the police and assault and battery on police.

"If I am guilty of anything it is refusal to stand silent while my child is mistreated by police," Mrs. Collins said. "I intend to fight these cases in every possible way in the courts and in the court of public opinion."

Meanwhile, residents of the neighborhood where Mrs. Collins worked as an organizer for the poverty program were collecting signatures on a petition asking that she be put back on the job. Mrs. Collins had disagreed with poverty officials before because, she said, "I saw my job as giving people a chance to help make the decisions."

People elsewhere who think a person with these ideas should not be fired by the poverty program should write Sargent Shriver at the Office of Economic Opportunity, Washington, D.C., and express their views about the Collins case.

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STICKS, STONES, MUD AND TIN are the primary building materials in this house, which is home to one of the farm workers leading the Starr strike. Octavio de la Cruz, his father, and other kin live in this and several small wooden shacks on a plot of ground at the edge of a farm. Some families live in the relative coolness of mud-brick houses, but others make their homes from scrap metal which traps all the heat of the Texas sun. De la Cruz is one of the workers who is temporarily in California, where NFWA strikers have secured a major contract. (Photos by John Spragens.)



BARE BULBS AND AN AMERICAN FLAG convert a pickup truck to the stage for the night meetings where union leaders rally support in new areas. The meetings also bring members together to plan activities. At this meeting, the night before the march, a special mass was celebrated by Rev. William Killian, assisted by Rev. Sherrill Smith and Rev. Marvin Doerfler, all from San Antonio.



DETERMINATION MARKS THE FACES of marchers in the civil rights march staged by the strikers. Their signs demanded justice, proclaimed "We shall overcome," and asked for fair wages. They stopped at the courthouse to present their grievances to the power structure: "not peace and justice for one or two people; peace and justice for everyone." They invited the power structure to join them, and marched to meet in the Catholic church.

## Small Growers Help

RIO GRANDE CITY, Texas—Field workers and small growers are working together in the Rio Grande valley to try to improve conditions of both.

The workers want better pay, and the small growers want a better way to sell their crops. At present they have to depend on packing sheds owned by large growers, which take the crops on consignment, then pay the small growers. Sales receipts are never shown, and small growers doubt that they are getting the proper amount for their crops.

Several small growers have agreed to meet demands by the National Farm Workers' Association (NFWA) for \$1.25 an hour wages to field workers, even though most of them can ill afford it. They think it is the right thing to do.

One of the small growers was reported willing to take other jobs himself in order to make enough money to pay the union wage.

In return, the NFWA is helping these small growers find ways to organize and finance co-op packing sheds. In this way the growers will be able to get proper return on their crops and so be able to afford the higher wages to workers.

## Low Wages Spark Strike

(Continued from page 1)

live and support a family on the wages he takes home from a decent day's work.

The strikers expect that after growers meet their demands, life will not be quite so hard. But, more than that, they have hope for their children. A striker who quit school after the sixth grade says proudly that he is sacrificing so that his children may have a better chance.

He is typical of the parents, whose median educational level is sixth grade. And he wants his children to complete high school even though he knows he'll have to struggle to provide their clothes, food, and supplies on what he makes.

Other children will not be so fortunate, for their parents must follow the crops north. Percentages of migrants range from about 40 per cent in Rio Grande City to as many as 90 per cent in La Grulla. These families live in hot, dirty tin shacks when they are on the road. They sleep on the floor. And if their children go to school, they go irregularly.

### A Guide to Negro History

Erwin A. Salk has compiled a very useful Layman's Guide to Negro History now available in paperback (Quadrangle Books, 180 N. Wacker Dr., Chicago 6, Ill., 192 pages, clothbound, \$4.95; paperback, \$1.95, 1966).

It contains listings of books on Negroes in American Wars, Negroes in Congress, Negro slave revolts and protests, Negro cultural history, the Negro as an inventor, books and pamphlets on race, teaching materials and guides, lists of organizations and pertinent periodicals, population census figures, selected books for children and young adults, and many other categories.

It is a convenient reference for teachers, librarians, students, and movement leaders.—C.S.

The union is working for the day when families will not have to pull their children out of school, board up their homes, and hit the road. The hope of a stable community is behind their wage demands.

The children work, too. The growers pay little attention to age, except that the young children often get only half-rate pay. Other children have been able to get jobs in the Neighborhood Youth Corps, but the power structure has their finger in the management of this program.

One of the local leaders of the strike had a signed statement from a NYC worker who was told by his foreman that he would be fired from his NYC job if he joined the union. This teen-ager is not the only one who has been so threatened.

The union has given the workers a voice, and it has aroused their spirit and their political instincts. Both are evident in the march, and in the slow but effective area organizing meetings.

The union is growing because people hear the calling of the loudspeakers on the car driving past their houses and they come to the meetings. They hear speakers from areas which are already part of the union and the strike, and they hear news of California where the strike has worked.

It is slow, but they join, they picket, they convince others.

The economic effects of the strike are hard to assess. The winter was too cold and the growing season too rainy for a good melon crop. Melons are rotting in the fields, but it is difficult to tell if this is the result of the strike or the bad season. Truckloads of melons continue to roll out of the fields, picked by Mexicans and some U.S. workers who have not joined the union.

Even if the strike has done no economic damage, its political impact is evident. The workers

have organized to do something for themselves.

Because this has never happened before, and because they did not see it coming this time, the growers are surprised. Some inside reports indicate that they are even frightened by this unexpected turn of events. As a local union leader put it, "The sleeping giant has awakened!"

The union depends, and will depend more as the strike grows, on outside help for money, food, and clothes. And they especially need trained legal help; their one lawyer cannot possibly do as much work as the lawyers the big farms can hire in quantity.

But they have the spirit, the drive. They have a weapon. The children waiting in the car while their parents sign up after a meeting practice the new word: "Huelga!"

(Readers who wish to help the Texas strikers may send contributions to National Farm Workers Association, Box 54, Rio Grande City, Tex.)

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ARMED WITH SIGNS, leaflets and Vietnam exams, Louisville SDS sponsored a protest in May against holding the Draft Deferment Examination on the University of Louisville campus.

## Students Leaflet At Draft Exams

(By Staff Correspondent)

Students taking the national draft deferment examination at 85 Southern centres were urged to take an alternative Vietnam Examination instead during May and June.

According to the Southern Student Organizing Committee (SSOC) in Nashville, the protest went smoothly with few incidents on any of the four testing dates—two in May, two in June.

The National Vietnam Examination, written for the Students for a Democratic Society (SDS) by a committee of scholars, is designed to inform students on the real questions and answers concerning our involvement in the Vietnam war.

Some of the questions concern: identification of statements by "leading figures" in the conflict, military operations in Vietnam, estimating the number of South Vietnamese army desertions, how much money America spends on the war, the legal basis for the war, and so forth.

Sample question: "Chemical crop destruction will have the following predictable effects on enemy-held territories: (A) Enemy military operations will be severely hampered; (B) Death from starvation will occur—first of all in young children and the elderly; (C) Adult men are the least likely and last to suffer disease and death. (pick two).

SSOC received reports from the University of South Carolina at Columbia and the University of Tennessee at Knoxville that the students were stopped when they tried to leaflet. But at the June 3 exam the Knoxville students were allowed to. In Columbia the campus police confiscated the Vietnam tests. They lectured the students until the tests were over and the area was clear and then took them to the dean.

At Memphis State, scene of a riot early in May, police prohibited leafleting, claiming only the police could do that. The May riot occurred when some students tried to distribute the LOGOS, an off-campus paper they published against the Vietnam War. Police claimed they didn't want any more riots.

At Randolph Macon Men's College in Ashland, Va., leafleters

were threatened with arrest if they continued their activity.

SSOC staff considered the protests effective in bringing together new groups on Southern campuses. "It helped liberal-minded people on campuses to take hold of a program. For many it was their first such activity and was the basis for formal peace organization," said George Brosi.

"Also, it encouraged like-minded people to reach out to nearby campuses. On the first exam day, several Nashville students went to Austin Peay State College at Clarksville and distributed the Vietnam exam. Some students there were inspired to pass them out at the second testing and they started publishing their own newsletter," Brosi said.

Some areas had quite extensive activity—pickets, rallies, booths with literature, leafleting in dormitories, and other peace actions. All the test centers in Louisiana were reported covered by some kind of protest activity.

The SDS chapter at the University of North Carolina at Chapel Hill had a noon rally the day before the second exam.

University of Louisville students carried picket signs as they distributed both the Vietnam exam and their own leaflets asking their fellow students to examine their consciences and reflect on "why are we in Vietnam and why should the poor die while the rich live?"



Patriot Photo by Carol Stevens

AT NORTH CAROLINA COLLEGE in Durham, students Franklin D. Williams (left) and Ray Arrington and Chaplain Henry Elkins meet after the leafleting in protest against the draft deferment exam May 14. Most of the activity for peace, civil rights and labor on the campus comes out of Elkins' office, headquarters for United Campus Ministry.

## March Brings Upsurge

# Court Ruling Sets Clock Back

Summer, 1966, brought an upsurge of activity in the freedom movement in the Deep South, mainly as a result of the march through Mississippi sparked by the shooting of James Meredith.

Although press reports stressed disagreements among civil rights groups, the real significance of the march was the extent to which it was an action by Mississippi people.

They joined all along the way to Jackson, many stepping into the freedom movement for the first time. Hundreds registered to vote; it was predicted that intensive political organization would follow.

At the same time, June brought indications that rough roads lie ahead. The fact that President Johnson turned a deaf ear to calls of Mississippi marchers for active federal protection reflected, in the opinion of many, a lessening of popular support for the freedom movement.

A major blow came in a decision of the U.S. Supreme Court refusing to allow removal of certain civil rights arrest cases from Southern state courts to federal courts.

The decision came in cases of persons arrested over the past three years in Greenwood, Miss., Montgomery, Ala., and Danville and Farmville, Va.

Several hundred persons were involved directly in these cases; literally thousands more will be affected as other cases are now sent back to state courts for trial on the basis of the high court decision.

The cases had been removed to federal court under a civil rights law enacted during Reconstruction permitting transfer from state courts when it appeared that defendants could not receive a fair trial there.

William M. Kunstler, civil rights attorney who is counsel in several of the recent cases, said:

"The Court has done exactly what the Supreme Court did 100 years ago in a series of decisions that emasculated the post-Civil-War civil rights acts."

At the same time the Court upheld removal of cases of per-

sons arrested for trespass in Atlanta demonstrations against segregated restaurants.

It ruled that these cases were different because people were doing something a law specifically said they could do. It ruled that removal is justified only in this kind of situation or if there is absolute "certainty" that the defendant cannot get a fair trial in a state court.

This means that people arrested for harassment purposes in the freedom movement can no longer remove cases to federal courts. They must be tried in state courts, facing certain conviction. Even if their convictions are reversed on

appeal years later, the damage is already done—to them and the movement. It was to avoid this unfair situation that cases were removed.

Kunstler and other lawyers asked the Supreme Court for a rehearing.

The average citizen can help by urging passage of Senate Bill 3170, introduced by Senators Kennedy and Javits but not part of President Johnson's civil rights package. This bill would specifically broaden the removal statute to make it cover persons arrested for exercising their rights of free speech and assembly.

## Free Speech Fight

(Continued from page 2)

speak on March 10 at Duke under joint SDS-Men's Student Government sponsorship. Bob Berson of the Liberal Action Group (SDS affiliate at Duke) said Wilkinson spoke on an invitation from the Duke Law School.

Berson said Duke, in effect, was "bending over backwards to be liberal about the issue in the light of the intolerance of the state school." The president even announced beforehand that he had given special permission for Aptheker to speak on the Duke campus.

The chief role taken by the CFI at Chapel Hill was to initiate a lawsuit in U.S. Court. Atty. Pollit filed plaintiffs' briefs in Greensboro March 31 for students and faculty as well as Aptheker

and Wilkinson. They argued that the legislature has no right to tell a university president or chancellor how to regulate speakers and, moreover, that the speaker ban ruling applies only to the political left, not the right wing, violating the right to equal protection.

They also argued that any legislative restriction on speakers is a prior restraint and violates the 14th Amendment because it is, in effect, a bill of attainder.

The defense filed four briefs on the May 14 deadline—first requesting dismissal on grounds that the case was moot, based on special circumstances that would not necessarily be repeated. They argued that there had been no restrictions, that anyone who wanted to had heard the speakers on the quadrangle or in the churches that night. They also moved to sever the plaintiffs' suit into two suits—saying that the speakers should not have been included on the brief with the university people.

District Court has still not met or agreed on a hearing date. Atty. Pollit predicts they will hear it by July. "We may have to appeal up to the Supreme Court if this court is unfriendly," he said. "But the chances are good we won't have to."

Chuck Schunior of SDS indicated there are high hopes for the case. "But SDS had hoped the CFI would be a basis for action on other student rights and free university issues. Once CFI was coopted by more moderate elements on campus which were essential to winning the ban case, we could do nothing more with it; it simply stopped meeting after briefs were filed." He predicted more student action would begin in the fall.

The speaker ban issue has affected other campuses in the area—Duke, a private university, and North Carolina College (NCC) in Durham, a state-supported Negro school.

At NCC, student organizations were asked to submit weekly reports of speakers they have sponsored. The special presidential request specified that this in no way implies a request for permission but is only a record-keeping device. The students there, who work through the United Campus Christian Fellowship, have not yet tested the state speaker ban on their campus.

## SNCC Meets

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students were told: "You have made your point; your place is now in school" or "It's time to let the adults take over."

Another major deterrent to taking time out from school to work in the movement is the fact that a large proportion, perhaps a majority, of Negroes who attend college must have scholarship aid and must work during the summer. Leaving school generally has meant jeopardizing such scholarship assistance.

It must also be noted that the more SNCC became involved with working in communities, the less time and energy was consistently devoted to cultivating college students. It is now recognized that effective student recruitment and training must go hand-in-hand with expanded and more meaningful activities in communities.

Some 30 students who attended the conference indicated a desire to work with SNCC this summer and the conference voted to work to establish activist units on all Southern, predominantly Negro college campuses. Steps were also taken toward working out a format for relating these campus units to SNCC.

It was also proposed that SNCC should assist students in dealing with their problems of academic freedom, and in developing workable projects to be undertaken in the communities in which their colleges are located.

A much larger Southwide meeting was projected for the fall of 1966.