



League of Women Voters of Minnesota Records

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D. Grace W.

Minneapolis, Minn.
January 11, 1960

Dear member of the League of Women Voters,

On December 2, 1959 a meeting was called at the home of Mrs. John W. Gruner, to discuss the possibility of placing on the agenda of the League of Women Voters of Minnesota a civil rights item which would enable the League to ~~part~~^{participate} in working out a solution to Minnesota's very serious housing discrimination problem. About thirty-five women had been contacted and had signified their interest; nine were actually able to attend the first meeting.

There appeared to be such general agreement on the desirability of working for a civil rights item that most of the time was spent in discussing possible procedures. The following action was taken:

- (1) Mrs. Maxine Goldenberg was asked to enlist the assistance of Mrs. Marion Watson in approaching the State Board of the League, to ask them whether it would be possible for the League to develop and distribute reliable information to the local leagues on the problem of housing discrimination against minority groups in Minnesota.

If the State Board declines to assume this responsibility, we shall explore the possibility of seeking authorization at the state Council meeting in May of this year.

- (2) A start was made at organization. It was agreed that we should have one chairman from the St. Paul area, one from the Minneapolis area and one from out-state.
- (3) Mrs. Lloyd Hatch (Edith) agreed to serve as the St. Paul area chairman.
- (4) Realizing that funds for postage and other expenses would be needed, we passed the hat and collected \$13.00.
- (5) Mrs. Arthur McWatt, 726 Sherburne Ave., St. Paul, was asked to serve as treasurer.
- (6) Mrs. Hatch was authorized to delegate special committees to begin work on several projects.

Mrs. Basil Young (Ethyl), Gr 3 6287, former state president, has agreed to head a committee which will compile a list of several hundred names of League members throughout the state, whom we hope to contact.

Mrs. John D. Hutchens (Bonnie), Tu 8 3671, of Bloomington, and a group of fellow workers have been asked to begin drafting the first letter

which is to be sent to League members on the list, in order to enlist their support.

Mrs. Homer Mantis (Mary), Mi 4 1156, will begin making plans for the presentation to the Council meeting in May.

THE NEXT MEETING WILL BE HELD AT 9:30 A.M. ON JANUARY 25TH, AT THE HOME OF MRS. A.J. SMABY (ALPHA) , AT 1531 EAST RIVER ROAD, MINNEAPOLIS.

There will be reports from all the special committees, and organization will be completed.

You are invited to attend this meeting and to bring with you any other interested members of the League of Women Voters. Committees have only begun to form, and you are urged to volunteer your services for whichever committee interests you most, or to telephone your suggestions to the chairman. The response from League women whom we have contacted and from those who have contacted us has been most encouraging. There are now more than fifty who have indicated that they are interested. We shall hope to see you on the 25th.

Sincerely,

Edith Hatch

(Mrs. Lloyd Hatch), Mi 8 1472
St. Paul area chairman

Opal G. Gruner

(Mrs. John W. Gruner), Fe 1 1465

JAN 12 1960

DA

Montomedi 15, Minn.
January 10, 1960

Mrs. K. S. Goldenberg
2045 Summit Avenue
St. Paul, Minnesota

Dear Maxine:

In response to the request that the League of Women Voters of Minnesota publish material in the civil rights field for the information of our members, the State Board at its meeting on Thursday, January 7, 1960, agreed that this was not within our authority or program fields. We agree that this subject is of tremendous interest and concern to many of our members; the same could be said of many other special interests in which the intelligent League member involves herself.

We have two areas in which we should like your group to work with us. We have plans for a publication both updating our present C.R.'s, and explaining some of the activities in these fields in the last session of the Legislature. Here is an excellent place for the type of material on Housing, age and marital status and other types of Discrimination which you spoke to us about. We are in the process of appointing a State C. R. Chairman, and I am sure that she would need and welcome assistance from your committee,

The other area in which we have long wanted to be more effective, is that of a publication in which we suggest fields for state program choices- something like a Lively Issues edition of the Voter- here the subjects in which you are concerned could very well be explored as a possible League program field- here any research your committee might do would fit in very well.

I hope that we may have the opportunity of cooperating with you in both of the areas mentioned.



Vol. II No. 9

White Bear Lake

Jan. 14, 1960

Editor: Alta Johnson

Minnesota

Wilma MacKnight, Pres.

LEGISLATORS NIGHT GREETINGS 1960

An over-all analysis of the activities of the 1959 session of the Minnesota State Legislature will be presented by two Legislators from the 41st District, Wednesday, January 20, at 8 p.m. in the Cafeteria of the White Bear Lake High School.

Senator Leslie Westin and Representative William Shovell will share their views with us on the Legislature's major accomplishments. They also have been asked to speak on the Reapportionment Amendment No. 2 which will come before the voters next November. A question and answer period will follow.

It is particularly important that the League have a "packed house" at meetings where outside speakers are present and members are urged to bring their husbands and prospective League members. Let's light a torch to that old bugaboo, apathy--forget wintry blasts--and everyone turn out for Legislators Night.

Bald Eagle morning unit will be hostesses.

REAPPORTIONMENT AMENDMENT NO. 2

Consensus was taken at the first January unit meetings on Reapportionment Amendment No. 2, which will be voted on in the general election next November.

Members were given three choices: a. The League should actively support Amendment 2. b. The League should actively oppose Amendment 2, and c. The League should take no position on Amendment 2.

Bald Eagle I, North Oaks evening and Normandy voted to actively oppose the Amendment; Sunrise and White Bear Lake units voted to take no position, while Bald Eagle II supports the Amendment. North Oaks morning unit has not yet voted.

KEEPING UP WITH CONTINUING RESPONSIBILITIES

by Pat Young

The Minnesota LWV finds itself in a strange and impotent position when considering the Fair Employment Practices Commission as one of its continuing responsibilities. The State Board recommended its removal from the "C.R." list at the last convention for the following reasons:

"The original League position on the establishment of an FEPC has not been threatened in the last two legislative sessions and there appears small likelihood that such a commission [or its appropriation] will be [threatened] in the future.

Current developments in the
(Cont'd. on P. 2)

(Cont'd. from P. 1)

equal rights field have linked FEPC with age factors and with fair housing, neither of which has been the subject of League study and consensus. The League has been in an anomalous position in not being able to support these new aspects of equal rights which go beyond the League stand. While we know that many members are still vitally concerned with FEPC, it is the Board's opinion that for the League to be effective, it must make a fresh start in this field, which it may not do as a C.R."

The Minnesota Voter reported that "although the convention delegates were unwilling to remove this issue from the 1959-61 program, there was no interest in extending the League's responsibility beyond its present status."

As one of the delegates referred to, I would like to enlarge on the foregoing point. To extend the League's responsibility in this area means it must be made an item of study on the State Current Agenda. Few of the delegates were willing to add a fourth item to the already three-pronged State study item. Yet to remove it from the C.R. without adding it to the C.A. meant an apparent lessening of interest or withdrawal of support by the League at a time when actions in the field of human rights are on trial not only in this country but in the world arena.

Strong interest and support will be necessary if members wish to have a "Civil Rights plank" added to our study program at the next convention.

FOREIGN POLICY BOOKLET OUT

Big global decisions are ahead, so start reading everything you see about world affairs for the Foreign Policy meeting February 17.

The League's new Foreign Policy booklet, "World Economic Development--Our Part in a Common Effort", will be distributed to the units at the Legislators Night meeting January 20. Enough copies have been purchased for every League member.

The booklet concerns itself primarily with aid and trade and the various agencies and means through which foreign aid is channelled.

THANKS A LOT, GIRLS

The WBL League sold an average of three LWV calendars per member this year. There are still about 20 calendars left, however. You can get one by calling Nancy Brandsness, GA 9-1862.

LEAGUE STORKLINE

As further proof that Leaguers love babies, here are the new additions who have come to the editor's attention:

Mary Anderson, Normandy--a boy in October,
Irene Hill, Normandy--an October girl,
Liz Ebbott, WBL--a girl in October,
Phyllis Guggemos, WBL--also an October girl,
Eunice Johnson, Normandy--a Thanksgiving girl,
Virginia McClanahan, North Oaks--a boy for Christmas.

KUOM RADIO 11:15-11:30 A.M.

"Listen with the League" on KUOM RADIO every Tuesday morning 770 on your dial.

January 19 - Party Designation
26 - Water Resources
February 2 - Foreign Policy
9 - Foreign Policy
16 - Foreign Policy
23 - Foreign Policy.

GRASS ROOTS ADVICE

There once was a Leaguer named
Brenda
Who squawked when she saw the
Agenda,
They said, "Where were you when
suggestions were due?"
Speak your piece at the start
and not at the end."
--East Chicago LWV

The not-so-subtle limerick is directed straight at you, dear reader. Suggestions for next year's Local Current Agenda will be discussed at your first unit meeting in February. Be there with some stimulating ideas!

PRESIDENT'S CORNER

by Wilma MacKnight

During the last State Convention Mrs. O. H. Anderson, our State president, commented that probably the biggest problem of League is membership--how to keep them. We apparently have that problem and also how to interest new members.

After having several membership coffees and public meetings it seems the most successful way to interest new members is probably personal invitation and transportation, not just once but again and again. If every member of our League could invite one interested friend during the year and follow through with subsequent invitations and literature, we would surely widen interest in League and possibly gain some new members.

It would be most timely to start by inviting friends to our Legislators meeting Jan. 20. Who of your friends is a thinking woman and interested in current affairs? Invite her.

From the State office we have a fine new aid--"A Prospective Member Kit". We will have them available in all units. Lets

use them.

Let us make our meetings so interesting that people will want to come again and again. We have good program material. Are we presenting it in an interesting and provocative way? Are we using skits, maps, charts and other visual aids? Are we promoting discussion? I hope all units can say yes to these questions.



FINANCE DRIVE TOPS GOAL

The White Bear Lake community demonstrated its faith in the local LWV by contributing a record \$434.90 to the League's fall fund appeal.

Drive Chairman Dorothy Hargseheimer reported that 26 League members canvassed the area reaching 142 contributors. Non-member contributions totalled \$386.50 and \$48.40 was received from LWV members. Expenses came to \$31.60.

"Think what the results might have been had we had 100% participation," says Dorothy. "With the community growing as it is, the next finance chairman will need this cooperation. There is no reason why we couldn't double our contributions."

"I wish to thank all the girls who helped the League reach its goal."

METROPOLITAN AREA WATER MEET

There will be a public meeting on "Metropolitan Area Water Problems--Present and Future" at 8 p.m. January 26 in the North American Life and Casualty building, 1750 Hennepin, Minneapolis.

(Cont'd. on P. 4)

(Cont'd. from P. 3)

Sponsored by the Minneapolis League, speakers will be Prof. John Borchert, chairman of the Department of Geography, University of Minnesota, and Joseph Robbie, attorney and executive-secretary of the Legislative Interim Commission. Both men are members of the Metropolitan Planning commission.

COUNTY HEALTH CONSENSUS REPORT

The results of the County Board of Health consensus have been tabulated for White Bear Lake, Fern Kilmer, Ramsey County Council member, reports.

In response to the question, "Do you want the League to support a Board of Health?" the following units answered affirmatively: Bald Eagle morning and evening, Normandy Park and North Oaks morning and evening. Three units-- Sunrise Park and White Bear Lake morning and evening-- felt there is no pressing need for such a board at this time.

Replying to the second ques-

- 4 -

tion, "If so, what minimum area should be under the jurisdiction of that Board of Health?" one unit voted in favor of a rural city board only; two for a city-city board, and two for a metropolitan board.

OUR POLITICAL PARTIES

League members interested in political parties may want to attend a series of six lectures being given by Dr. Ralph Fjelstad, Carleton College, at the Woman's Club of Minneapolis. Series cost is \$3.50, single tickets 75¢.

Jan. 15 - Purposes of Parties
22 - Preferences for Parties
29 - Procedures in Parties

Feb. 5 - Primaries and Parties
12 - Platforms and Parties
19 - Proposed Changes in Parties

These lectures will be held from 10:15-12:00. For reservations call Mrs. Eugene Larson, GR 7-2281 or Mrs. Robert Priest, FR 7-8859

Happy League Year!

APR 30 1960

Civil Rights Item

April 26, 1960

Mrs. Grace Wilson
League of Women Voters of Minnesota
15th and Washington Ave., S. E.
Minneapolis 14, Minnesota

Dear Mrs. Wilson:

Enclosed is a copy of a letter which is being sent to the League presidents listed below. The letters are essentially the same except for minor changes to suit the wording of each League's topic. Thank you again for your help on the telephone today and in the past.

Mrs. Willis H. Reels
LWV of University City, Missouri

Mrs. James Forsyth
LWV of Webster Groves, Missouri

Mrs. Harry E. Lichter
LWV of Madison, Wisconsin

Mrs. H. L. Reedy
LWV of Lawrence, Kansas

Mrs. Martin Vikdal
LWV of Burlington, Iowa

Mrs. Glen Myers
LWV of Champaign County, Illinois

Mrs. Haskell Rosenblum
LWV of District of Columbia

Mrs. H. C. Knapp
LWV of Berkeley, California

Mrs. Robert E. Sailer
LWV of Missouri

Mrs. Walter Strehlman
LWV of St. Louis, Missouri

Yours very truly,

Bonnie J. Hutchens

Bonnie J. Hutchens
5016 West 109th St.
Bloomington 20, Minn.

April 26, 1960

Mrs. Harry E. Lichter, President
League of Women Voters of Madison
119 E. Washington
Madison 3, Wisconsin

Dear Mrs. Lichter:

Many League members throughout Minnesota are concerned about housing discrimination toward minorities, and a number of us would like to see the State League adopt this topic for our 1961-1963 Current Agenda. We will suggest this topic in our unit meetings next fall. In the meantime, we are hoping to learn how other state and local Leagues have studied the problem of minority rights.

From the national office I learned that one of your Continuing Responsibilities is "Support of an adequate program for the preservation of human rights in Madison, including support of an active local human rights commission." I would like very much to have any information you can give on this subject. When was it on your Current Agenda? For how long was it studied? Did you go into all areas of discrimination? What were the results of your study? Did you work for legislation? Are you able with this CR to act on all legislation concerning minority rights? Was this considered an "explosive" or "highly controversial" issue within the League? What was the reaction of the community to League study of this item? Do you feel study on the local level was sufficient? Has any attempt been made to have a civil rights item adopted for the state Current Agenda? If so, what were the results of this attempt?

I realize this is a large request, and I am in no way connected with the state organization, other than just as a member of a small local League. However, I do feel this information is important to those of us who hope to convince Leaguers throughout Minnesota that this subject is a proper one for League study. Any help you can give will be sincerely appreciated.

Yours very truly,

Bonnie J. Hutchens
5016 West 109th St.
Bloomington 20, Minn.

cc: League of Women Voters of Minnesota
15th and Washington Ave., S. E.
Minneapolis 14, Minn.

Mrs. John W. Gruner
527 Seventh St. S. E.
Minneapolis 14, Minn.

Dear Grace, This should have gone to you long ago, but Christmas and medical check-ups interrupted my plans. Symptoms are now cleared up and x-rays negative, so I am back on the job. Best wishes for the new year and the legislative session
Opal

IS HOUSING DISCRIMINATION A SERIOUS PROBLEM IN
MINNESOTA?

IS GOVERNMENT ACTION NEEDED?

SHOULD THE LWV OF MINNESOTA BE CONCERNED?

B Form ; for non-Leaguers

This report is prepared and submitted by the Committee for
the Promotion of a Civil Rights Item on the State League of
Women Voters 1961 Agenda.

Additional copies are available for 25¢ from Mrs. F. L. Hughart,
2807 Hayes St. N. E., Minneapolis 18, Minnesota.

November, 1960

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EXPLANATION

Every two years the membership of the League of Women Voters of Minnesota chooses a program of study and action for the biennium. Three months before the biennial state convention in May local Leagues send in recommendations for the state program. The State Board considers them and sends out a "Proposed Program" which goes to Leagues for a second round of discussion. Final decisions are made by a majority vote of delegates in Convention.

The League cannot cover the civic waterfront but selects a few important issues at a time. OBJECTIVE STUDY IS MADE OF FULL FACTS, THE PROS AND CONS, BEFORE THE LEAGUE TAKES A POSITION. At present the League position on Civil Rights in Minnesota is limited to continued support of FEPC. To help in League program making for 1961-63 the following facts were assembled by a volunteer committee of League members who wish to see a broader civil rights item adopted in 1961. The committee did not do original research; they are indebted particularly to the authorities listed on Page 14 of this report, to the Governor's Human Rights Commission and to other human relations agencies and government officials.

INTRODUCTION

The Minnesota Legislature and Housing Discrimination.

Open occupancy legislation will unquestionably be introduced into the 1961 Minnesota Legislature. The 1957 Legislature declared that "...practices of discrimination against any of its inhabitants because of race, color, creed, religion, national origin or ancestry are a matter of state concern, that such discrimination menaces and undermines the institutions and foundations of a democratic state." (Underlining ours.) (Laws of 1957, Chapter 953)

Our Legislature has also recognized that denial of equal opportunity is serious in the field of housing. The 1957 Legislature created a commission to study housing discrimination and declared: "...discrimination or segregation in the sale, lease, sublease, use occupancy, tenure, acquisition or enjoyment of property or housing accommodations ... tends unjustly to condemn large groups of inhabitants to depressed and substandard living conditions which are inimical to the general welfare and contrary to our democratic way of life." (Underlining ours.)

"...The opportunity to buy, acquire, lease, sublease, occupy and use and enjoy property and to obtain decent living and housing accommodations without discrimination because of race, color, creed, religion, national origin or ancestry is hereby recognized and declared to be a civil right." (Underlining ours.) (Laws of 1957, Chapter 953)

Urgency of Housing Discrimination

As meritorious as the Legislature's declaration may be, it has not provided equal opportunity in the housing market. The United States Commission on Civil Rights reported in April, 1960: "...widespread discrimination against Negroes, Indians, and other nonwhite persons with respect to availability of housing in Minnesota." (Minneapolis Tribune, April 9, 1960)

Patterns of racial segregation in housing are becoming increasingly rigid. Experts believe this tightening of racial lines will increase and the problem in five or ten years will be more complicated and difficult to solve.

Right now Minnesota is in a favorable position to handle this matter. Our non-white population is small enough that pressures for equal housing opportunities have not led to the violence and unrest found in many northern cities. However, in St. Paul last summer an outbreak of racial violence was attributed to discrimination which prevented Negroes from securing adequate shelter.

Minnesota has provided by law for equal job opportunity. As minority groups attain better jobs they want better housing. We believe fair employment practices must be followed by fair housing practices. The Fair Employment Practices Commission is increasingly concerned about the effect of housing discrimination on employment opportunity.

Thousands of people, a large proportion non-white, are being displaced by urban renewal, redevelopment and freeway projects. These people must find adequate homes. Because of discrimination it is frequently impossible for non-whites to do so.

Discrimination against minorities places an increasing burden on U.S. foreign policy. President Eisenhower has said "...every action that deprives individuals, because of their race or color, of rights and privileges enjoyed by others, in some measure burdens the nation in the world struggle... Few aspects of American life are more highly publicized throughout the world than racial discrimination." ("Where Shall We Live?", Report of Commission on Race and Housing, 1958, University of California Press)

Finally, and most important, denial of equal opportunity is always an urgent problem. Discrimination and segregation are fundamentally wrong in a democracy founded on the belief that all men are created equal.

MINORITIES IN MINNESOTA

"Minority group" is a widely used term to designate a group of people who encounter discrimination because they differ in race, creed, color, national origin or religion from the dominant group in a given situation. Almost anyone in a community may become a minority group member in one situation or another. In Minnesota, five main groups have suffered widespread discrimination in recent years: Indians, Mexican-Americans, Japanese-Americans, Negroes, and Jews.

1960 census figures are not yet available, but, according to estimates, the Indian population of Minnesota is approximately 20,000. Most Indians live on the reservations; some are in cities and towns throughout the state. The Twin Cities area has between 5,000 and 8,000 Indians.*

The number of permanent Mexican-American residents in Minnesota is estimated at about 4,000. Of these, 3,100 are in St. Paul. Most of the rest are in Minneapolis, a few are in Albert Lea. The remainder are scattered. These are, of course, in addition to migrant workers who come here for short periods.*

Estimates of the Japanese-American population of Minnesota over the past ten years have ranged from under 6,000 to 1,000.

There are an estimated 17,000 Negroes in Minnesota, mostly concentrated in Minneapolis and St. Paul.

The estimated Jewish population of Minnesota is 40,000. Approximately 23,000 are in the Minneapolis area; 1,000 are out-state; the remainder are in the St. Paul area. The Jewish population is about 1 percent of the Minnesota total.

The 1950 Minnesota population was 2,982,483. The state's non-white population was 28,786, just under 1 percent of the total.

Each minority group has individual problems with regard to discrimination. However, "the particular manifestations of discrimination against Negroes are more evident and more often practiced. Discrimination against other minorities follows the same pattern generally as discrimination against Negroes." (Report of Interim Commission on Housing Discrimination and Segregation Practices, 1959) The problems of Negroes in securing a home in Minnesota are discussed below.

*Because housing discrimination is not the only problem of Indians and migratory workers, we are compiling some information on these two groups in a separate report. This report will be available for 15¢ from

Mrs. F. L. Hughart
2807 Hayes St. N.E.
Minneapolis, 18, Minn.

HOUSING DISCRIMINATION IN MINNEAPOLIS AND ST. PAUL

Minority Population

The estimated 1957 population of Minneapolis was 552,431, of which 10,000 were Negroes. Approximately 90 percent of the Negroes lived in six of the 121 Minneapolis census tracts. With few exceptions they were unable to buy or rent homes in other areas.

In St. Paul, the non-white population in 1950 was 6,219, approximately 2 percent of the total population of 311,349. St. Paul's estimated non-white population in 1958 was 7,450. Approximately 93 percent of the non-whites were located in eight out of 76 census tracts. Because of discrimination, these areas have been forced to absorb an increasing Negro population.

Problems of Negroes in the two cities are similar. With some exceptions, they have been limited to areas which exceed the city average in percentage of blighted conditions. "According to the St. Paul Housing and Redevelopment Authority approximately 55 percent of the city's non-white population lives in sub-standard housing as compared to only 16 percent of the white population." (Statement by E. C. Cooper, Exec. Sec., St. Paul Urban League, before Senate Judiciary Committee, Minnesota State Legislature, Re: S.F. 849, March 20, 1959.) Much of the Negro area in both cities is in the path of proposed freeways. Negroes who have the financial ability and desire for better housing and those faced with loss of homes because of urban renewal and freeway development consistently encounter discrimination in their attempts to purchase or rent outside the Negro ghettos.

Availability of Housing

Houses for Sale

A 1957 report of the Minneapolis Urban League estimated that the Negro population, which was approximately 2 percent of the city's total, gained access to about .9 percent of new housing units constructed between 1946 and 1957.

In the Greater St. Paul Metropolitan Area some 23,000 new housing units were built from 1954 to 1960. Of this total, the Urban League estimates that fewer than fifty units have been made available to non-white families, either on a segregated or non-segregated basis.

Dwellings for Rent

In Minneapolis, the rental situation is extremely unfavorable for the Negro. A 1957 Urban League report stated that Negro families occupied none of the privately owned multiple dwelling units less than eleven years old. Very recently, two owners of new apartment buildings in the University area have accepted Negro renters.

In St. Paul, virtually all privately owned multiple dwelling units were closed to Negroes according to a 1959 Urban League report. More than 1,600 such units were constructed from 1946 through 1958. With one exception, a twelve-unit structure located within the Negro area, no non-white families occupied any of these units.

Some Results of Discrimination

Economic Loss

Discrimination causes economic loss both to the minority and to the majority. Because the Negro cannot purchase housing on the open market and because he is restricted, in the main, to old housing within a very limited geographical area, the Negro cannot get the most for his housing dollars. He is not in a favorable position to bargain, and he must often pay what is referred to as a "color tax."

Discrimination causes a loss of tax returns to the city because economically able Negroes are forced to live in sub-standard or low-tax areas. They could shoulder more of the costs of municipal services, but instead are an expense to the city because crowded conditions increase demands for police, fire and health services.

Segregated Education

Housing segregation inevitably leads to segregation in education, recreation, religion, etc. Experience has shown there is a breakdown of good race relations where minority groups are relegated to ghetto-type living. Therefore, a concern about segregated housing is a concern about the total community.

In Minneapolis and St. Paul, increasing concentration of non-whites in a few areas has caused a tendency for several elementary schools to become "Negro" schools. Although schools keep no records on the race of students, a PTA report in 1959 stated that during the preceding six years Negro pupils in one Minneapolis school had increased from 30 percent to more than 60 percent. (It is now estimated at 70 percent.)

An elementary school in St. Paul had not over a 50-50 concentration of Negroes and whites prior to 1950. In the past ten years the percentage of Negro children has changed until today it is 90 percent. Another school, which in 1950 was 30 percent Negro, 70 percent white, is experiencing a similar change in the concentration.

Relocation Problems

Housing redevelopment and urban renewal programs displace hundreds of Negro families. Relocation is often difficult because of discrimination. A Glenwood Redevelopment Plan and Project Report in April, 1954, said, "The rental market for Negro families in Minneapolis is sharply restricted, and it is unrealistic to regard white and Negro families at the same economic level as presenting the same relocation problem." The 1956 Annual Report of the Minneapolis Housing and Redevelopment Authority states: "...Negro families are paying more for the same quality houses than are white families due to the limited areas in which they can buy."

St. Paul is faced with a similar problem. Two areas under the Urban Renewal Program contain most of the city's Indian and Mexican population and more than 90 percent of the city's Negro population.

Because of discrimination non-whites are generally forced to relocate in an area which shows a population density and percentage of deterioration and blight above the city average. The result is that the problem is not solved but is merely transferred elsewhere. The gravity of this situation has caused some officials of the St. Paul Housing and Redevelopment Authority to declare that the city cannot hope to carry out effectively

its urban renewal programs until current practices of racial segregation and discrimination are eliminated from the housing market.

Some examples of Discrimination

In 1959 a former college dean and member of the U. S. Foreign service was selected from a nation-wide list of applicants to direct a church-sponsored program against housing discrimination in Greater Minneapolis. This Negro newcomer contacted 100 persons advertising rental property. More than 90 percent declared they would not rent to a Negro.

A white family was willing to sell their middle-class home to a Negro couple. After a two-week delay, the real estate agent informed the owners that it was against his company's policy to sell to Negroes in a block where Negroes did not already live. The owners felt this policy prevented them from making a sale and asked to be released from the 90-day exclusive contract. The company refused.

A prominent St. Paul settlement house director responded to a newspaper advertisement offering a house for sale. The owner did not want to sell to Negroes, but her son persuaded her to consent. However, the price rose \$2,000. The Negro bought the house despite the increase. When asked why, she replied that any property she wanted would have been subject to a price increase because of her race.

These are only a few examples of what most Negroes face when they seek to buy or rent homes outside the segregated areas. A Negro wishes to select his home for the same reasons anyone else does: availability of good schools, libraries, parks, accessibility to work, beautiful surroundings, etc. It is unreasonable to force a Negro to choose his home, not for any of these reasons, but merely because his neighbors have a similar complexion. What is often construed as a desire of Negroes to live together is more often their reaction to rigidly closed neighborhoods in other areas.

HOUSING DISCRIMINATION IN TWIN CITIES' SUBURBS

The heart of Minnesota's housing discrimination problem lies in that much discussed and dissected area--suburbia. There, great masses of white families have shut out the middle-class Americans with whom they share almost every characteristic except race. All minority group families have suffered this exclusion to some extent, but the gate is most rigidly closed against Negroes.

Minority Population

Statistics giving the number of Negroes in each suburb are not available. The Minneapolis Urban League estimated that the total Minneapolis population increased approximately 5.9 percent from 1950 to 1957, while the suburban population increased 114.8 percent. Except for a few isolated cases, Negro families have been denied participation in this suburban growth.

Availability of Housing

From 1953 to 1959 more than 23,000 new housing units were built in St. Paul and its suburbs. The Urban League estimated that fewer than 50 units were made available to non-white families.

The problem of suburban discrimination is especially critical for non-whites because the suburbs are generally the only areas offering new, moderately priced housing. Many of these homes are GI or FHA financed. Despite the avowed non-discriminatory FHA policy, enforcement is limited to states or cities with fair housing laws. Minnesota has no such law. Thus, whole suburban communities are built by a few individual builders, frequently with the support of FHA-insured or VA-guaranteed loans, systematically excluding Negroes and often other minorities.

Some Results of Discrimination

Discrimination in suburban housing leads to de-facto segregation in education, recreation, religion, etc. Citizens of both races are denied the opportunity of getting to know and understand each other. This is happening in a world whose population is approximately two-thirds non-white.

Discrimination in suburban housing may also cause discrimination in employment. The FEPC, noting its concern for equal job opportunities in industrial areas surrounding the Twin Cities and Duluth, states: "A suitable dwelling not too far distant from one's work is often a determining factor in applying for and accepting a job for which the individual may be best qualified.

"...we are led to the conclusion that resistance to the practice of employment on merit is currently most serious in the reluctance to upgrade qualified minority group workers to public contact, supervisory and executive positions. We also find that discrimination in this area involves a concern about social contacts with the members of different racial, religious, or nationality groups and thus is related to discrimination in housing, public accommodations, recreational opportunities and other areas of community life." (Report for 1959, Fair Employment Practices Commission, State of Minnesota.)

Some Examples of Discrimination

Instances of discrimination in housing may vary from outright refusal to sell to putting harassments and obstacles in the way of completing arrangements. The Negro couple looking at development housing may find that the salesman simply leaves the house they are inspecting and goes to another, not even acknowledging their presence. Or, a hostess showing a model home may follow the builder's instruction to turn away all Negroes. Or, as happened recently, a salesman who was friendly and helpful during a Negro couple's inspection of a house, would not accept earnest money when they decided to buy. He had been informed of the company's discrimination policy in the meantime.

In one suburb a man was willing to sell his house without discrimination based on race, creed, color, etc. A Negro couple wanted the house and offered a substantial down-payment. Neighbors on both sides were willing to welcome this couple. At the last moment, the owner refused to sell because a sister-in-law, two blocks away, who claimed she was not personally prejudiced, was afraid of what her neighbors would say.

Another Negro couple, finding their city house inadequate, got a warm reception from the mortgage institution until the suburban location they wanted was mentioned. After a long period of being put off on one or another detail, they sought another financing company. Eventually, their financing had to be handled by a conventional mortgage and their house built by a private builder. Financial disadvantages of being a Negro are numerous.

Learning that a Negro family was about to rent a home in their neighborhood, a group of suburbanites became excited and called a meeting of about sixty people in one of the homes. They invited a professional in the human relations field to meet with them and counsel with them on the situation. He came and brought his wife. After a discussion which lasted over an hour someone asked, "But can you give us positive assurance that this family will be of a desirable type?" "We are the Negro family!", answered the human relations official.

Discrimination in the suburbs is especially serious because the reaction in most suburban areas now is a resistance to a change in the "established pattern." The non-white population of Minneapolis and St. Paul is approximately 2 percent. The number of non-whites economically able to buy or rent outside present Negro areas is even less. If artificial barriers producing concentration of minorities were removed and this less than 2 percent of the population allowed to distribute itself evenly throughout the metropolitan area, the pattern of white majority in a neighborhood would not be changed.

HOUSING DISCRIMINATION IN MINNESOTA OUTSIDE THE TWIN CITIES AREA

In the past, discrimination against European immigrants was a serious factor in Minnesota's minority problems. Various nationality groups suffered discrimination because of difference in customs and culture. As they adopted American ways and obtained better jobs they were able to move freely throughout the population.

Discrimination in Minnesota today is largely directed toward racial minorities. Negroes, in particular, although they have the same customs and culture as white Americans, have had difficulty in obtaining jobs and housing. In 1950, more than one-third of Minnesota's total population was first or second generation Americans whose families have not been in this country as long as the Negroes.

Minority Population

Other than the Indian and migratory labor worker--whose difficulties involve culture, health, education, economic status, etc. as well as discrimination--there are but a few concentrations of racial minority groups throughout the state. Two cities have Negro concentrations: Rochester and Duluth. Rochester is reported to be somewhat segregated with instances of housing discrimination against nurses, doctors and other professional people. Duluth has a minority concentration partially because of the nearby airbase. Airbase personnel in general find it difficult to acquire housing, but the airbase Negro finds it more difficult than does the white person.

Availability of Housing

In the rest of Minnesota's communities where few, if any, Negroes or other racial minorities live, superficial observation might give the impression that there is no problem. The real test is: if a Negro family should attempt to move into one of these communities, would they be accepted? The Fair Employment Practices Commission notes that in some of these communities "...prejudice against members of different racial, religious and nationality groups is likely to be more serious and more extensive than in areas where persons of different backgrounds have had an opportunity to become acquainted with each other." (Report for 1959, Fair Employment Practices Commission, State of Minnesota.)

Some Results of Discrimination

Loss of professional people because of discrimination should concern the entire state. For a number of years Minneapolis and St. Paul public schools have found qualified teachers and specialists among different races, and this has been a help in solving teacher shortages. A few out-state communities have benefitted also, but some have turned down highly qualified applicants on the grounds that there would be no place in the community for a Negro to live.

The University of Minnesota Hospital trains and employs physicians, nurses, and technicians of many races. Citizens of the state help support this training. Small towns and cities, who often search months or years for medical personnel, can ill-afford to let these people leave

the state because they do not feel welcome.

It has been demonstrated that where they are given the opportunity, whites and non-whites can live together amicably in Minnesota. Among examples of successful integration is the experience of one Minnesota community where a white southern school teacher roomed by choice with a Negro teacher. In another Minnesota town a Japanese doctor and his wife were highly respected members of the community.

Involvement of Out-State Communities

Discrimination is a problem which the entire state must solve. The Legislature has recognized this by supporting two agencies dealing with discrimination: the Fair Employment Practices Commission and the Governor's Human Rights Commission. These two commissions have jointly established advisory Citizens Committees on Human Rights and Fair Employment Practices in the labor market areas surrounding Albert Lea, Austin, Detroit Lakes, Fairmont, Faribault, Fergus Falls, Granite Falls, Montevideo, Hibbing, Moorhead, Owatonna, Rochester, St. Cloud and Virginia. These committees arrange employment conference and speaking engagements for the Commissions. They represent the effort of the two commissions to coordinate their educational programs.

Some Examples of Discrimination

In a southern Minnesota town an editor in need of a printer found the best qualified man available to be a Negro. Because he feared that the man could not find housing in the community, the editor did not employ him.

A Negro librarian in another town was refused an apartment because of her race.

It has been said that discrimination in Minneapolis or St. Paul reflects upon the entire state. Two recent examples demonstrate this.

The University of Minnesota received a gift of land a few years ago and decided to sell it for development as a "model" community. Human relations organizations urged the University to require non-discriminatory practices by the developer. They pointed out that a "model" community should not exclude people of any race, religion, etc. When the houses were built and offered for sale, a Negro University staff member was refused a house because of his race.

A prominent businessmen's organization was planning an international convention in the Far East not long ago. The State Department was so concerned about the damage done to our foreign relations by the Little Rock situation that they asked if this organization would send some colored delegates. One of the Minneapolis officers, a young Negro businessman, was asked to attend. He had suffered repeated discrimination in his attempts to find a home for his family. He and his wife had visited nearly forty homes, and in each case the reaction was the same--X refused to sell to a Negro. Someone asked the man what he would answer when people from other countries inquired "How are you Negroes treated in Minnesota?" He replied that he would just have to be diplomatic.

LEGISLATION AS A MEANS TO ELIMINATE HOUSING DISCRIMINATION

History

The 1957 Legislature directed a commission to investigate and study discrimination in housing. This commission, after two years of research and study, prepared a draft of legislation in the field of publicly assisted housing (housing obtained through VA or FHA mortgage insurance, public ownership, and public resale for development.) The proposal exempted personal residences and apartment houses containing less than five units if the owner lived in the building. The Fair Employment Practices Commission was designated the enforcement agency with emphasis on its conciliatory methods.

The commission split five to five on recommending this bill to the 1959 Legislature. Those opposing the bill, while acknowledging the serious problems of discriminatory practices in the housing market, maintained that the primary method for dealing with the situation was through education.

The five legislators supporting the drafted bill maintained that law and education were not alternatives but complementary methods of promoting equality, and that an official agency was required to do a systematic, efficient, and adequate job of education.

The 1959 Legislature did not pass legislation against housing discrimination. In addition to the disagreement within the Interim Commission, a number of reasons have been advanced to account for this failure: the minority groups principally affected were not large enough to make a formidable political pressure group; there was failure to educate the community as to what legislation would and would not mean; this lack of education of the voting constituencies of the lawmakers made it difficult for them to support reform legislation; opposition to an open occupancy law had crystallized and was well-organized.

Future of Housing Legislation

Legislation to prohibit housing discrimination will, undoubtedly, be proposed in future legislatures. Proponents of such legislation believe it would be virtually impossible to solve the problem by local ordinances. They doubt that each local unit of government (approximately 69 local units of government in Hennepin and Ramsey Counties alone) would pass such ordinances and provide funds for effective enforcement and conciliation.

As in the case of fair employment legislation, opponents of a fair housing law say: "You can't legislate morality; you can't eliminate prejudice by passing laws." "Legislation prohibiting discrimination...in the sale or rental of housing accommodations is directed at men's conduct and not their attitudes....Laws are rules governing the actions of men. Control of men's thoughts is not only beyond their scope but also as unnecessary as it is undesirable...laws that are effectively enforced have an educational and persuasive effect."

Perhaps the fear most commonly expressed by those who oppose integration in housing is that property values will drop if a non-white family moves into the community. Many research studies are being made on this subject.

Dr. Luigi Laurenti, former teacher at the University of California and economist for the California Senate, has just published a book entitled PROPERTY VALUES AND RACE (University of California Press.) It is based on a test of 10,000 real estate transactions in seven American cities. Dr. Laurenti asserts that where non-whites buy houses in previously all-white neighborhoods, the odds are four to one that values will rise or remain constant.

As in the case of the Fair Employment Practices law, the question of constitutionality has been raised by opponents of open occupancy legislation. William B. Lockhart, dean of the Law School of the University of Minnesota, was asked by members of the Legislative Interim Commission on Housing Discrimination and Segregation Practices for an opinion on the constitutionality of the housing provisions of the bill proposed in 1959. His five-page reply is published with the Interim Commission Report.

Dean Lockhart says: "The only arguable basis for constitutional attack on the proposed bill would be a claim that it violates the due process clause of the United States and the Minnesota Constitution." But anyone who has followed the constitutional decisions in this area for the past twenty years cannot avoid the conclusion that the proposed statute would be upheld if attacked on this basis in the United States or the Minnesota Supreme Court."

Constitutionality of a proposed state law is not to be confused with constitutionality of open occupancy ordinances which were introduced in the Minneapolis and St. Paul city councils; nor are the opinions of the city attorneys, that these two ordinances would have been unconstitutional, to be confused with decisions of a supreme court, state or national. The advice of city attorneys to their clients, the councilmen, are not the law of the city.

CONCLUSION

Today in Minnesota Negroes, and to somewhat less extent members of other racial, ethnic and religious groups, cannot buy or rent homes freely. It would be a mistake to conclude that these problems cannot be solved. There has been some successful integration in Minnesota for years.

Measures needed to eliminate the problems caused by discrimination merit serious study and discussion by all Minnesota citizens. Most of those who have worked in voluntary human relations programs in Minnesota for years believe that progress under voluntary programs is negligible and that legislation is necessary. Since legislation cannot be achieved without education, nor can it be effectively enforced without continued education, the first step must be research, careful study, objective and widespread reporting of facts. We hope that this effort to summarize some of the available information may be useful.

Edith Hatch (Mrs. Lloyd A.), St. Paul

Elizabeth Zumwinkle (Mrs. Robert), St. Cloud

Helen McMillan (Mrs. K. K.), Austin

Opal Gruner (Mrs. John W.), Minneapolis

Co-chairmen, Committee for the Promotion of a State
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Agenda for 1961

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DRAFT OF PROPOSED MINNESOTA LAW AGAINST
DISCRIMINATION IN EMPLOYMENT AND HOUSING

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Declaration of policy. Subdivision 1. As a guide to the interpretation and application of this act, be it enacted that the public policy of this state is to foster equal opportunity for all individuals in this state in accordance with their fullest capacities, regardless of their race, color, creed, religion, or national origin, and to safeguard their rights to obtain and hold employment, housing, and other real property without discrimination. Such discrimination threatens the rights and privileges of the inhabitants of this state and menaces the institutions and foundations of democracy. It is also the public policy of this state to protect persons from wholly unfounded charges of discrimination. This act is an exercise of the police power of this state in the interest of the public welfare.

Subd. 2. The opportunity to obtain employment, housing, and other real estate without discrimination because of race, color, creed, religion or national origin is hereby recognized as and declared to be a civil right.

Sec. 2. Title. This act shall be known as the Minnesota State Civil Rights Act.

Sec. 3. Definitions. Subdivision 1. Terms. For the purpose of this act, the words defined in this section have the meanings ascribed to them.

Subd. 2. Board. "Board" means the board of review appointed under provisions of this act.

Subd. 3. Commission. "Commission" means the State Commission Against Discrimination.

Subd. 4. Employer. "Employer" includes the State, or any political or civil subdivision thereof, any other person employing eight or more persons within the State, and any person acting in the interest of an employer, directly or indirectly, but shall not include any person with regard to his employment of anyone in domestic service to him or with regard to his employment of his parent, grandparent, spouse, child, or grandchild.

Subd. 5. Employment agency. "Employment agency" means a person or persons who, or an agency which regularly undertakes, with or without compensation, to procure employees or opportunities for employment.

Subd. 6. Labor organization. "Labor organization" means any organization that exists wholly or partly for one or more of the following purposes:

- (1) collective bargaining;

(2) dealing with employers concerning grievances, terms or conditions of employment; or

(3) mutual aid or protection of employees.

Sub. 7. National origin. "National origin" means the place of birth of an individual or of any of his lineal ancestors.

Sub. 8. Person. "Person" includes partnership, association, corporation, legal representative, trustee, trustee in bankruptcy, receiver, the state and its departments, agencies, and political subdivisions, and any other organized group.

Subd. 9. Real property. "Real property" includes real estate, lands, tenements and hereditaments, corporeal and incorporeal.

Subd. 10. Real estate broker or salesman. "Real estate broker or salesman" means, respectively, a real estate broker as defined by Minnesota Statutes, section 82.01, subdivision 4, and a real estate salesman as defined by Minnesota Statutes, section 82.01, subdivision 5.

Subd. 11. Respondent. "Respondent" means a person against whom a complaint has been filed or issued.

Sub. 12. Unfair discriminatory practice. "Unfair discriminatory practice" means any act described in sections 4, 5, or 6.

Subd. 13. Discriminate. The term "discriminate" includes segregate or separate.

Sec. 4. Employment. Except when based on a bona fide occupational qualification, it is an unfair discriminatory practice:

(1) for a labor organization, because of race, color, creed, religion or national origin,

(a) to deny full and equal membership rights to an applicant for membership or to a member;

(b) to expel a member from membership;

(c) to discriminate against an applicant for membership or a member with respect to his hire, apprenticeship, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment; or

(d) to fail to classify properly, or refer for employment or otherwise to discriminate against a member;

(2) for an employer, because of race, color, creed, religion, or national origin,

(a) to refuse to hire an applicant for employment; or

(b) to discharge an employee; or

(c) to discriminate against an employee with respect to his hire,

tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment;

(3) for an employment agency, because of race, color, creed, religion, or national origin,

(a) to refuse or fail to accept, register, classify properly, or refer for employment or otherwise to discriminate against an individual; or

(b) to comply with a request from an employer for referral of applicants for employment if the request indicates directly or indirectly that the employer fails to comply with the provisions of this act;

(4) for an employer, employment agency, or labor organization, before an individual is employed by an employer or admitted to membership in a labor organization, to

(a) require the applicant to furnish information that pertains to the applicant's race, color, creed, religion or national origin, unless, for the purpose of national security, information pertaining to the national origin of the applicant is required by the United States, this state or a political subdivision or agency of the United States or this state; or

(b) cause to be printed or published a notice or advertisement that relates to employment or membership and discloses a preference, limitation, specification, or discrimination based on race, color, creed, religion or national origin.

Sec. 5. Real property. It is an unfair discriminatory practice:

(1) for an owner, lessee, sub-lessee, assignee, or managing agent of, or other person having the right to sell, rent or lease any real property, or any agent of any of these to

(a) refuse to sell, rent or lease or otherwise deny to or withhold from any person or group of persons any real property because of the race, color, creed, religion, or national origin of such person or group of persons;

(b) discriminate against any person or group of persons because of the race, color, creed, religion, or national origin of such person or group of persons in the terms, conditions or privileges of the sale, rental or lease of any real property or in the furnishing of facilities or services in connection therewith; or

(c) print, circulate or post or cause to be printed, circulated or posted any statement, advertisement, sign or publication, or use any form of application for the purchase, rental or lease of real property, or make any record or inquiry in connection with the prospective purchase, rental or lease of real property which expresses, directly or indirectly, any

limitation, specification or discrimination as to race, color, creed, religion, or national origin or any intent to make any such limitation, specification or discrimination;

provided, however, that the provisions of this subdivision shall not apply (1) to the rental of a portion of a dwelling containing accommodations for two families, one of which is maintained by the owner as the household of his family, or (2) to the owner or occupant of a one-family accommodation in which he or members of his family reside, who rents or leases a room or rooms in such accommodation to another person or persons;

(2) for a real estate broker, real estate salesman or employee or agent thereof to

(a) refuse to sell, rent or lease or to offer for sale, rental or lease any real property to any person or group of persons or to negotiate for the sale, rental or lease, of any real property to any person or group of persons because of the race, color, creed, religion, or national origin of such person or group of persons, or represent that real property is not available for inspection, sale, rental or lease when in fact it is so available, or otherwise deny or withhold any real property or any facilities of real property to or from any person or group of persons because of the race, color, creed, religion or national origin of such person or group of persons;

(b) discriminate against any person because of his race, color, creed, religion, or national origin in the terms, conditions or privileges of the sale, rental or lease of real property or in the furnishing of facilities or services in connection therewith; or

(c) print, circulate or post or cause to be printed, circulated or posted any statement, advertisement, sign or publication, or use any form of application for the purchase, rental or lease of any real property or make any record or inquiry in connection with the prospective purchase, rental or lease of any real property, which expresses, directly or indirectly, any limitation, specification or discrimination as to race, color, creed, religion, or national origin or any intent to make any such limitation, specification or discrimination;

(3) for a person, bank, banking organization, mortgage company, insurance company or other financial institution or lender to whom application is made for financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair or maintenance of any real property or any agent or employee thereof, to

(a) discriminate against any person or group of persons because of

the race, color, creed, religion, or national origin of such person or group of persons or of the prospective occupants or tenants of such real property in the granting, withholding, extending, modifying or renewing, or in the rates, terms, conditions or privileges of, any such financial assistance or in the extension of services in connection therewith;

(b) use any form of application for such financial assistance or make any record or inquiry in connection with applications for such financial assistance which expresses, directly or indirectly, any limitation, specification or discrimination as to race, color, creed, religion, or national origin or any intent to make any such limitation, specification or discrimination.

Sec. 6. Obstruction, coercion, attempting and abetting. It is an unfair discriminatory practice:

(1) for any person to discriminate in any manner against any other person because that person has opposed any practice forbidden under this act or has filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding or hearing under this act;

(2) for any person intentionally to aid, abet, incite, compel, or coerce any other person to engage in any of the practices forbidden by this act;

(3) for any person to wilfully obstruct or prevent any person from complying with the provisions of this act or any order issued thereunder, or to resist, prevent, impede, or interfere with the commission, the board of review, or any of its members or representatives in the performance of duty under this act; or

(4) for any person to attempt directly or indirectly to commit any of the practices forbidden by this act.

Sec. 7. Religious denominational institutions. Subdivision 1. Any institution operated, supervised or controlled by a religious denominational organization which, through its chief executive officer, certifies in writing to the commission that it is so operated or supervised or controlled and that it elects to be considered a religious denominational institution will thereupon be deemed such an institution for the purposes of this act.

Subd. 2. Nothing in this act shall be construed to limit the right of any religious denominational institution to select its employees or those to whom it supplies accommodations in real property exclusively or primarily from members of its own religious or denominational group or to give preference in such selection to such members or to persons of the same religion or denomination.

Sec. 8. State Commission Against Discrimination. Subdivision 1.

Creation; membership. There is created a State Commission Against Discrimination, to consist of nine members, one from each congressional district of the state of Minnesota; and at least one of whom shall be an attorney at law, appointed by the governor with the advice and consent of the senate, for a term of five years to serve until a successor is appointed and qualified. The chairman shall be designated by the governor.

Subd. 2. Terms. To ensure a continuity of work, the initial appointments to the commission shall be: one member for a term of one year, two for a term of two years, two for a term of three years, two for a term of four years and two for a term of five years. All members shall serve until a successor is appointed and qualifies.

Subd. 3. Vacancies. A vacancy shall be filled by appointment by the governor for the balance of the unexpired term.

Subd. 4. Removal. Upon notice and hearing a member may be removed by the governor upon a finding of inefficiency, neglect of duty, misconduct or malfeasance in office.

Subd. 5. Traveling expenses. Each member of the commission shall receive reimbursement for necessary traveling expenses incurred on official business. Reimbursement shall be made in the manner provided by law for state employees.

Sec. 9. Duties of commission. Subdivision 1. Formulation of policies. The commission shall formulate policies to effectuate the purposes of this act and shall:

- (1) establish and maintain a principal office in St. Paul, and any other necessary branch offices at any location within the state;
- (2) meet and function at any place within the state;
- (3) appoint an executive director to serve at the pleasure of the commission and fix his compensation and prescribe his duties;
- (4) employ such attorneys, clerks and other employees and agents as it may deem necessary, fix their compensation and prescribe their duties;
- (5) to the extent permitted by federal law and regulation, utilize the records of the department of employment security of the state when necessary to effectuate the purposes of this act;
- (6) obtain upon request and utilize the services of all state governmental departments and agencies;
- (7) adopt suitable rules and regulations for effectuating the purposes of this act;

(8) issue, receive, and investigate complaints alleging discrimination because of race, color, creed, religion or national origin;

(9) subpoena witnesses, administer oaths, and take testimony relating to the case before the commission, and require the production for examination of any books or papers relative to any matter under investigation or in question before the commission;

(10) attempt to eliminate unfair discriminatory practices by means of education, conference, conciliation, and persuasion;

(11) conduct research and study discriminatory practices based on race, color, creed, religion, or national origin;

(12) publish the results of research and study of discriminatory practices based on race, color, creed, religion, or national origin when in the judgment of the commission it will tend to eliminate such discrimination;

(13) develop and recommend programs of formal and informal education designed to promote good will; and may make recommendations to agencies and officers of state or local subdivisions of government in aid of such policies and purposes in eliminating discriminatory practices based on race, color, creed, religion, or national origin; and

(14) make a written report of the activities of the commission to the governor each year and to the legislature at each session.

Subd. 2. Executive director, duties. To the extent determined by the commission and subject to its direction and control, the executive director may exercise the powers and perform the duties of the commission.

Sect. 10. Grievances. Subdivision 1. Complaint, filing. Any person aggrieved by a violation of this act may file by himself, or his agent, or attorney a signed complaint with the commission, stating the name and address of the person alleged to have committed an unfair discriminatory practice, setting out the details of the practice complained of and any other information required by the commission. Any employer whose employees, or some of them, or any labor union whose members, or some of them, refuse or threaten to refuse to cooperate with the provisions of this act, may file with the commission a signed complaint asking for assistance by conciliation or other remedial action.

Subd. 2. Complaint, issuance by commission. Whenever the commission has reason to believe that a person is engaging in an unfair discriminatory practice, the commission may issue a complaint.

Subd. 3. Time for filing complaint. A complaint of an unfair discriminatory practice must be filed within six months after the occurrence of

the practice.

Subd. 4. Inquiry into complaint. When a complaint has been filed or issued, the commission shall promptly inquire into the truth of the allegations of the complaint. If after the inquiry the commission determines that there is probable cause for believing that an unfair discriminatory practice exists, the commission shall immediately endeavor to eliminate the unfair discriminatory practice through education, conference, conciliation, and persuasion. If the commission determines that there is no probable cause for believing that an unfair discriminatory practice exists, the commission shall dismiss the complaint.

Subd. 5. Attempts to eliminate unfair practices. The commission, in complying with subdivision 4, shall endeavor to eliminate the unfair discriminatory practice at the place where the practice occurred, or the respondent resides or has his principal place of business.

Subd. 6. Publication of accounts of cases. The commission may publish an account of a case in which the complaint has been dismissed or the terms of settlement of a case that has been voluntarily adjusted. Except as provided in other sections of this act, the commission shall not disclose any information concerning its efforts in a particular case to eliminate an unfair discriminatory practice through education, conference, conciliation and persuasion.

Sec. 11. Board of review. Subdivision 1. Creation, membership, terms. There is created a board of review. The board shall be drawn from a panel of 12 persons to be named and appointed by the governor with the advice and consent of the senate. Members on the board of review shall be apportioned so that each congressional district of the state of Minnesota shall have a minimum of one resident member on said board of review. At least four members of the panel shall be lawyers. For purposes of holding prescribed hearings, three persons, one of whom shall be a lawyer, shall be appointed from the panel by the governor and shall constitute and serve as the board of review. The governor shall designate a member of the board to serve as its chairman. No member of the panel of the board of review shall be a member of the commission. The term of office of each member of the panel shall be three years except that the terms of the members first appointed are: four for one year, four for two years, and four for three years. Members shall serve until a successor is appointed and qualifies. Vacancies shall be filled by the governor by and with the advice and consent of the senate.

Subd. 2. Removal of member. After written notice and a hearing, the

governor may remove a member of the panel for inefficiency, neglect of duty, misconduct, or malfeasance in office.

Subd. 3. Compensation, expenses. Each member of the board shall receive \$25 per day while the board is in session and reimbursement for necessary expenses actually incurred on official business.

Subd. 4. Notice to governor. On failing to eliminate an unfair discriminatory practice in the manner prescribed by section 10, the commission shall notify the governor in writing of that fact, and request him to appoint a board of review to conduct a public hearing in the case.

Subd. 5. Hearings. The board shall conduct a hearing at a place designated by it within the county where the unfair discriminatory practice occurred, or the respondent resides or has his principal place of business. It may subpoena witnesses, administer oaths, take testimony and require the production for examination of any books or papers relating to any matter under investigation or in question before the board. The board shall adopt and promulgate rules of practice to govern its hearings and it shall employ necessary assistants, fix their compensation, and prescribe their duties.

Subd. 6. Notice to commission of hearing. The board of review shall notify the commission of the time and place of the hearing to be conducted by the board. Thereupon the commission shall issue and serve by registered mail upon the respondent a copy of the complaint and a written notice requiring the respondent to answer the allegations of the complaint at the hearing. The notice shall state the time and place of the hearing. Within fifteen days after receipt of the copy of the complaint and the notice, the respondent shall serve upon the commission, by registered mail, a verified answer to the complaint.

Subd. 7. Conduct of hearings. The commission shall submit evidence and present the case before the board in support of the complaint. The complainant shall appear in person at the hearing and is subject to cross-examination by the respondent, his attorney or agent. The respondent, his attorney or agent, may appear at the hearing, submit evidence, and present his case.

Subd. 8. Evidence receivable. The board of review shall not be bound by the strict rules of evidence that prevail in courts of law, but its findings must be based upon competent and substantial evidence. The board shall not receive in evidence any evidence pertaining to the efforts of the commission to eliminate the unfair discriminatory practice through education, conference, conciliation, or persuasion. Each witness at the hearing shall

testify under oath. All testimony and other evidence submitted at the hearing shall be recorded and transcribed. The board, at the request of the complainant or respondent, shall provide a copy of the transcript of the hearing without charge.

Subd. 9. Findings, order. If the board of review finds that the respondent has engaged in an unfair discriminatory practice, it shall make findings and shall issue an order directing the respondent to cease and desist from the unfair discriminatory practice found to exist and to take such other affirmative action as in the judgment of the board will effectuate the purposes of this act and shall serve the order on the respondent personally, and the commission and the complainant by registered mail.

Subd. 10. Findings, order. If the board finds that the respondent has not engaged in an unfair discriminatory practice as alleged in the complaint, the board shall make findings of fact and conclusions of law and shall issue an order dismissing the complaint and shall serve it on the complainant personally, and the commission and the respondent by registered mail.

Sec. 12. District court, review orders of board of review.

Subdivision 1. Institution of proceedings. Subject to subdivisions 2 and 3, the commission, complainant or the respondent may institute in the manner prescribed by subdivision 4 a proceeding in the district court for judicial review and enforcement of an order of the board.

Subd. 2. Time limit. Except for a proceeding by the commission to enforce an order of the board, a proceeding in the district court shall be instituted within 60 days after service of an order of the board.

Subd. 3. Jurisdiction. A proceeding under this section shall be instituted in the district court for the judicial district in which an unfair discriminatory practice covered by the order of the board occurred, or the respondent resides or has his principal place of business.

Subd. 4. Procedure. A proceeding under this section is instituted by:

(1) filing with the clerk of the district court a petition stating the relief requested and the grounds relied on for that relief; a transcript of the hearing held before the board, and a copy of the findings of fact, conclusions of law, and order of the board, and

(2) serving a proper notice of motion returnable at a special term of the court on the complainant, the respondent, and the commission.

Subd. 5. District court, exclusive jurisdiction. When a proceeding has been instituted under this section, the district court has exclusive jurisdiction of the proceeding and shall hear and determine the proceeding.

Subd. 6. Appearances in court action. The commission, complainant, respondent, and any person aggrieved by an order of the board may appear in the proceeding.

Subd. 7. Court determination. In a proceeding under this section, the district court shall determine whether the findings of the board are supported by competent and substantial evidence, and whether the order of the board is supported by the findings. The court may, in its discretion, remand the proceeding to the board for further hearing, or take additional evidence on any issue, or order a trial de novo to the court.

Sub. 8. Restraining orders, temporary relief. The district court has power to grant temporary relief by restraining order or otherwise; to modify the order of the board in any particular; to order compliance with the order of the board; to issue its order modifying the order of the board and enjoining compliance therewith; to vacate the order of the board and dismiss the proceedings; or to make such orders in the matter as the interests of justice may require.

Sec. 13. Violation of order of district court as contempt of court. Any person or party who or which shall wilfully violate any order of the district court entered pursuant to a proceeding under this act shall be cited to the district court for and as being in contempt. Procedure for review of the order shall not be deemed to be such wilful conduct.

Any person or party found in a proceeding before the district court to be in contempt shall be punishable under Minnesota Statutes 1953, Section 588.10, which provides for imprisonment for not more than six months, or a fine of not more than \$250, or both.

A proceeding under this section shall be commenced by the commission serving a notice of motion, and an order to show cause upon the respondent, and the complainant, and filing the same with the clerk of the district court of the county in which the aforementioned order is entered.

Sec. 14. Appeal to supreme court. The commission, or the respondent, may appeal to the supreme court as provided by Minnesota Statutes, Section 605.09, clauses (2) and (7) from an order of the district court issued pursuant to section 12, subdivision 8, of this act.

Sec. 15. Construction of act. The provisions of this act shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained in this act shall be deemed to repeal any of the provisions of the civil rights law or of any other law of this state relating to discrimination because of race, creed, color, religion or national origin; but, as to acts declared unfair by section 4 of this act, the procedure herein provided shall, while pending, be exclusive.

Sec. 16. Appropriation.

Sec. 17. This act becomes effective July 1, 1961.

MINNESOTA COUNCIL FOR CIVIL AND HUMAN RIGHTS
465 Mackubin Street, St. Paul 3

SEP 27 1960

TO: Council Members

FROM: Reverend Denzil A. Carty, Chairman

SUBJECT: Proposed Minnesota Law Against Discrimination in Housing
for Discussion at Council Meeting September 26

The important September meeting of the Minnesota Council for Civil and Human Rights will be held in Room 209 of the Midway YMCA at 8:00 p.m. on Monday, September 26.

The drafting committee has prepared for your consideration a copy of the Minnesota law which would result from the adoption of the proposed amendment to the present fair employment practices law to prohibit discrimination in the sale or rental of housing. The words underlined represent the new language relating to housing which would result from adoption of the proposed amendment.

As you will observe, the committee is proposing a bill with broad coverage of discriminatory practices in public, publicly assisted and private housing. The proposal is based on the experience of other states and on the recommendations of national organizations concerned with civil rights legislation.

It is being submitted to you for study, comment and improvement. We should appreciate it if you would discuss this proposal with as many members of your organization and other interested individuals as possible. We want to have a thorough discussion of the proposed bill and to obtain and consider the suggestions of all the members of the Council and others concerned with eliminating housing discrimination. We hope that, out of our discussion on September 26, we can develop a bill which will merit and receive unified support from all of those concerned with effective action to assure equal opportunities in housing in Minnesota.

FAIR EMPLOYMENT PRACTICES - Continuing Responsibility

What We Studied: From 1949 to 1955, F.E.P.C. was on the League Current Agenda, dropping to a CR after the 1955 legislative session. No additional study has since been done, other than to watch for amendments to the 1955 Act, and to bring the membership up-to-date on past positions.

League Position: The consensus on F.E.P.C. was limited to the question of employment on merit. The 1955 Act conformed closely to League position.

Legislative Action: With the passage of the Fair Employment Practices Act of 1955, Minnesota joined the vanguard of those states working toward equal opportunity in employment for all citizens. No one organization or individual deserves all the credit for passage; many groups and political leaders worked to accomplish it.

What Next? The League retains its interest in F.E.P., watching carefully to see that the intent of the Act is not destroyed by amendment.

What It's About and the Arguments. The F.E.P. Commission had handled a total of 147 complaints from its inception through 1959. Only one complaint of an illegal inquiry was brought to the attention of the Commission in 1959. This compares with 22 such complaints in 1958 and 35 in 1957. The Commission believes that its practice of continuing review of application forms has brought about this substantial compliance with the law. As a result of cooperation with the newspapers, there were no complaints of discriminatory employment advertising received in 1959.

League of Women Voters of Minnesota, 15th & Washington S.E.
Minneapolis 14, Minnesota
September 1960 091560D-24

Processing of specific complaints continues to be an important and sensitive part of the Commission's work. 24 new complaints were received in 1959, 14 were carried over from 1958, and one was still before the District Court.

Great resistance to employment on merit is found in promoting minority group workers to public contact, supervisory and executive positions. The Commission is of the opinion that only a small proportion of potential complaints of discrimination are actually made known to it.

During 1959 the Commission held employment conferences with major employers in five labor market areas. This was found to be a highly useful device for encouraging friendly discussion with employers on the principles of merit employment without the pressure of a specific complaint confronting them.

The 13 citizens' committees on Human Rights and Fair Employment Practices around the state helped with the conferences and also developed educational programs in their communities.

The Commission cooperates with municipal commissions in Minneapolis, St. Paul and Duluth, among them doing the most efficient job of covering all areas. Areas now needing help are suburban areas outside the jurisdiction of the municipal commissions. This is the Commission's aim for the next biennium.

Progress is being made. Expressions of bigotry no longer receive public approval. No unions or employers openly state a discriminatory policy; many have adopted specific policies of non-discrimination. Employment patterns have improved in sales, clerical, skilled labor, technical, and professional fields.

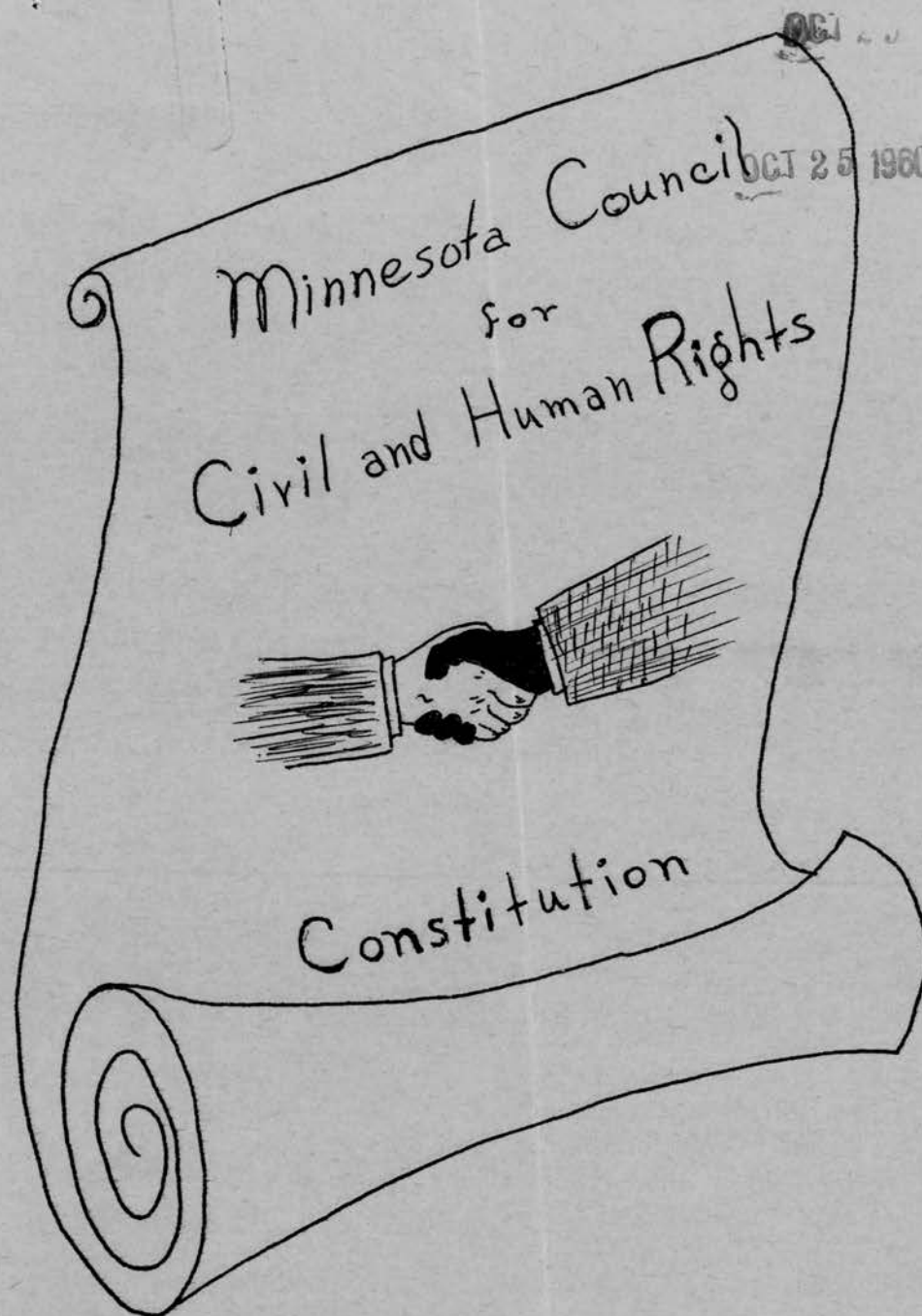
VIII. Meetings:

1. The Council shall hold an annual meeting during the month of November, the place and date of which shall be determined by the executive board.
2. Special meetings of the Council may be called by the president, the executive board or at the request of five members of the Council.
3. Notices for special meetings shall be mailed at least one month in advance of the meeting.
4. Notices for special meetings shall be mailed at least two weeks in advance of the meeting.
5. The executive board shall hold regular meetings bi-monthly and other meetings at the call of the president.
6. Twenty members shall constitute a quorum at meetings of the Council.

IX. Amendments:

The constitution may be amended at an annual or special meeting by a majority vote of the members present, provided the proposed amendment shall have been submitted in writing to the membership one month before the meeting.

- X. Robert's Rules of Order, Revised, shall be the parliamentary authority governing the meetings of the Council, executive board, and committees, unless otherwise provided in this constitution.



MINNESOTA COUNCIL FOR CIVIL AND HUMAN RIGHTS

CONSTITUTION

- I. Name: The name of this organization shall be the Minnesota Council for Civil and Human Rights.
- II. Purpose: The purpose of the Minnesota Council for Civil and Human Rights is to conduct educational and action programs including those pertaining to legislation in the field of civil and human rights; to coordinate and support, wherever and whenever possible, the efforts of organizations on behalf of the foregoing objectives; and to provide a clearinghouse for information, research and the exchange of ideas or organizations and individuals.
- III. Membership: Membership shall be open to individuals and organizations (i.e., business, industry, labor, agricultural, educational, civic, and religious organizations, etc.) who accept the purpose and objectives set forth in Article II.
 2. Admission to membership shall be by application or recommendation by a member, reported on by the membership committee and voted by either the executive board or membership at a regular or special meeting.
- IV. Dues and Representation:
 1. The Council membership shall consist of individuals and of two representatives from each affiliated organization.
 2. Each member of the Council shall have one vote.
 3. Individuals shall become members of the Council by the payment of \$2.00 annual dues and upon acceptance by the membership or the executive board.
 4. Delegates of organizations shall become members of the Council through action by their organization to affiliate with the Council, acceptance of the organization by the membership or the executive board of the Council and action of their organization appointing them as delegates.
 5. No dues are required from an organization as a condition of membership. However, every organization is urged to make a minimum contribution of \$10.00 per year to the Council's work and to subscribe greater amounts if the budget or the organization permits.

V. Executive Board and Officers:

1. There shall be an executive board consisting of the elected officers and not less than twelve and not more than twenty-four additional members.
2. The term of each board member shall be for three years, except that in 1958, one-third shall be elected for a one-year term, one-third for two years, and the remaining one-third for three years. No member shall serve more than two consecutive three-year terms.
3. The officers shall consist of:

President
Vice-President
Secretary
Treasurer
4. The term of each officer shall be for one year, and he shall continue to serve until his successor is duly elected and qualified.
5. The executive board may create as many positions of honorary vice-president as they may think desirable. These positions may be filled by appointment by the executive board.

VI. Elections:

1. The members of the executive board and the officers shall be elected by the membership, from its own number, at the annual meeting.
2. A nominating committee of five members shall be elected by the membership 60 days or more before the annual meeting. This committee shall report its recommendations to the membership 30 days before the annual meeting. Nominations from the floor will be accepted at the annual meeting.
3. The terms of the executive board members shall be arranged as provided in Article V, so that one-third shall expire each year.
4. In the case of a vacancy on the board, the executive board may fill the vacancy until the next annual meeting.

VII. Committees:

The executive board is empowered to appoint standing committees on membership and budget and such other committees as it may deem necessary.

MINNESOTA COUNCIL FOR CIVIL AND HUMAN RIGHTS

Rev. Denzil A. Carty, Chairman

OCT 25 1960

Dear Friend of Civil and Human Rights:

It has been some time since a request has been made for contributions to help in our efforts toward better standards of civil and human rights.

Civil Rights is an important issue in this election year as well as a strong issue in the coming Minnesota legislative sessions beginning in January of 1961.

Will you help us all you can?

If you are a council member, we would appreciate it greatly if you would send your \$2.00 dues as per by-laws which are enclosed.

Our request to organizations is a contribution of \$10.00 or more as per by-laws.

Thank you for your interest and financial support. We will be looking forward to hearing from you.

Please make checks payable to "Minnesota Council for Civil and Human Rights", and mail all dues and contributions to the council secretary:

Mrs. Inace M. Vaughn
655 Pierce St. N.E.
Minneapolis 13, Minn.

A council meeting is scheduled for Tuesday evening, October 25, at the Minneapolis YWCA, 1130 Nicollet Avenue. Please feel welcome to attend or appoint a delegate to represent your organization. The meeting will begin at 8:00 p.m.

Sincerely,

The Rev. Denzil A. Carty, Chairman
Mrs. Inace M. Vaughn, Secretary

MINNESOTA COUNCIL FOR CIVIL AND HUMAN RIGHTS

October 1, 1960

The nominating committee approved by the members of the Minnesota Council for Civil and Human Rights at the September meeting would like to present for your approval the following recommendations for officers and executive board members for the Council for the year 1961:

President ----- Dr. Roy Burt, Anoka, Minnesota
1st Vice President --- Timothy Howard, St. Paul
2nd Vice President --- Charles Olds, Minneapolis
3rd Vice President --- Carl Winn, St. Paul
Secretary ----- Mrs. Inace M. Vaughn, Minneapolis (nominated
for re-election)
Treasurer ----- Richard Scott, Minneapolis

Executive Board Members:

Nominated for 3 year terms:

Rev. Alton Motter, Minneapolis
Cecil Newman, Minneapolis
James Luger, Mound, Minn.
Mrs. Mary Kyle, Minneapolis
Mrs. Ruth Gould, Minneapolis
Mrs. Signe Burckhardt, Minneapolis
Raymond Rangel, St. Paul
Matthew Little, Minneapolis

Carried over for two year terms:

Prof. E. E. Erickson, St. Peter, Minn.
Rabbi Plaut, St. Paul
Mrs. Opal Gruner, Minneapolis
Margaret Thomson, Minneapolis (replacement for Timothy Howard)
Rev. Reuben Langhans, St. Paul
Stephen Fligelman, Hopkins, Minn.
Mrs. Rodney Paine, Duluth, Minn.
Mrs. Betty Kornhauser, Minneapolis

Carried over for one year terms:

Douglas Hall, Minneapolis
William Cratic, Minneapolis
Robert Hess, St. Paul
Dr. Joel Torstenson, Minneapolis
William Randall, St. Paul
B. F. Ihlenfeldt, St. Paul
Samuel Goldman, Minneapolis
Fr. Andrew Otani, Minneapolis

The next meeting of the Minnesota Council for Civil and Human Rights will be held on October 25, (Tuesday) at 8:00 p.m., at the Minneapolis YWCA, 1130 Nicollet Avenue. The floor will be opened for further nominations at that time. Please try to attend.

The Nominating Committee,
Mrs. Pat Pritchard Ashby Gaskins
J. P. Dorsey Signe Burckhardt
James Luger, Chairman

October 31, 1960

Dear Member of the League of Women Voters of Minnesota:

Last spring you received a letter from a group of LWV members concerned about discrimination against minorities in Minnesota. That letter set forth some reasons for our concern and a brief history of League study and action in civil rights.

Because so many of you requested more information about discrimination, particularly in housing, we have tried in a very brief time to talk with some people working for equal opportunity, to read some materials, and to pass on the information to you. WE EMPHASIZE THAT THIS IS NOT AN OFFICIAL LEAGUE PUBLICATION. Much research needs to be done and could be done by the League of Women Voters if it adopted a civil rights item at its convention next spring.

Housing discrimination is, we feel, most urgent, and we have emphasized this subject. It must be remembered, however, that there are other areas of racial, religious, and ethnic discrimination including: resorts and public accommodations, business property, and the broad problems of Indians and migratory workers.

We believe housing discrimination is an urgent, state-wide problem. We also believe that it is unfinished League business in the area of civil rights and that the LWV is uniquely qualified to make an objective study. For these reasons, we urge the League of Women Voters of Minnesota to adopt a civil rights item, with emphasis on housing, for 1961-1963.

Sincerely,

Edith Hatch (Mrs. Lloyd A.), St. Paul) Co-Chairmen
Elizabeth Zumwinkle (Mrs. Robert), St. Cloud	
Helen McMillan (Mrs. K. K.), Austin	
Opal Gruner (Mrs. John W.), Minneapolis	

IS HOUSING DISCRIMINATION A SERIOUS PROBLEM IN
MINNESOTA?

IS GOVERNMENT ACTION NEEDED?

SHOULD THE LWV OF MINNESOTA BE CONCERNED?

THIS IS NOT A PUBLICATION OF THE LEAGUE OF WOMEN VOTERS OF MINNESOTA

This report was prepared by some individual League members to interest other Leaguers in a study of housing discrimination.

(Additional copies are available for 25¢ from Mrs. F. L. Hughart,
2807 Hayes St. N. E., Minneapolis 18, Minnesota.

November, 1960

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INTRODUCTION

Recent League Activity

From 1949 to 1953 the League of Women Voters of Minnesota had on its agenda a broad civil rights item. It was variously worded and included working for greater understanding of civil rights and for legislation to correct discrimination. In 1953 promoting an "employment on merit" act, administered by a commission with enforcement and conciliatory powers, was made a continuing responsibility. With the enactment of the law in 1955 the LWV committed itself to supporting the Fair Employment Practices Commission.

In 1959 two bills were introduced in the Legislature to amend the Fair Employment Practices law to forbid discrimination in the sale or rental of publicly assisted housing and designating the FEPC as enforcement agency. The League was unable to take a stand on these bills because our study and consensus had been limited to fair employment.

Prospect for Future

Legislation to change the FEPC will, undoubtedly, be proposed in future legislative sessions. Unless the League again studies civil rights, we will be unable to take a stand on these proposed changes.

If a law should be passed changing the scope of the FEPC, the League would find itself in an awkward position. We would still support the principle of fair employment practices, but it would be difficult for us to support just the employment enforcement aspect of a commission empowered to prevent discrimination in several fields.

Minnesota Legislature and Discrimination

The 1957 Legislature declared that "...practices of discrimination against any of its inhabitants because of race, color, creed, religion, national origin or ancestry are a matter of state concern (underlining ours), that such discrimination menaces and undermines the institutions and foundations of a democratic state." (underlining ours) (Laws of 1957, Chapter 953)

Our Legislature has also recognized that denial of equal opportunity today is serious in the field of housing. The 1957 Legislature created a commission to study housing discrimination and declared: "...discrimination or segregation in the sale, lease, sublease, use occupancy, tenure, acquisition or enjoyment of property or housing accommodations because of race, color, creed, religion, national origin or ancestry tends unjustly to condemn large groups of inhabitants to depressed and substandard living conditions which are inimical to the general welfare and contrary to our democratic way of life." (underlining ours)

"...The opportunity to buy, acquire, lease, sublease, occupy and use and enjoy property and to obtain decent living and housing accommodations without discrimination because of race, color, creed, religion, national origin or ancestry is hereby recognized and declared to be a civil right." (Underlining ours.) (Laws of 1957, Chapter 953)

Urgency of Housing Discrimination

As meritorious as the Legislature's declaration may be, it has not provided equal opportunity in the housing market. The United States Commission on Civil Rights reported in April, 1960: "...widespread discrimination against Negroes, Indians, and other nonwhite persons with respect to availability of housing in Minnesota." (Minneapolis Tribune, April 9, 1960)

League members would like to study many subjects, but we must choose only one or two. Therefore, we must decide which subject most urgently needs League attention. We believe this subject is housing discrimination because:

- (1) Patterns of racial segregation in housing have become increasingly rigid. Experts believe this tightening of racial lines will increase and the problem in five or ten years will be more complicated and difficult to solve.
- (2) Minnesota is in a favorable position to handle this matter now. Our non-white population is small enough that pressures for equal housing opportunities have not led to the violence and unrest found in many northern cities. However, in St. Paul last summer an outbreak of racial violence was attributed to discrimination which prevented Negroes from securing adequate shelter.
- (3) Minnesota has provided by law for equal job opportunity. As minority groups attain better jobs they want better housing. We believe fair employment practices must be followed by fair housing practices.
- (4) The Fair Employment Practices Commission is increasingly concerned about the effect of housing discrimination on employment opportunities.
- (5) Thousands of people, a large proportion non-white, are being displaced by urban renewal, redevelopment and freeway projects. These people must find adequate homes. Because of discrimination it is frequently impossible for non-whites to do so.
- (6) The League of Women Voters is uniquely organized to make a thorough, objective, unemotional study and to present its conclusions to the community, undistorted by any special interest.
- (7) Discrimination against minorities places an increasing burden on U.S. foreign policy. President Eisenhower has said: "...every action that deprives individuals, because of their race or color, of rights and privileges enjoyed by others, in some measure burdens the nation in the world struggle....Few aspects of American life are more highly publicized throughout the world than racial discrimination." ("Where Shall We Live?", Report of Commission on Race and Housing, 1958, University of California Press)
- (8) Finally, and most important, denial of equal opportunity is always an urgent problem. Discrimination and segregation are fundamentally wrong in a democracy founded on the belief that all men are created equal.

Report Committee:

Mrs. Louis Johnson
 Mrs. Arthur McWatt
 Mrs. Rod Leonard
 Mrs. John Hutchens, Chairman

Mrs. Harlan Root
 Mrs. Harold Watson
 Mrs. Lee W. Wattenburg
 Miss Juanita Zehnder (Indian Report)

MINORITIES IN MINNESOTA

"Minority group" is a widely used term to designate a group of people who encounter discrimination because they differ in race, creed, color, national origin or religion from the dominant group in a given situation. Almost anyone in a community may become a minority group member in one situation or another. In Minnesota, five main groups have suffered widespread discrimination in recent years: Indians, Mexican-Americans, Japanese-Americans, Negroes, and Jews.

1960 census figures are not yet available, but, according to estimates, the Indian population of Minnesota is approximately 20,000. Most Indians live on the reservations; some are in cities and towns throughout the state. The Twin Cities area has between 5,000 and 8,000 Indians.*

The number of permanent Mexican-American residents in Minnesota is estimated at about 4,000. Of these, 3,100 are in St. Paul. Most of the rest are in Minneapolis, a few are in Albert Lea. The remainder are scattered. These are, of course, in addition to migrant workers who come here for short periods.*

Estimates of the Japanese-American population of Minnesota over the past ten years have ranged from under 6,000 to 1,000.

There are an estimated 17,000 Negroes in Minnesota, mostly concentrated in Minneapolis and St. Paul.

The estimated Jewish population of Minnesota is 40,000. Approximately 23,000 are in the Minneapolis area; 1,000 are out-state; the remainder are in the St. Paul area. The Jewish population is about 1 percent of the Minnesota total.

The 1950 Minnesota population was 2,982,483. The state's non-white population was 28,786, just under 1 percent of the total.

Each minority group has individual problems with regard to discrimination. However, "the particular manifestations of discrimination against Negroes are more evident and more often practiced. Discrimination against other minorities follows the same pattern generally as discrimination against Negroes." (Report of Interim Commission on Housing Discrimination and Segregation Practices, 1959) The problems of Negroes in securing a home in Minnesota are discussed below.

*Because housing discrimination is not the only problem of Indians and migratory workers, we have compiled some information on these two groups in a separate report. This report will be available for 15¢ from

Mrs. F. L. Hughart
2807 Hayes St. N.E.
Minneapolis, 18, Minn.

HOUSING DISCRIMINATION IN MINNEAPOLIS AND ST. PAUL

Minority Population

The estimated 1957 population of Minneapolis was 552,431, of which 10,000 were Negroes. Approximately 90 percent of the Negroes lived in six of the 121 Minneapolis census tracts. With few exceptions they were unable to buy or rent homes in other areas.

In St. Paul, the non-white population in 1950 was 6,219, approximately 2 percent of the total population of 311,349. St. Paul's estimated non-white population in 1958 was 7,450. Approximately 93 percent of the non-whites were located in eight out of 76 census tracts. Because of discrimination, these areas have been forced to absorb an increasing Negro population.

Problems of Negroes in the two cities are similar. With some exceptions, they have been limited to areas which exceed the city average in percentage of blighted conditions. "According to the St. Paul Housing and Redevelopment Authority approximately 55 percent of the city's non-white population lives in sub-standard housing as compared to only 16 percent of the white population." (Statement by E. C. Cooper, Exec. Sec., St. Paul Urban League, before Senate Judiciary Committee, Minnesota State Legislature, Re: S.F. 849, March 20, 1959.) Much of the Negro area in both cities is in the path of proposed freeways. Negroes who have the financial ability and desire for better housing and those faced with loss of homes because of urban renewal and freeway development consistently encounter discrimination in their attempts to purchase or rent outside the Negro ghettos.

Availability of HousingHouses for Sale

A 1957 report of the Minneapolis Urban League estimated that the Negro population, which was approximately 2 percent of the city's total, gained access to about .9 percent of new housing units constructed between 1946 and 1957.

In the Greater St. Paul Metropolitan Area some 23,000 new housing units were built from 1954 to 1960. Of this total, the Urban League estimates that fewer than fifty units have been made available to non-white families, either on a segregated or non-segregated basis.

Dwellings for Rent

In Minneapolis, the rental situation is extremely unfavorable for the Negro. A 1957 Urban League report stated that Negro families occupied none of the privately owned multiple dwelling units less than eleven years old. Very recently, two owners of new apartment buildings in the University area have accepted Negro renters.

In St. Paul, virtually all privately owned multiple dwelling units were closed to Negroes according to a 1959 Urban League report. More than 1,600 such units were constructed from 1946 through 1958. With one exception, a twelve-unit structure located within the Negro area, no non-white families occupied any of these units.

Some Results of Discrimination

Economic Loss

Discrimination causes economic loss both to the minority and to the majority. Because the Negro cannot purchase housing on the open market and because he is restricted, in the main, to old housing within a very limited geographical area, the Negro cannot get the most for his housing dollars. He is not in a favorable position to bargain, and he must often pay what is referred to as a "color tax."

Discrimination causes a loss of tax returns to the city because economically able Negroes are forced to live in sub-standard or low-tax areas. They could shoulder more of the costs of municipal services, but instead are an expense to the city because crowded conditions increase demands for police, fire and health services.

Segregated Education

Housing segregation inevitably leads to segregation in education, recreation, religion, etc. Experience has shown there is a breakdown of good race relations where minority groups are relegated to ghetto-type living. Therefore, a concern about segregated housing is a concern about the total community.

In Minneapolis and St. Paul, increasing concentration of non-whites in a few areas has caused a tendency for several elementary schools to become "Negro" schools. Although schools keep no records on the race of students, a PTA report in 1959 stated that during the preceding six years Negro pupils in one Minneapolis school had increased from 30 percent to more than 60 percent. (It is now estimated at 70 percent.)

An elementary school in St. Paul had not over a 50-50 concentration of Negroes and whites prior to 1950. In the past ten years the percentage of Negro children has changed until today it is 90 percent. Another school, which in 1950 was 30 percent Negro, 70 percent white, is experiencing a similar change in the concentration.

Relocation Problems

Housing redevelopment and urban renewal programs displace hundreds of Negro families. Relocation is often difficult because of discrimination. A Glenwood Redevelopment Plan and Project Report in April, 1954, said, "The rental market for Negro families in Minneapolis is sharply restricted, and it is unrealistic to regard white and Negro families at the same economic level as presenting the same relocation problem." The 1956 Annual Report of the Minneapolis Housing and Redevelopment Authority states: "...Negro families are paying more for the same quality houses than are white families due to the limited areas in which they can buy."

St. Paul is faced with a similar problem. Two areas under the Urban Renewal Program contain most of the city's Indian and Mexican population and more than 90 percent of the city's Negro population.

Because of discrimination non-whites are generally forced to relocate in an area which shows a population density and percentage of deterioration and blight above the city average. The result is that the problem is not solved but is merely transferred elsewhere. The gravity of this situation has caused some officials of the St. Paul Housing and Redevelopment Authority to declare that the city cannot hope to carry out effectively

its urban renewal programs until current practices of racial segregation and discrimination are eliminated from the housing market.

Some examples of Discrimination

In 1959 a former college dean and member of the U. S. Foreign service was selected from a nation-wide list of applicants to direct a church-sponsored program against housing discrimination in Greater Minneapolis. This Negro newcomer contacted 100 persons advertising rental property. More than 90 percent declared they would not rent to a Negro.

A white family was willing to sell their middle-class home to a Negro couple. After a two-week delay, the real estate agent informed the owners that it was against his company's policy to sell to Negroes in a block where Negroes did not already live. The owners felt this policy prevented them from making a sale and asked to be released from the 90-day exclusive contract. The company refused.

A prominent St. Paul settlement house director responded to a newspaper advertisement offering a house for sale. The owner did not want to sell to Negroes, but her son persuaded her to consent. However, the price rose \$2,000. The Negro bought the house despite the increase. When asked why, she replied that any property she wanted would have been subject to a price increase because of her race.

These are only a few examples of what most Negroes face when they seek to buy or rent homes outside the segregated areas. A Negro wishes to select his home for the same reasons anyone else does: availability of good schools, libraries, parks, accessibility to work, beautiful surroundings, etc. It is unreasonable to force a Negro to choose his home, not for any of these reasons, but merely because his neighbors have a similar complexion. What is often construed as a desire of Negroes to live together is more often their reaction to rigidly closed neighborhoods in other areas.

HOUSING DISCRIMINATION IN TWIN CITIES' SUBURBS

The heart of Minnesota's housing discrimination problem lies in that much discussed and dissected area--suburbia. There, great masses of white families have shut out the middle-class Americans with whom they share almost every characteristic except race. All minority group families have suffered this exclusion to some extent, but the gate is most rigidly closed against Negroes.

Minority Population

Statistics giving the number of Negroes in each suburb are not available. The Minneapolis Urban League estimated that the total Minneapolis population increased approximately 5.9 percent from 1950 to 1957, while the suburban population increased 114.8 percent. Except for a few isolated cases, Negro families have been denied participation in this suburban growth.

Availability of Housing

From 1953 to 1959 more than 23,000 new housing units were built in St. Paul and its suburbs. The Urban League estimated that fewer than 50 units were made available to non-white families.

The problem of suburban discrimination is especially critical for non-whites because the suburbs are generally the only areas offering new, moderately priced housing. Many of these homes are GI or FHA financed. Despite the avowed non-discriminatory FHA policy, enforcement is limited to states or cities with fair housing laws. Minnesota has no such law. Thus, whole suburban communities are built by a few individual builders, frequently with the support of FHA-insured or VA-guaranteed loans, systematically excluding Negroes and often other minorities.

Some Results of Discrimination

Discrimination in suburban housing leads to de-facto segregation in education, recreation, religion, etc. Citizens of both races are denied the opportunity of getting to know and understand each other. This is happening in a world whose population is approximately two-thirds non-white.

Discrimination in suburban housing may also cause discrimination in employment. The FEPC, noting its concern for equal job opportunities in industrial areas surrounding the Twin Cities and Duluth, states: "A suitable dwelling not too far distant from one's work is often a determining factor in applying for and accepting a job for which the individual may be best qualified.

"...we are led to the conclusion that resistance to the practice of employment on merit is currently most serious in the reluctance to upgrade qualified minority group workers to public contact, supervisory and executive positions. We also find that discrimination in this area involves a concern about social contacts with the members of different racial, religious, or nationality groups and thus is related to discrimination in housing, public accommodations, recreational opportunities and other areas of community life." (Report for 1959, Fair Employment Practices Commission, State of Minnesota.)

Some Examples of Discrimination

Instances of discrimination in housing may vary from outright refusal to sell to putting harassments and obstacles in the way of completing arrangements. The Negro couple looking at development housing may find that the salesman simply leaves the house they are inspecting and goes to another, not even acknowledging their presence. Or, a hostess showing a model home may follow the builder's instruction to turn away all Negroes. Or, as happened recently, a salesman who was friendly and helpful during a Negro couple's inspection of a house, would not accept earnest money when they decided to buy. He had been informed of the company's discrimination policy in the meantime.

In one suburb a man was willing to sell his house without discrimination based on race, creed, color, etc. A Negro couple wanted the house and offered a substantial down-payment. Neighbors on both sides were willing to welcome this couple. At the last moment, the owner refused to sell because a sister-in-law, two blocks away, who claimed she was not personally prejudiced, was afraid of what her neighbors would say.

Another Negro couple, finding their city house inadequate, got a warm reception from the mortgage institution until the suburban location they wanted was mentioned. After a long period of being put off on one or another detail, they sought another financing company. Eventually, their financing had to be handled by a conventional mortgage and their house built by a private builder. Financial disadvantages of being a Negro are numerous.

Learning that a Negro family was about to rent a home in their neighborhood, a group of suburbanites became excited and called a meeting of about sixty people in one of the homes. They invited a professional in the human relations field to meet with them and counsel with them on the situation. He came and brought his wife. After a discussion which lasted over an hour someone asked, "But can you give us positive assurance that this family will be of a desirable type?" "We are the Negro family!", answered the human relations official.

Discrimination in the suburbs is especially serious because the reaction in most suburban areas now is a resistance to a change in the "established pattern." The non-white population of Minneapolis and St. Paul is approximately 2 percent. The number of non-whites economically able to buy or rent outside present Negro areas is even less. If artificial barriers producing concentration of minorities were removed and this less than 2 percent of the population allowed to distribute itself evenly throughout the metropolitan area, the pattern of white majority in a neighborhood would not be changed.

HOUSING DISCRIMINATION IN MINNESOTA OUTSIDE THE TWIN CITIES AREA

In the past, discrimination against European immigrants was a serious factor in Minnesota's minority problems. Various nationality groups suffered discrimination because of difference in customs and culture. As they adopted American ways and obtained better jobs they were able to move freely throughout the population.

Discrimination in Minnesota today is largely directed toward racial minorities. Negroes, in particular, although they have the same customs and culture as white Americans, have had difficulty in obtaining jobs and housing. In 1950, more than one-third of Minnesota's total population was first or second generation Americans whose families have not been in this country as long as the Negroes.

Minority Population

Other than the Indian and migratory labor worker--whose difficulties involve culture, health, education, economic status, etc. as well as discrimination--there are but a few concentrations of racial minority groups throughout the state. Two cities have Negro concentrations: Rochester and Duluth. Rochester is reported to be somewhat segregated with instances of housing discrimination against nurses, doctors and other professional people. Duluth has a minority concentration partially because of the nearby airbase. Airbase personnel in general find it difficult to acquire housing, but the airbase Negro finds it more difficult than does the white person.

Availability of Housing

In the rest of Minnesota's communities where few, if any, Negroes or other racial minorities live, superficial observation might give the impression that there is no problem. The real test is: if a Negro family should attempt to move into one of these communities, would they be accepted? The Fair Employment Practices Commission notes that in some of these communities "...prejudice against members of different racial, religious and nationality groups is likely to be more serious and more extensive than in areas where persons of different backgrounds have had an opportunity to become acquainted with each other." (Report for 1959, Fair Employment Practices Commission, State of Minnesota.)

Some Results of Discrimination

Loss of professional people because of discrimination should concern the entire state. For a number of years Minneapolis and St. Paul public schools have found qualified teachers and specialists among different races, and this has been a help in solving teacher shortages. A few out-state communities have benefitted also, but some have turned down highly qualified applicants on the grounds that there would be no place in the community for a Negro to live.

The University of Minnesota Hospital trains and employs physicians, nurses, and technicians of many races. Citizens of the state help support this training. Small towns and cities, who often search months or years for medical personnel, can ill-afford to let these people leave

the state because they do not feel welcome.

It has been demonstrated that where they are given the opportunity, whites and non-whites can live together amicably in Minnesota. Among examples of successful integration is the experience of one Minnesota community where a white southern school teacher roomed by choice with a Negro teacher. In another Minnesota town a Japanese doctor and his wife were highly respected members of the community.

Involvement of Out-State Communities

Discrimination is a problem which the entire state must solve. The Legislature has recognized this by supporting two agencies dealing with discrimination: the Fair Employment Practices Commission and the Governor's Human Rights Commission. These two commissions have jointly established advisory Citizens Committees on Human Rights and Fair Employment Practices in the labor market areas surrounding Albert Lea, Austin, Detroit Lakes, Fairmont, Faribault, Fergus Falls, Granite Falls, Montevideo, Hibbing, Moorhead, Owatonna, Rochester, St. Cloud and Virginia. These committees arrange employment conference and speaking engagements for the Commissions. They represent the effort of the two commissions to coordinate their educational programs.

Some Examples of Discrimination

In a southern Minnesota town an editor in need of a printer found the best qualified man available to be a Negro. Because he feared that the man could not find housing in the community, the editor did not employ him.

A Negro librarian in another town was refused an apartment because of her race.

It has been said that discrimination in Minneapolis or St. Paul reflects upon the entire state. Two recent examples demonstrate this.

The University of Minnesota received a gift of land a few years ago and decided to sell it for development as a "model" community. Human relations organizations urged the University to require non-discriminatory practices by the developer. They pointed out that a "model" community should not exclude people of any race, religion, etc. When the houses were built and offered for sale, a Negro University staff member was refused a house because of his race.

A prominent businessmen's organization was planning an international convention in the Far East not long ago. The State Department was so concerned about the damage done to our foreign relations by the Little Rock situation that they asked if this organization would send some colored delegates. One of the Minneapolis officers, a young Negro businessman, was asked to attend. He had suffered repeated discrimination in his attempts to find a home for his family. He and his wife had visited nearly forty homes, and in each case the reaction was the same--X refused to sell to a Negro. Someone asked the man what he would answer when people from other countries inquired "How are you Negroes treated in Minnesota?" He replied that he would just have to be diplomatic.

LEGISLATION AS A MEANS TO ELIMINATE HOUSING DISCRIMINATION

History

The 1957 Legislature directed a commission to investigate and study discrimination in housing. This commission, after two years of research and study, prepared a draft of legislation in the field of publicly assisted housing (housing obtained through VA or FHA mortgage insurance, public ownership, and public resale for development.) The proposal exempted personal residences and apartment houses containing less than five units if the owner lived in the building. The Fair Employment Practices Commission was designated the enforcement agency with emphasis on its conciliatory methods.

The commission split five to five on recommending this bill to the 1959 Legislature. Those opposing the bill, while acknowledging the serious problems of discriminatory practices in the housing market, maintained that the primary method for dealing with the situation was through education.

The five legislators supporting the drafted bill maintained that law and education were not alternatives but complementary methods of promoting equality, and that an official agency was required to do a systematic, efficient, and adequate job of education.

The 1959 Legislature did not pass legislation against housing discrimination. In addition to the disagreement within the Interim Commission, a number of reasons have been advanced to account for this failure: the minority groups principally affected were not large enough to make a formidable political pressure group; there was failure to educate the community as to what legislation would and would not mean; this lack of education of the voting constituencies of the lawmakers made it difficult for them to support reform legislation; opposition to an open occupancy law had crystallized and was well-organized.

Future of Housing Legislation

Legislation to prohibit housing discrimination will, undoubtedly, be proposed in future legislatures. Proponents of such legislation believe it would be virtually impossible to solve the problem by local ordinances. They doubt that each local unit of government (approximately 69 local units of government in Hennepin and Ramsey Counties alone) would pass such ordinances and provide funds for effective enforcement and conciliation.

As in the case of fair employment legislation, opponents of a fair housing law say: "You can't legislate morality; you can't eliminate prejudice by passing laws." "Legislation prohibiting discrimination...in the sale or rental of housing accommodations is directed at men's conduct and not their attitudes....Laws are rules governing the actions of men. Control of men's thoughts is not only beyond their scope but also as unnecessary as it is undesirable...laws that are effectively enforced have an educational and persuasive effect."

Perhaps the fear most commonly expressed by those who oppose integration in housing is that property values will drop if a non-white family moves into the community. Many research studies are being made on this subject.

Dr. Luigi Laurenti, former teacher at the University of California and economist for the California Senate, has just published a book entitled PROPERTY VALUES AND RACE (University of California Press.) It is based on a test of 10,000 real estate transactions in seven American cities. Dr. Laurenti asserts that where non-whites buy houses in previously all-white neighborhoods, the odds are four to one that values will rise or remain constant.

As in the case of the Fair Employment Practices law, the question of constitutionality has been raised by opponents of open occupancy legislation. William B. Lockhart, dean of the Law School of the University of Minnesota, was asked by members of the Legislative Interim Commission on Housing Discrimination and Segregation Practices for an opinion on the constitutionality of the housing provisions of the bill proposed in 1959. His five-page reply is published with the Interim Commission Report.

Dean Lockhart says: "The only arguable basis for constitutional attack on the proposed bill would be a claim that it violates the due process clause of the United States and the Minnesota Constitution." But anyone who has followed the constitutional decisions in this area for the past twenty years cannot avoid the conclusion that the proposed statute would be upheld if attacked on this basis in the United States or the Minnesota Supreme Court."

Constitutionality of a proposed state law is not to be confused with constitutionality of open occupancy ordinances which were introduced in the Minneapolis and St. Paul city councils; nor are the opinions of the city attorneys, that these two ordinances would have been unconstitutional, to be confused with decisions of a supreme court, state or national. The advice of city attorneys to their clients, the councilmen, are not the law of the city.

CONCLUSION

Today in Minnesota Negroes, and to somewhat less extent members of other racial, ethnic and religious groups, cannot buy or rent homes freely. It would be a mistake to conclude that these problems cannot be solved. There has been some successful integration in Minnesota for years.

Measures needed to eliminate the problems caused by discrimination are open to study and discussion. Legislation alone cannot solve the problems; in reforms such as this it is necessary to do an effective education job. Whether some form of legislation would help is a matter for free public discussion.

Much has been said about punitive coercive versus conciliatory enforcement, about patience and voluntary programs versus the urgency for expediting education by legislation, about exemptions and the scope of proposed legislation. What is needed to assure open discussion of these issues is research, study and reporting of facts by a group with no special interests for or against legislation.

The League of Women Voters of Minnesota is uniquely qualified to do such a job because of its long study and work for fair employment practices, because of its grass root unit organization, because of its experience in analyzing and action on important governmental issues, and because of its reputation for objectivity and fairness.

Three national principles of the League of Women Voters indicate that housing discrimination is a legitimate League concern:

Principle No. 9: "Protection of minority groups against discrimination."

Principle No. 13: "Responsibility of government to share in the solution of social and economic problems which affect the general welfare."

Principle No. 16: "Domestic policies which facilitate the solution of international problems and promoting world peace."

REFERENCES

1. Report of Legislative Interim Commission on Housing Discrimination and Segregation Practices, State of Minnesota, 1959.
2. Report for 1959, Fair Employment Practices Commission, State of Minnesota.
3. "St. Paul's Urban Renewal Program As It Relates to Non-White Citizens", a talk presented by Ernest C. Cooper, Exec. Sec., St. Paul Urban League, to the Sixth Urban League sponsored Urban Renewal Institute held at Milwaukee, Wisconsin, May 19-20, 1958.
4. A statement by Ernest C. Cooper, Exec. Sec., St. Paul Urban League, before the Senate Judiciary Committee of the Minnesota State Legislature, Re: S.F. 849, March 20, 1959.
5. Summary of talk given by Ernest C. Cooper, Acting Executive Secretary, St. Paul Urban League.
6. Minneapolis Urban Renewal Brief, presented by Robert L. Williams, Exec. Dir., Minneapolis Urban League, to National Urban League Urban Renewal Institute, Milwaukee, Wisconsin, May 19-20, 1958.
7. Statement of Robert L. Williams, Mpls. Urban League, before the Civil Administration Committee, House of Representatives, Minnesota State Legislature, Re: H. F. 913 and H. F. 1023, March 24, 1959.
8. Statement by Joint Committee for Equal Opportunity of Greater Minneapolis for the Commission on Housing Discrimination and Segregation Practices of Minnesota State Legislature, October 3, 1957.
9. Conclusions and Recommendations, WHERE SHALL WE LIVE?, Report of the Commission on Race and Housing.
10. Address by George W. Snowden, Assistant to the Administrator for Intergroup Relations, Housing and Home Finance Agency, to the Third Annual Conference of the Committee of Governors on Civil Rights, St. Paul, Minnesota, March 4, 1960.
11. "Race Irrelevant to Values", reprint from Trends in Housing Magazine, January-February, 1960, p. 6.

SAINT PAUL, MN



Miss Harold L. Wilson

3932 Vincent Ave. So.,

Minneapolis

Minn.

M
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M
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TO: State Board

FROM: D. Anderson

SUBJECT Meeting with Edith Hatch on
work of civil rights group

DA
LEAGUE OF WOMEN VOTERS OF MINNESOTA

15th and WASHINGTON AVES. S.E.
MINNEAPOLIS 14, MINNESOTA

DATE November 22- 1960

Grace Wilson and I met-by appointment- in the state office-with Mrs. Lloyd Hatch to clear several matters of policy. These are the matters on which we agreed:

1. The Committee will call itself 'The Committee For the Promotion of a Civil Rights item on the agenda of the LWV for 1961.
2. In a projected mailing to groups outside the League, the pages in which the League is mentioned or involved will be dropped- and the Committee's name used.
3. We agreed that they might properly have the State Board and LL Pres.'s lists for their program mailing.
4. We agreed that when asked, it was proper for their members to speak to units in the League in an attempt to give information needed for their wise program choices and decisions.
5. I urged their consideration of the possibility that our present CR position in the FEP field might be included in a new CA item- also reminded that in our recommendations as a State Board, the numbers alohe would not be the deciding factor-

File ✓

Similar letter to Shavell (Hatch)

May 3, 1961

Senator Donald Sinclair
Minnesota Senate
St. Paul 1, Minnesota

Dear Senator Sinclair,

The League of Women Voters of Minnesota reaffirms its support of appropriations for the Fair Employment Practices Commission which will be adequate enough for it to carry on its work in the field of employment.

Sincerely,

Mrs. O. H. Anderson,
President

M
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TO: Dorothy Anderson, Mary Miller

FROM: Grace Wilson

SUBJECT: SUMMARY OF FEP ITEM

LEAGUE OF WOMEN VOTERS OF MINNESOTA

15th and WASHINGTON AVES. S.E.

MINNEAPOLIS 14, MINNESOTA

DATE 3/22/61

Attached is Summary I have compiled, from your notes Mary, from State Board Minutes, from files on FEP, from Voter Files.

I will photograph copies for rest of the Board. The carbon copies attached is the source material I summarized from....

Do you find it interesting? It surely is hard to cut.

File Copy

League of Women Voters of Minnesota, 15 & Washington Aves.S.E., Minneapolis 14, Minnesota
March, 1961

SUMMARY
of
FAIR EMPLOYMENT PRACTICES ITEM

May 1949	<u>Current Agenda:</u> The League will make a study of civil rights in Minnesota.
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The Convention exercised its program-making prerogatives and added to the program proposed by the Board the Civil Rights item. This was introduced from the floor but failed to receive the two-thirds vote required for non-recommended items. There was enough opinion that the failure to carry was because of lack of discussion to cause a Board member who had voted in opposition to make a motion to reconsider. The motion carried, discussion on the civil rights issue followed, and the civil rights item achieved its necessary two-thirds by two votes.

Chairman of the item: Mrs. R. M. Rice, of Minneapolis League.(resigned in October)

Material to local Leagues: Discussion Outline on Civil Rights, by LWV, 6 pages; Digest of state FEPC Laws, by LWV, 7 pages; Digest of 1949 proposed bill by Judge Waite; a reply to Otto F. Christenson's Comments on proposed FEP legislation (in answer to Mr. Christenson's printed speech to Duluth League, speaking as executive vice president of Minnesota Employers Association); WCCO program, "Neither Free Nor Equal"; Governor's Interracial Commission Reports on Negro, Oriental, Mexican etc.; "It's the Law," reviewing laws in relation to non-discrimination, public accommodations, working relations, etc printed by Governor's Interracial Commission.

State Board Actions: Asked local Leagues to suggest persons to serve on statewide citizens committee on civil rights. Communicated LWV's position on FEP to Mr. Christenson and Minneapolis Tribune - when Mr. Christenson had his speech printed and widely circulated, and the cover indicated the speech was given to a LWV group, and the speech was critical of FEP, clarification was needed, the Board felt.

May 1950	<u>Current Agenda:</u> The League will work for greater understanding of civil rights in Minnesota and for legislation to correct discrimination.
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Greater understanding of civil rights will be pursued through more study among the membership and information to the public. A survey of fair employment practices in other states is to be made. Convention discussion reiterated the League attitude that legislation to correct discrimination must meet standards for efficient administration and equitable application.

Chairman of the item: Mrs. George Leonard, Minneapolis (June, 1950)
Mrs. Phillip Lush, Mound (December, 1950)

Material to local Leagues: Governor's Interracial Commission's Report on Oriental, Indian, digest of FEP laws, proposed bill for Minnesota, latest Minneapolis FEPC report. In connection with a call to action, sent 4 pieces of literature to editors, with copies to local Leagues, including amusing column by Bradley Morrison, report of Mpls. FEPC, editorial from Tribune. Limited distribution of Abbott Washburn talk in Duluth, list of state-wide citizen supporters for proposed state FEP bill.

State Board Actions: Participated in conference called by Minnesota Fair Employment Council; purpose, to compromise or agree on controversial phases of proposed FEP bill. Reported at Legislative Workshop. Called attention to President's Proclamation of Human Rights Day. Call to Action on FEP. Arnold Rose spoke at convention on "Our Responsibilities as Citizens to Minorities."

Legislative Results: SF 69 introduced, to Rules, to Judiciary, to Senate floor, back to Judiciary Committee, back to Senate floor, to Judiciary Committee where it died. HF74 introduced, passed Labor and Civil Administration Committees, but in Appropriations Committee, appropriations greatly reduced. On House floor bill was amended many times in ways that weakened it, and passed in amended form 75-48. No FEPC bill this session.

May, 1951	<u>Current Agenda:</u> The League will work for a greater understanding of civil rights in Minnesota and for legislation to correct discrimination.
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Board did not propose a civil rights item in its first proposed program, feeling that the Legislature might pass a bill this session. When it failed to do so, the Board recommended the previous item be continued. And so the convention voted. Convention discussion pointed out that not only the Negro problem, but the problems of the Indians and the migrant workers could be considered under this item.

Chairman of the Item: No chairman till spring of 1952, so Grace Wilson gathered the material together, with advice of Board.
Mrs. John Gruner, of Minneapolis (March, 1952)

Material to local Leagues: Legislative Remedies for Problems of Indians in Minnesota, a 14 page mimeographed publication, prepared for League by Mr. Kent Fitzgerald of Bureau of Indian Affairs; Minnesota and Her Migratory Workers, 37 page mimeographed booklet by Minnesota Council of Churches; Indian Neighbors in Minnesota, published by Minnesota Council of Churches.

State Board Actions: Conference held with 14 persons representing various organizations in human rights fields. Decided to offer services of a trained person to help individual communities plan best community action for their town, in this field. Group of 14 offered their services for this purpose. Whatever action is undertaken should be in cooperation with as many other groups in town as can be interested. Announced 4th Annual Conference on Human Relations at U. of Minnesota; Mrs. Helen Parker Mudgett's KUOM programs on human rights; helped pay for film on civil rights.

May, 1952	<u>Current Agenda:</u> The enactment of fair employment practices law and other legislation to correct discrimination.
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The proposed program of State Board did not include civil rights item, in the first round; but in the second it was proposed, as it was finally adopted, at convention. Accomplished so far: background of study, increasingly effective cooperation with other groups, a large majority (72%) of voters expressing desire for FEP law according to Minnesota Poll, employer satisfaction in states and cities where FEP laws exist, invaluable legislative experience. Convention decided to emphasize education outside of city areas, increased cooperation with employers, Indian and Migrant workers, legislation with enforcement. The Minnesota Poll showed 84% backing EOM bill.

Chairman of the item: Mrs. John Gruner, Minneapolis.

Material to local Leagues: Why Minnesota League of Women Voters Wants a Fair Employment Practices Law, for Minnesota, a 6 page mimeographed packet prepared by League; How Valid Are the Arguments Against Fair Employment Legislation, a 17 page packet of mimeographed materials prepared by LWV; a sheet of suggested uses of FEP material; Suggestions with regard to conferences with businessmen; digest of proposed bill; article by John Davis on Negro Employment from Fortune magazine; 1952 report of Mpls. FEP Commission. Article in September, 1952 Minnesota Voter by Mrs. Gruner. Lobby by Letter Kit has insert on FEPC.

Supplementary Material to local Leagues: Map of FEP legislation nationally, reprint from Fortune, American Nurses' Association booklet, **BIO** booklet, Catholic booklets, booklets by Minnesota Council for a Permanent Fair Employment Practice Committee; Business Looks Ahead, What is a Jew?(reprint from Look), Cleveland Chamber of Commerce statement on FEPC, American Jewish Committee piece on Organizing a State FEPC campaign, National Council of Churches booklet with bibliography on segregation, U.S. Department of Labor publication on manpower, handsome booklet by Philadelphia FEP Commission, Business Week article on FEP. Digest of bill, statement of canning companies in FEP states.

State Board Actions: Area Conferences on state legislation held. Mrs. Gruner held successful series of interviews with businessmen. Lobby by Letter Kit launched. New pamphlet prepared, Free Enterprise, Fair Employment and Good Business, cost \$200 526 for 10,000, financing in hands of Mrs. Field and Mrs. Gruner. Minnesota Voters sent to legislators.

Legislative Results: The Employment on Merit Bill, as it is now called, was amended, removing court enforcement powers, but leaving the Commission, Board of Review and subpoena powers. There appeared to be considerable support for this bill, as amended, and there being a feeling that if we don't accept this bill, we will not get any bill, the Board reluctantly voted to support amended bill. The Bill fell short by 4 votes of the 2/3 majority required for a special order in the House; after 5 committee victories and a yes vote in the Senate. That is how close we came to passing the Employment on Merit Bill in 1953. The League lobbied actively in this session. No FEPC bill this session.

May, 1953	<u>State Platform:</u> Employment on Merit Act added to section of Platform on Social Problems Affecting General Welfare.
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The Board recommended a Civil Rights item be a Continuing Responsibility. At convention a motion to consider this item as a nonrecommended current agenda item was lost. The Convention voted the item as an addition to the Platform.

Chairman of the item: Mrs. John Gruner, Minneapolis

Material to local Leagues: League's Legislative Report, with fascinating detailed report on FEP; 10,000 pamphlets on Employment on Merit for LWV and community use. Lobby by Letter Kit insert on FEP; Sheet on FEP, as one of CR's; testimony before Senate Judiciary Committee;

State Board Actions: Attempted to collect data on existing discrimination, promote voluntary fair employment programs; sent Legislative Report to 20 groups; co-sponsored with Governor's Interracial Committee a booth at fair; suggested limited local surveys to determine feeling in communities on FEPC; 2 new pamphlets on FEP sent out;

A Committee of LWV members and other sponsors of FEP legislation met and made following recommendations re proposed 1955 bill: 1) change name back to FEP, 2) insist on enforcement provisions, 3) disapprove "gross misdemeanor" enforcement, prefer contempt of court procedure, as in 1953 bill, 4) willing that review board be 3 chosen from permanent panel of nine. Board agreed. League feels special responsibility for passage of FEP bill, since gross misdemeanor clause had been deleted to gain LWV support. Training meeting held for lobbyists. Names of outstate businessmen supporters sought.. Minnesota Council for Fair Employment Practices organized, League cooperated with this group in legislative campaign. A resolution "acknowledging with gratitude the splendid work and cooperation" of the League in former campaigns and soliciting continued support sent to League President, Mrs. Basil Young. (This organization represented 80 organiz.) 4 Calls to Action, Statements to Legislature, Committee testimony. and individuals.)

Legislative Results: Strong, enforceable bill was passed. SF722, authored by Mullin, E.L.Anderson, Vukelich, passed the Judiciary and Finance Committee, and passed in final vote by 49-10. HF778, authored by Cina, A.I.Johnson, Prifrel, Langley, Anderson,H.R.,

passed the Labor, Civil Administration and Appropriations Committees, and the House by 96 to 30 votes. Several crippling amendments were defeated before passage. The League joined other organizations in the Minnesota Council for FEPC in insisting that a bill without enforcement would be unacceptable. Legislative and administrative leaders took the position that it would not be possible to pass a FEPC bill without the support of the LWV. Governor Freeman signed the bill in the presence of several of the authors and representatives of organizations which had worked for the bill. He used 15 pens, one for each letter, and gave 1 to the League.

Summary of 1955 FEPC Bill, which passed: The public policy of the state is to foster employment of all individuals....regardless of their race, color, creed, religion, or national origin,...It is also public policy to protect employers, labor organizations, and employment agencies from wholly unfounded charges of discrimination. This act does not cover employers of fewer than eight persons, employment within an immediate family, persons employed in domestic service, or religious or fraternal organizations with respect to bona fide qualifications based on religion. The law is administered by a Commission of nine members. The Board of Review hears complaints not solved by the Commission by conference, education or persuasion, and issues an order based on its findings. If the order is not complied with, the Commission may file an action in District Court. Violation of such a court order would constitute contempt, punishable by \$250 fine or six months imprisonment.

Summary of Fair Employment Practices section of 1955 Legislative Report: This 9 pages of mimeographed report is a fascinating history of how this bill became a Minnesota law. In summary, the affect of past campaigns has been cumulative (on LWV agenda since 1949); close cooperation of LWV and Minnesota Council for FEPC was a factor; Minnesota Council raised \$1,800 which it used for copies of bill, printed summaries of bill for general distribution; LWV sent statement to all legislators, packet of material to authors, 4 calls to action to all Leagues, many individual calls to action. An additional factor was decision of Minnesota Employers Association not to oppose bill officially. Governor's support was valuable, and party discipline, especially among liberals, was helpful. The authors, some of whom have supported FEPC since first introduced, were skillful, effective, dedicated.

May, 1955	State Continuing Responsibility: Fair Employment Practices placed on list of Continuing Responsibilities.
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Chairman of the item: under Legislative Chairman, Mrs. Russell Duncan, Mrs. Grunder served as non-Board chairman

Material to local Leagues: inserts in Lobby by Letter

State Board Actions: Asked Leagues to recommend persons in respective communities for appointment to Board of Review. FEPC Commission chairman is Mrs. Eugenie Anderson, * former Ambassador to Denmark, and a League member from Red Wing. One of members of Commission is Mrs. A. T. Laird, a Duluth League member. One of members of Review Board is Miss Barbara Stuhler, member of Minneapolis League.

FEPC Commission's Work: As of February, 1956, three cases were brought before Commission, all from Minneapolis suburbs. Major effort of executive director is education, through statements of policy, individual conferences with officials, businessmen and unions, literature, cooperation with other commissions, and helping to form local advisory committees. As of May, 1957, FEPC Commission organized 12 advisory committees throughout the state. Twenty nine complaints have been received, all of which were settled with exception of one which went to Review Board. (This was the complaint against McCarthy's restaurant - The Board found discrimination, McCarthy's appealed, the District Court found discrimination not proved, the Commission appealed to Supreme Court (on fall, 1961 calen.) * (Mrs. Anderson resigned, fall 1960, was replaced by Mr. Wm. Cratic, former vice-chairman)

The 1957 Legislature appropriated \$31,000 for 1957 and \$32,000 for 1958 budget for FEP, which previously operated on \$30,000 budget. The increase is to take care of increased staff and office equipment, and to provide for more advisory committees. An interim committee was set up by legislature to study discrimination in housing, the FEPC and its relationship to the Governor's Human Rights Commission (\$10,000 appropriated).

May, 1957	State Continuing Responsibility: Fair Employment Practices Commission.
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Chairman of the item: Mrs. Homer Mantis

Material to local Leagues: inserts in Lobby by Letter Kit

State Board Actions: Board appointed Mrs. Will Jones to represent LWV on Minnesota Council on Human and Civil Rights. The League (and the Legislature) took no action on the many proposals to amend the FEP law, since the proposed amendments were not in the field of employment. LWV voted to take no stand on adding "age" factor to FEP bill.

May, 1959	State Continuing Responsibility: Fair Employment Practices Commission. Proposed program did not include as CR, convention voted <u>not</u> to delete it.
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Chairman of the item: Mrs. W. R. Miller, State Item Chairman, appointed Mrs.
Mrs. Harold J. Watson, of St. Paul, to follow the item.

Material to local Leagues: Lobby by Letter Kit insert on FEPC. One column article in Minnesota Voter, September 1960, as a part of "Lively Issues" article, (Mrs. Watson wrote).

State Board Actions: Appointed Mrs. Watson to follow FEP developments in legislature. Gave permission to special ad hoc committee of LWV members to circularize local Leagues in attempt to interest them in having a fair housing item on next current agenda.

Individual LWV members actions: Ad hoc committee circularized local Leagues, with result that many suggestions came in first round suggesting "The LWV will work to insure human and civil rights for all the people of Minnesota with particular reference to housing and employment." Board proposed, as one of two items, alternate item: "The LWV of Minnesota will continue its support of the principles of the Fair Employment Practices Act and will study other problems of discrimination."

May, 1961

State Current Agenda Item II:

The LWV of Minnesota will continue its support of the principles of employment ~~and housing~~ on merit and will study other problems of discrimination.

Quote from Minn.Voter, May-June, 1961, by Mrs. David Kanatz, Chairman:
"This item will include a concentration of concern on the issues of employment and housing, and an emphasis on the special problems of the Minnesota Indian which are governmental in nature and subject to governmental solutions."

Chairman of the Item: Mrs. David Kanatz, Brooklyn Center, until Feb., 1962
Mrs. Harold Watson, St. Paul, starting Feb., 1962

Material to local Leagues: Problems of Discrimination, 50¢; Minn.Voter article in March-April, 1962 issue; Anti-Discrimination Laws of Minnesota, from Atty.Gen'l.Off.; Sample Speech on housing, 6¢; invitation to Indian Seminar; Women in Labor Force, 15¢; Minn.Voter article, Nov.-Dec. 1962 issue; Minnesota Indian (printed!), 50¢; article in ~~Lively Issues~~ Minn.Voter of May-June, '62;

J.R.

State Board Actions: Committee includes: Mfs. Aschenbrenner, Bauman, Berdie, /Brown, Brown, K.G., Ebbott, Eiger, Foster, Hammel, Chas. Johnson, McWatt, Murray, Muff, Nordling, Parish, H.J. Watson, Wattenberg, Zumwinkle. Nine women in state on local committees to be consultants. LWV members invited to all day conference, chaired by Gov., speaker Luther Youngdahl.

Consensus: tabulated from 50 local Leagues: "The LWV of M. opposes discriminatory practices which deny rights to any citizen on the basis of race, color, creed, national origin or age. Anti-Discrimination legislation, enforced by commission administration, is a necessary means of eliminating such discrimination.

We support the present legislation regarding employment, real property and public accommodations as partially achieving this end." MOTION PASSED.

This means support of:

1. "Administration by the State Commission Against Discrimination of the public accommodations law.
2. An age amendment to the employment law.
3. Increased funds and personnel to SCAD.
4. Support of the 1961 amendment regarding real property and the establishment of SCAD.
5. Following the operation of all these laws with an eye to strengthening or improvement. We want built in flexibility to support changes which more closely approximate the ideal."

Mrs. Watson and 4 of her committee attended meeting in Bemidji re Indians, and toured reservations, and interviewed leaders. Attended meeting of representatives of 21 organizations seeking to coordinate Indian work. Encouraged LWVers to participate in Speakers Bureau, in coop. w. Minn. Council for Civil and Human Rights. Represented LWV in Real Estate seminar on housing. Set up weekly, fall Seminar on Indians.

R

PROBLEMS OF DISCRIMINATION

LEAGUE OF WOMEN VOTERS OF
MINNESOTA

15th and Washington Avenues S. E., Minneapolis 14, Minnesota
December 1961

122061M-50¢

"The League of Women Voters of Minnesota will continue its support of the principle of employment on merit and will study other problems of discrimination."

(Current Agenda Item II, State Program)

70

Something old . . . something new. Embraced in the above item is a built-in position as well as an opportunity to pursue new avenues of inquiry.

How Did We Get There?

In 1949 the League began a broad study of civil rights in Minnesota; later it focused on fair employment practices and worked actively with other groups for a strong, enforceable law against discrimination. When such an act was passed in 1955, the League put "Support of the Fair Employment Practices Commission" on its program as a Continuing Responsibility and stood ready to see that the intent of the law was not destroyed by amendment or by failure to provide funds for the Commission.

By 1961 League members were sufficiently concerned about other problems of discrimination to adopt Current Agenda Item II. Fair housing, employment, and special problems of Minnesota Indians were selected for emphasis by the convention. Retention of the League's old position on fair employment practices was considered a "must." Spelled out, this position means:

- . that we believe the right to employment should be based upon the capacity of the individual, without discrimination because of race, creed, color, religion, or national origin;
- . that we believe legislation is an appropriate means of safeguarding this civil right;
- . that we support Commission enforcement by the procedures outlined in the 1955 Fair Employment Practices Act.

Preparation

In this study we shall direct our attention particularly to problems of discrimination related to employment and housing. We will:

- . review Minnesota's experience under the 1955 FEP law; *update*
- . examine "age" and "marital status" as bases of discrimination;
- . show evidence of discrimination in housing, outline provisions of the 1961 amendment to the FEP law (effective December 31, 1962), and cite some conflicting points of view;
- . discuss Minnesota's "public accommodations" law; *change*
- . list other Minnesota laws against discrimination;
- . speculate on legislation which may be proposed in the future; *update*
- . examine briefly the role of the federal government in civil rights, and the manner in which other states have approached legislation in this field. *update*

*add
61-65*

A later study will be devoted to special problems of the Indian in Minnesota.

Possible Action

We hope this study will provide a basis for membership decisions to guide the state Board if there is an opportunity for the League to take effective action in the 1963 legislative session. Should amendments to the housing provisions of the State Act Against Discrimination be proposed, the Board will need to know, for example, how members feel about the present provisions regarding coverage, regarding the definition of what constitutes discriminatory practice, and regarding enforcement procedures. To be prepared for possible action in the area of employment the Board will need to know how members feel about discrimination on the basis of age and marital status. Should new legislation be introduced concerning discrimination in public accommodations, the League might wish to be prepared to act.

PROBLEMS OF DISCRIMINATION

INTRODUCTION

In the last two decades the tide of social change has been moving inexorably in the direction of greater acceptance of minority group peoples and increased protection of the rights of individuals through legislation. Consequently, what Gunnar Myrdall so aptly called "the American dilemma" has been brought into sharper focus.

"Probably the most important aspect of racial attitudes in the United States is the conflict between attitudes on the levels of principle and of practice, respectively. The social ideals of the American nation, as embodied in its great political documents and its religious heritage, emphasize individual liberty, equal rights, and the fundamental equality of all men In flagrant contradiction of these principles are race prejudice and discrimination which deny equal opportunity to members of certain racial and ethnic groups. American principles have never required equality of men in achievement. That people should be either handicapped or favored, however, by the condition of their birth has always been repugnant to the American ethic.

"The truth is that a genuine conflict exists between two sets of irreconcilable ideas. It is not too much to say that the race problem exists because of this conflict. If the American nation could bring itself to settle decisively the status of nonwhite peoples by one standard or the other, there would be less controversy. But this has never been possible. The conflict, as other observers have pointed out, is not essentially between groups of people holding opposing views, but like the struggle between good and evil, it goes on in the hearts and minds of individuals."*

MINORITY GROUPS IN MINNESOTA

Minority groups constitute only 1.35% of the total population in Minnesota. This fact perhaps affects the making of public policy in two ways. On the one hand, it may reduce emotionalism in the discussion of discrimination; on the other, it may make it easier to postpone solutions to the problem. The pattern of migration in this country suggests a future increase in the minority population, although Minnesota has felt this impact very little up to the present time. In a very real sense, this gives the state time to make wise decisions before more serious problems arise. OK.

The population statistics by race for 1950 and 1960, as shown in the Advance Report for Minnesota for the 1960 Census of Population (taken from the Minnesota Advisory Committee 1961 Report) gives us this picture:

* Where Shall We Live? p. 15. See Bibliography.

	<u>1950</u>	<u>1960</u>	<u>Percent Increase</u> **
TOTAL	2,982,483	3,413,864	14.5
WHITE *	2,953,697	3,371,603	14.1
NONWHITE	28,786	42,261	46.8
Negro	14,022	22,263	58.8
Indian	12,533	15,496	23.6
Japanese	1,049	1,726	64.5
Chinese	720	1,270	76.4
Filipino	• • •	646	• • •
Other	462	860	• • •

To the above figures must be added approximately 4,000 permanent residents of Minnesota who are of Mexican origin, making a total minority population in the foregoing groups of 46,261 (1.35% of the total population). It should also be noted that the annual influx of migrant workers and their families adds from 9,000 to 11,000 additional persons of Mexican ancestry to the state's population between the months of April and November.

Each of these minority groups experiences some unique problems. Since discrimination against Negroes is more evident and more often practiced, we tend to think of this as the primary problem. However, the same general pattern applies to other minorities. Social science research provides clear evidence of this fact. It is the general pattern of discrimination to which we shall be referring in this study.

MINNESOTA'S FAIR EMPLOYMENT PRACTICES LAW

In 1955 Minnesota enacted its Fair Employment Practices Law. This law declares it is illegal to discriminate on the basis of race, color, creed, religion or national origin in several specific employment categories, including hiring, general conditions or terms of employment, and upgrading on the job. It applies to employers, employment agencies, labor unions, and advertisements regarding employment. Three specific exceptions are made: 1) employment of an individual by certain relatives or in the domestic service of any person; 2) an employer of fewer than eight persons; and 3) certain situations where religion may be a bona fide qualification for employment. The Act declares the right to the opportunity to obtain employment without such stated discrimination to be a civil right, which means it is enforceable by the instruments of civil law.

Commission Administration

Enforcement of the FEP law is vested in the FEP Commission composed of a representative from each congressional district of the state, appointed by the governor with the advice and consent of the senate.

* The estimated Jewish population of Minnesota is approximately 40,000.

** While the percent increase appears high in several nonwhite groups, it should be noted that the actual numbers involved are small.

This approach to enforcement is still fairly new and has proved effective. Procedures are spelled out specifically in the legislation.

1. The person who feels his civil right has been violated files a complaint with the Commission. (The Commission may itself issue a complaint when it believes it has knowledge of unfair employment practices.) Such a complaint must be filed within six months of the occurrence.
2. The Commission gathers facts concerning the complaint. If it determines that unfair practice exists, it tries to eliminate the practice through education, conference, conciliation and persuasion. If it determines no reason for the complaint, it is dismissed. The investigation is kept confidential.
3. If the Commission cannot eliminate the unfair practice, the governor is requested to appoint a board of review to conduct a public hearing. Evidence from the Commission is heard and the board of review may either dismiss the complaint or issue an order to cease and desist from the unfair practice. *Change*
4. A proceeding may be instituted in district court for judicial review and enforcement of the order of the board. The court may order compliance, modify the board's order, or dismiss the proceedings.
5. If a person then violates the court's order, the court may adjudge him in contempt of court and impose an appropriate penalty--a fine (\$250 maximum) or imprisonment (not longer than six months) or both.

The reliance upon education and conciliation rather than arbitrary penalties is one of the reasons for the effectiveness of this approach to enforcement.

WHAT HAS THE FEP LAW ACCOMPLISHED?

The major emphasis of the FEP Commission is on positive programs to persuade people who make employment policy to act in compliance with the law. It relies heavily on education; it initiates individual interviews; it utilizes the opportunities for conciliation and persuasion in the complaint process. Such contacts have resulted in many changes in employment policies and assignment patterns.

The FEP Commission's education program reaches out through the state in a variety of ways. In each of 13 communities--Albert Lea, Austin, Detroit Lakes, Fairmont, Faribault, Fergus Falls, Granite Falls-Montevideo, Hibbing, Moorhead, Owatonna, Rochester, St. Cloud, and Virginia--an advisory Citizens Committee on Human Rights and Fair Employment Practices has been established to work with both the FEP Commission and the Governor's Human Rights Commission. Establishment of more citizens committees to involve more volunteers in the educational program is of vital concern to the Commission. In addition to arranging individual conferences, the FEP Commission has held area conferences with employment policy-makers. (Subcommittees of the citizens committees have aided in organizing these conferences.) It schedules speakers and conducts discussions with community groups--business, labor, church, civic--to arouse interest in and provide information about fair employment practices.

The FEP Commission's limited budget, permitting only two staff members, has hampered its work and made impossible the achievement of all its goals. It has yet to make an initial contact with many employers, unions, and placement officials in the state. Progress depends upon repeated contacts. City commissions in Minneapolis, St. Paul, and Duluth do have major responsibility for both the processing of complaints and the educational program within their areas of jurisdiction, but industries in the suburbs are growing in numbers and importance, and they fall within the domain of the state Commission.

The Complaint Process

In the complaint process the attention of those who make policy is focused on questions of fair employment practices in very specific terms. Herein lies one great strength of the process. In addition, the investigation often results in a self-analysis which reveals to the policy-maker subtle patterns of thinking of which he may not have been aware. Thus a single incident may have a long-range effect within a given firm.

The experience in Minnesota, as in other states, reveals that the FEP Commission receives complaints from only a small proportion of those individuals who encounter discrimination in employment. In a great many cases, those who do file complaints have ready access to the Commission office or to a member of the staff. More knowledge and understanding of the law are needed by those who are most likely to encounter discrimination.

The pattern of discrimination in Minnesota is not indicated by the pattern of complaints. The basic reason for this is that people tend to seek employment where they believe they will be accepted. Firms or industries known to have no minority group employees may seldom if ever receive an application from a minority group person. These applicants tend to apply for work where minority group members are already employed; then if discrimination is encountered, a complaint may be filed. Consequently the Commission is least likely to receive complaints against the very firms which may be most discriminatory in their employment practices. This means that statistics on complaints cannot be used to measure either the effectiveness of the Commission's work or the nature and extent of discriminatory practices in the state. They do, however, give us some indication of the kinds of problems. Figures are available through 1959.

COMPLAINTS HANDLED

	<u>1955-56</u>	<u>1957</u>	<u>1958</u>	<u>1959</u>	<u>Totals</u>
Illegal Inquiries	0	35	22	1	58
Discriminatory Advertising	0	2	1	0	3
Discriminatory Employment Practices	19	19	24	24	86

Illegal inquiries relate to questions asked on application blanks or during the course of an employment interview. An intensive job of education was carried on during the first 14 months of the Commission's existence to eliminate illegal inquiries from application forms and employment interviews, and no formal records were made of such complaints until 1957. Substantial compliance with this provision of the law is felt to have been accomplished.

Newspapers throughout the state have cooperated with the Commission in advising their advertisers that help wanted advertising stating a preference or limitation based on race, religion, or national origin is a violation of the law, and in generally refusing to accept advertising which includes discriminatory specifications.

The processing of specific complaints of discrimination in employment continues to be an important and sensitive area of the Commission's work.

BASIS FOR COMPLAINTS

	<u>1955-56</u>	<u>1957</u>	<u>1958</u>	<u>1959</u>	<u>Totals</u>
Race	15	16	19	21	71
Religion	1	4	5	2	12
National Origin	3	1	1	1	6
Other	0	35	22	1	58

Out of the 21 complaints based on race in 1959, two alleged discrimination because of American Indian background, and the remainder because of Negro ancestry. One of the cases of religious discrimination was based upon Catholic faith and the other on membership in the Seventh Day Adventist church. The single case of discrimination involving national origin was filed by a complainant of Mexican ancestry.

RESPONDENTS

	<u>1955-56</u>	<u>1957</u>	<u>1958</u>	<u>1959</u>	<u>Totals</u>
Employers	16	14	15	13	58
Labor Organizations	1	2	0	1	4
Employment Agencies	1	28	4	1	34
Government Institutions	1	12	17	10	40
Others	0	0	11	0	11

The 13 employers charged with discrimination in 1959 covers a broad range including private clubs, department stores, nursing homes, hospitals, petroleum wholesalers, truck lines, manufacturers; these include both large and small business concerns. The governmental institutions include units of municipal, county, state and federal governments.

TYPE OF DISCRIMINATION ALLEGED

	<u>1955-56</u>	<u>1957</u>	<u>1958</u>	<u>1959</u>	<u>Totals</u>
Refusal to hire	8	8	9	8	33
Refusal to upgrade	3	1	0	2	6
Conditions of employment	3	7	1	4	15
Discharge	3	1	8	9	21
Refusal to accept into mbsp.	1	1	0	0	2
Refusal to refer	1	0	6	1	8
Discrim. employment reference	0	1	0	0	1
Unlawful pre-employment inquiries	0	35	22	1	58
Discriminatory advertising	0	2	1	0	3

The Commission emphasizes that this pattern of complaints is not statistically significant, since it represents such a small sample of the total instances of discrimination in employment occurring in the state.

update

DISPOSITION OF COMPLAINTS

	1959	11/1/55- 12/31/59
Dismissed with no finding of discrimination	21	52
Satisfactorily adjusted	4	17
Lack of jurisdiction	1	3
Withdrawn by complainant	0	1
Under investigation or conciliation	12	—*
Before District Court	1	1
	39	74
Informal complaints adjusted	1	61
Total	40	135

*There were 12 complaints in the investigation or conciliation stage at the end of 1959 which make a cumulative total of 147 complaints received between November 1, 1955 and December 31, 1959.

The FEP Commission's Evaluation

The Commission believes it has substantial indications of progress toward state-wide acceptance of the principle of employment on merit. There are few labor unions in Minnesota with discriminatory clauses in their formal membership requirements. Employers the Commission encountered stated their official policy was to hire the best qualified workers without discriminatory restrictions. Nonetheless, serious and widespread problems still exist throughout the state. Formal statements and actual practices continue to be at odds. The Commission has concluded serious resistance to the practice of employment on merit lies in a reluctance to upgrade qualified minority group workers to public contact, supervisory, and executive positions. This is a far more subtle problem than initial hiring, and it is a necessary part of truly fair practices.

1961 Report of the Minnesota Advisory Committee to the United States Commission on Civil Rights

This body reported on a survey it had conducted covering the employment patterns of Negro, Oriental, American Indian, and Mexican workers in private business. Three summary statements are of particular significance.

1. "In spite of the fact that nonwhite workers constitute a very small proportion of the total workers in the Minnesota labor market, it would seem evident that the number of reporting firms employing such workers is substantially smaller than it would be if policies of exclusion because of race, religion, or national origin were not still widespread."
2. The reports "reflect a concentration of nonwhite workers in the Twin Cities metropolitan area. However, comments made in the questionnaire and the answers given to the question on fair employment practices seem to indicate that stereotyped attitudes toward the members of nonwhite racial groups and policies of exclusion are widespread in the outstate communities."
3. The figures on the increase, decrease, or no change in minority employment over the past three years "certainly do not reveal any trend toward an improvement in the utilization of minority workers in the State."

HOUSING

The Problem

The continued existence of widespread discrimination against Negroes, Indians and Mexicans with respect to the availability of housing in Minnesota is an observable fact. This is true of the Metropolitan Twin Cities area, of the suburban areas, and of communities in outstate Minnesota as well.

Since very few Negroes live in the suburbs or in the outstate communities, it is often assumed that no problem exists in these areas. However, the fact that few Negroes do live there may well be precisely the indication of the problem.

The FEP Commission had this to say about the relationship between housing and employment: "In suburban areas, as in other communities in the state, the Commission notes the interrelationship between discrimination in housing and discrimination in employment. A suitable dwelling not too far distant from one's work is often a determining factor in applying for and accepting a job for which the individual may be best qualified."

The real test might be to question what would happen if a Negro family should attempt to move into one of these communities. A fact which bears on the question is that many well-qualified applicants seeking a variety of positions outstate have not been employed because it was thought a Negro could not find housing in the community. In one Minnesota town an editor in need of a printer found the best qualified man available to be a Negro, but did not employ him because he feared the man's housing needs could not be met. A Negro librarian in another community had to leave the city because she could not find a suitable place to live. A physical therapist at the Mayo Clinic was forced, because of her color, to rent a trailer on the outskirts of Rochester and left the city each weekend rather than subject herself to the unfriendliness of her neighbors. Negro Air Force personnel at the airbase near Duluth have had a critical time finding housing for their families.

Minority group couples looking for housing in suburban developments have found that often the salesman simply disappears as they inspect a model home. In one case the salesman was helpful and friendly when a Negro couple looked at a house, but when they returned to buy he would not accept earnest money, having been informed in the meantime of his company's discrimination policy. The relatively few Negroes who do live in the suburbs frequently suffer financial disadvantage because of their color. One couple who found their city house no longer adequate received a friendly reception at the mortgage institution with which they were then doing business until they mentioned the suburban location they had in mind. Delay after delay finally forced them to seek out another financing company; their house was ultimately built by a private builder and handled by a conventional mortgage. The great advantages of lower-cost housing in a suburban development were lost to them because of their color.

In the Twin Cities, the extent of segregation is indicated by the fact that approximately 90 percent of the Negroes live in 6 of the 121 Minneapolis census tracts. In St. Paul, approximately 93 percent of the nonwhites are located in 8 out of 76 census tracts. Most of these segregated areas exceed the city average in percentage of blighted

conditions. Many of them lie in the path of proposed freeways; others are involved in urban renewal. Negroes forced to move, or who have the financial means and the desire for better housing, consistently encounter discrimination in their attempts to purchase or rent outside these "Negro areas" in the city, and also find the locations outside the city closed to them. Consequently, the absorption of displaced population has been forced largely upon increasingly limited areas, further compounding the problem.

Intensification of the Problem

The trend in attitudes toward racial questions is plainly in the direction of more tolerance and acceptance. The question naturally arises, then, as to why housing has become an increasing problem.

Changes in the house-building industry during the past 20 years provide a partial answer. The transition of the industry from a small-scale business to a large volume, mass production operation has given the modern tract developer the power to determine the racial pattern for whole communities. In creating thousands of housing developments exclusively for whites, and some scores of others wholly for nonwhites, the private building industry has done much to intensify racial segregation.

If racial segregation is sustained by race prejudice, it is equally true that segregation is, itself, a major stimulant to prejudice. Group prejudice is basically a habit of looking upon members of certain groups, not as individuals but only as representatives of the group, and of attributing the same characteristics to all. Isolation of a group, as is the case in planned segregated housing, reinforces and spreads this tendency.

Underlying Fears

Probably the three major fears which result in resistance to minority neighbors are fear of a lowered social status, fear of inundation, and fear of declining property values.

The central problem in practically all aspects of race relations is social status, and this seems to be especially true of housing. Two considerations are of special importance. First, nonwhite color and certain ethnic origins are identified with low status in American society; second, a family shares to a large extent the status of its neighbors, and the neighborhood in which one lives is a measure of his social position. Therefore, when minority people move into a neighborhood, the resident whites may feel their own status is in question, or becomes equated with that of a low-ranking group.

The arrival or prospective arrival of nonwhite families in a neighborhood frequently generates fears that more will follow and the neighborhood will become all nonwhite. Hence, fear of being inundated by nonwhites is often a significant motive, first, to exclusion, and second, to white evacuation of areas entered by nonwhites. Inundation, or racial transition of a neighborhood, is related to the restricted supply of housing available to nonwhites and to the pressure for more living space. Where the supply of housing open to nonwhites is relatively adequate, the tendency to inundation is greatly reduced.

The belief that the entry of nonwhites into a neighborhood causes property values to fall is widely and firmly held. This may seem true if the only residential areas which nonwhites are allowed to enter are the older neighborhoods where the housing is already obsolescent or deteriorating. Declining values in those districts, coinciding with nonwhite entry, have furnished much of the "evidence" for the thesis that nonwhites injure property values, when in reality, values in those areas would decline in any case. Panic selling in reaction to a minority family coming into the neighborhood may glut the market with an oversupply of houses offered for sale in a short period of time. Then, the expectation of a fall in property values becomes a "self-fulfilling prophecy." Interracial neighborhoods which have come into existence with both whites and nonwhites active as buyers and sellers, have produced situations in which values remain stable.

Property Values and Race by Dr. Luigi Laurenti, an economist, is the report of a very comprehensive study of this issue. This study covered 10,000 real estate transactions in seven large cities in the United States: San Francisco, Oakland, Philadelphia, Chicago, Kansas City, Detroit, and Portland. The results showed that in 40% of the cases, the property values in the integrated neighborhoods stayed the same as in the all-white neighborhoods used as the "control" group. In 45% of the cases, the property values rose in the integrated neighborhoods, from 5% to 26% higher. In 15% of the cases, property values declined in the integrated neighborhoods, from 5% to 9%. It apparently made no difference whether the original property values were high or low, nor whether only a few or a larger number of Negroes moved into such integrated neighborhoods.

Education versus Legislation

Discrimination in housing is so well documented and acknowledged, and is so diametrically opposed to the principle of equal opportunity which most people espouse, that the major issue is not whether, but how, to make practice jibe with principle. The basic conflict revolves around the means to this goal. Can it be achieved by education, or is legislation a necessary adjunct?

The 1957 Minnesota Legislature created the Legislative Interim Commission on Housing Discrimination and Segregation Practices and charged it with investigating discrimination because of race, religion, or national origin in the sale and rental of housing accommodations. This body was unable to reach agreement; it split 5 to 5 on whether legislation should be passed. Legislation was passed in 1961. (We shall examine it later in this study.) Still pertinent, however, are the arguments advanced by both factions of the Interim Commission and contained in its report. Because these arguments reflect opposing points of view shared by many people on both sides of the question, we present them at some length.

The statement of Senators Marvin H. Anderson, Franklin P. Kroehler and John L. Richardson and Representatives Roy L. Voxland and F. Gordon Wright included the following: "We have concluded that any law attempting to put an end to discrimination on account of race, religion or national origin, in respect to private housing, and containing punitive measures against the owners of private property is not only unnecessary, but such a law would be unwise and imprudent if enacted in Minnesota.

"It is not surprising that a number of people clamor for legislation of this type and are prepared to go as far as to authorize the FEPC to deal with ...discrimination in private housing... The hardships that members of our minorities undergo as a result of the practices of discrimination would seem to be justifiable reasons for seeking every possible solution for the problem. However, coercive legislation... is not the remedy, even if such a law could be found to be constitutional. We are convinced that the problem can and will be definitely solved through a better understanding of the minorities and their problems by the people of Minnesota...

"Undeniably, progress is being made in the solution of our racial problems. Many voluntary organizations are working in this field. Generally, throughout Minnesota the people are not opposed to voluntary desegregation of Negroes and other minorities. Essentially, the solution lies not in legislation but in a campaign of education of the entire population towards a complete tolerance of the Negroes and other minorities in their many communities...

"Much of the present friction can be avoided if, for instance, the Negro people can recognize the need for, and actually practice, great patience. The solution of so complex a problem as discrimination in private housing is not easy, nor can it take place overnight. Attempts at a quick and easy solution...are likely to bring suffering to the entire community, Negro and white alike...

"The proposed bill...also raises several constitutional questions... The Fifth Amendment to the federal constitution guarantees that property will not be taken from any person without due process of law, nor taken for public use without just compensation. The ownership of property is a right that has existed in our free society and under the common law since the days of the Magna Charta. It is not granted under, but it is protected by, the Constitution. To interfere with an owner's rights to sell or rent his property to whom he pleases, is taking, to a definite degree, a property right from him without compensation and without due process of law. Such a law would thus be unconstitutional.

"The Fourth Amendment to the federal constitution fortifies this to some extent in that it guarantees the right of people to be secure in their houses against unreasonable seizures. Indeed, the Ninth Amendment to the Constitution reads, 'The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.' It therefore seems clear to us that in order to implement the constitutional guarantee against discrimination on the ground of race, creed or color, the proposed bill, with its coercive features would, in fact, violate the First Amendment to the federal constitution which guarantees the freedom of speech; the Fifth Amendment, which guarantees the retention of property rights; and the Ninth Amendment, which forbids the very thing contemplated by the proposed bill...

"Under the police power which the Federal Constitution reserves to the several states, property rights may be regulated by the state in the interest of health and safety and other vital considerations of the public interest. Under the conditions existing in Minnesota generally and in our metropolitan cities, however, no such basis for regulation exists. The Negro population constitutes less than 2% of the total population. Other minority groups are even smaller. The protection of property rights is the concern of the whole community. No vital necessity is apparent for depriving private property owners of their rights for the benefit of a few.

"It is recognized that the practices of discrimination on the basis of race, religion and national origin that do exist today, actually result in hardship for members of our minority groups. We are convinced that all of our people must work together continuously to eliminate such discrimination. However, we have seen in Little Rock, Arkansas; Clinton, Tennessee; Montgomery, Alabama and other places recently in the news, the result of attempting to achieve toleration too rapidly. No person can predict whether similar consequences would follow in this state upon the adoption of a coercive law against discrimination in housing on the basis of race, religion, or national origin. However, no community can afford to pay the price, which all suffer, of civil unrest and violence as a result of legal arm-twisting or coercion.

"As we have pointed out, education is the only effective method of achieving real progress in the recognition of the rights of minorities with definite results, even though they come slowly. Great patience and understanding are required so that we may all work together in a continuing educational campaign to be directed by our state department of education with the employment of the facilities of our public schools on such a practical basis as these state agencies may present to the legislature."

Senators Donald M. Fraser and Roy E. Wiseth and Representatives Odean Enestvedt, Sally Luther and Anthony Podgorski took a different point of view in their statement in the Commission Report. "....ultimately, the only way to end discrimination on the basis of race, religion, or national origin is through education. With this we are in complete agreement. However, we believe that the testimony received by the Commission leads to the further conclusion that: 1) a law prohibiting racial and religious discrimination in the sale or rental of publicly assisted housing accommodations can have a substantial educational effect; 2) such a law can be drafted to provide for administrative enforcement that is effective without being overly punitive; and, 3) such legislation should be adopted by the Minnesota Legislature.

"It is important to keep in mind the distinction between prejudice and discrimination pointed out in the report of the Commission. Legislation prohibiting discrimination on the basis of race, religion or national origin in the sale or rental of housing accommodations is directed at men's conduct and not their attitudes. Discrimination involves an overt act as contrasted with beliefs and convictions existing only in the mind. Laws are rules governing the actions of men. Control of men's thoughts is not only beyond their scope but also as unnecessary as it is undesirable.

"The report of the Commission points out that standards of conduct have from time to time been embodied in laws in this country. Plainly, some of these attempts to govern men's actions have been more successful than others. The civil rights legislation of the reconstruction era and the national prohibition legislation are often cited in support of the proposition that 'stateways cannot change folkways.' Upon consideration, however, it becomes apparent that the difference between successful and unsuccessful laws of this type is the enforcement provisions which they contain. A law establishing a standard of conduct that is unenforceable is soon forgotten or ignored. As such its educational and persuasive effect soon disappears. On the contrary, laws that are effectively enforced have an educational and persuasive effect.

"The educational and persuasive effect of laws is due to the fact that they embody the opinion of the community. In a democracy laws fulfill this function to a greater degree, since they are derived from the consent of the majority. Most of the citizens of the state are law-abiding. Most people want to follow the standard of conduct expected by their community. Furthermore, seeing many people conform to a standard of behavior persuades others to do likewise--to a certain extent despite their individual opinion to the contrary. Thus, laws can reinforce the effect of an educational program aimed properly at the root of the problem--men's attitudes.

"One of the modern techniques for effective enforcement of standards of conduct embodied in law is the 'commission,' an administrative agency with quasi-judicial powers. This method was studied by the (Interim) Commission and is the enforcement procedure contained in the proposed bill. It has been extremely successful in enforcement of fair employment practices legislation across the country. It is also significant that all of the laws against discrimination in housing adopted in other states provide for enforcement by a commission.

"The main job of a commission in enforcement of a law is persuasion. A commission is concerned not so much with repairing the damage caused by past acts of discrimination as by applying its persuasive powers at the precise point where the discrimination occurred to insure that it does not happen again in the future. Because the commission deals with individual situations, it works slowly, although steadily, to secure full compliance with the laws by all.

"The commission method of enforcement is designed to give a law a sanction that will make it effective, but at the same time impose no harsh penalty. Those who run afoul of the law, wittingly or unwittingly, are afforded an opportunity, during confidential investigations and conferences, to explain their position or to show their good faith. During the process an agreement is usually reached which is satisfactory to both the person claiming discrimination and the person who allegedly discriminated. Persuading a person to comply with the law in the future is considered more important than punishment for past acts. The ultimate sanction, in the event that all attempts by the commission to reach an agreement fail, is a trial in the district court with a possible citation for contempt for failure to comply with the court's order. This procedure is in contrast with the ordinary civil or criminal penalties for law violation. It protects those accused of discrimination from adverse publicity and from harsh punishment.

"...legislation is not concerned so much with uprooting individual prejudices as it is with preventing a widespread pattern of discrimination. In a community a complex pattern of inter-relations is necessary to give rise to any particular form of racial or religious discrimination. It is important to recognize that for any particular form of discrimination to be carried into actual execution there are strategically placed individuals or small groups who set the policies and make the decisions without which the particular practice of discrimination could not be generally maintained in the community. In the market for housing accommodations, apartment house owners, home builders, realtors, and financial institutions are in a position to make policies which affect the market. The ability to influence the decisions of these groups offers a direct means of blocking the process that results in community-wide racial or religious discrimination.... Regulation

of business is no innovation. A glance at past legislation and court opinions reveals that the distinction between an individual and his business is well recognized. No individual rights are sacrificed in establishing a business. On the other hand, however, the power and privileges acquired through the operation of a business are subject to regulation in the interest of the community.

"During the hearings of the (Interim) Commission the question of the constitutionality of legislation prohibiting discrimination on the basis of race, religion or national origin in the sale or rental of housing accommodations was raised. Because this question is important in any consideration by the legislature of the proposed bill, we requested an opinion as to the constitutionality of the proposal from William B. Lockhart, Dean, Law School, University of Minnesota, a recognized expert in the field of constitutional law. In the light of Dean Lockhart's opinion on the particular proposal we are recommending, it is safe to conclude that the enactment of a law prohibiting discrimination on the basis of race, religion or national origin in the sale or rental of publicly assisted housing accommodations is within the constitutional powers of the legislature."

THE MINNESOTA STATE ACT AGAINST DISCRIMINATION

In April, 1961, the legislature passed the Minnesota State Act Against Discrimination. It states: "The opportunity to obtain employment, housing, and other real estate without discrimination because of race, color, creed, religion, or national origin is hereby recognized as and declared to be a civil right." The Act, in effect: 1) amended the previous Minnesota State Act for Fair Employment Practices by adding to it sections covering certain classifications of housing and real property; 2) enlarged the responsibilities and changed the name of the Fair Employment Practices Commission by creating a State Commission Against Discrimination which shall become effective in its enforcement of the 1961 amendments on December 31, 1962.

Classification of Coverage

A. Publicly Assisted Housing

"Publicly assisted housing accommodation" is defined as a housing accommodation that is, or is located in, a building

1. situated on land owned or assembled into a parcel for housing accommodations by a governmental body;
2. upon which a commitment by a governmental body to guarantee or insure an acquisition loan is outstanding; or
3. subject to an outstanding loan made, guaranteed, or insured by a governmental body for the purpose of financing the acquisition, construction, rehabilitation, repair, or maintenance of the building.

This section, in effect, covers all public housing, and all housing involving loans guaranteed by the Veterans' Administration or the Federal Housing Authority. It specifically includes such FHA-guaranteed loans for financing additions to, as well as initial construction of, housing.

B. Real Property

"Real property" includes real estate, lands, tenements, and hereditaments, corporeal and incorporeal.

This section covering real property has the effect of extending the legislation to the sale or rental of private housing (with some exceptions), all commercial space, and vacant land.

C. Exceptions

Three kinds of housing accommodations are specifically exempted from the application of the legislation:

1. The rental of a portion of a dwelling containing accommodations for two families, one of which is occupied by the owner.
2. The rental, by the owner, of a one-family accommodation in which he resides, of a room or rooms in such accommodation to another person or persons.
3. The rental, lease or sale of a one-family dwelling, owner occupied, not defined as a publicly assisted housing accommodation.

Definition of Unfair Discriminatory Practice

The definition as to what constitutes unfair discriminatory practice is extensive and specific. For our purposes it may be summarized thus: it is an unfair practice

1. For any person having the right to sell, rent, or lease (owner, lessee, managing agent)
 - a. to refuse to sell, rent or lease
 - b. to discriminate in the terms, conditions or privileges
 - c. to advertise, use an application form, or make any record or inquiry

which might discriminate against any person or persons on the basis of race, color, creed, religion, or national origin in real property transactions.

2. For a real estate broker or salesman
 - a. to refuse to sell, rent or lease or to negotiate for the sale, rental or lease or to represent that real property is not available when it is.
 - b. to discriminate in the terms or conditions of the sale, rental or lease
 - c. to advertise, use any application form, or make any inquiry

which would discriminate against any person or persons in real property transactions on the basis of race, color, creed, religion, or national origin.

3. For any financial institution or lender to whom application is made for financial assistance for purchase, lease, acquisition, construction, rehabilitation, repair, or maintenance of any real property
 - a. to discriminate either in the giving or in the conditions of such financial assistance, or

- b. to use any application form or make any inquiry in connection with applications which would discriminate against any person or persons on the above basis.

4. For any person

- a. to engage in economic reprisal against any person who has opposed the prohibited practices of this act or who has participated in any manner (filed a complaint, testified) in any proceedings under this act
- b. intentionally to aid (abet, incite, compel or coerce) any other person to engage in the practices forbidden in this act
- c. to prevent any person from complying with this act or to interfere with the Commission in the performance of duty under this act
- d. to attempt (directly or indirectly) to commit any of the practices forbidden by this act.

Method of Enforcement

The method of enforcement is identical to that now used by the Fair Employment Practices Commission to enforce the FEP law (see page two of this study). The attempt is made to eliminate unfair discriminatory practices by means of education, conference, conciliation and persuasion. The public hearing by the board of review is the next step if such efforts fail. Finally, a proceeding may be instituted in the district court if the cease and desist order is not effective.

At this point in the procedure, a new provision has been added to the legislation. "The proceeding in the district court shall be de novo and the person complained against shall be entitled at his request to a trial by jury." Trial de novo means literally anew or afresh, and raises the question of whether the information gathered by the Commission in its investigation can be useful. It has the effect of divorcing this procedure of the district court proceedings from the Commission's enforcement approach.

OTHER MINNESOTA LAWS AGAINST DISCRIMINATION

In addition to the laws which are commission enforced, Minnesota has enacted a good deal of other legislation against discrimination.

In the Minnesota Constitution itself, Article I, Section 2, prohibits slavery; Article I, Section 16, guarantees freedom of religion; and Article I, Section 17, assures citizens the right to hold public office, vote and give evidence in a court of law without any religious test or amount of property being required as a qualification. Other statutory sections which relate to discrimination are:

43.15	dealing with state civil service
44.07, 44.08	dealing with municipal civil service
61.05, 61.06	dealing with life insurance
72.17	dealing with automobile liability
126.07, 126.08	dealing with segregation in public schools
327.09	dealing with access to public accommodations
462.481	dealing with public housing, slum clearance
462.525, 462.641	dealing with redevelopment projects
507.18	dealing with restrictive covenants
363.01	dealing with fair employment practices
340.73	dealing with the sale of liquor

613.67	dealing with lynching
615.16	dealing with the wearing of masks
155.11	dealing with instruction in hairdressing
181.59	dealing with employment by state contractors

Laws of 1957, Chapter 954, creating the Interim Commission on Housing Discrimination and Segregation Practices.

Although many of these areas are not currently under discussion, this is not the case with some.

POSSIBLE FUTURE LEGISLATION

Although it is not our purpose in this study to attempt to forecast with any precision what legislation against discrimination may be proposed in the next session, we can, on the basis of bills introduced or recommended in recent sessions, point out some possibilities.

Public Accommodations

The Minnesota law reads: "No person shall be excluded, on account of race, color, national origin, or religion, from full and equal enjoyment of any accommodation, advantage, or privilege furnished by public conveyances, theaters, or other public places of amusement, or by hotels, barber shops, saloons, restaurants, or other places of refreshments, entertainment, or accommodations. Every person who violates any provision of this section, or aids or incites another to do so, shall be guilty of a gross misdemeanor, and, in addition to the penalty therefore, shall be liable in a civil action to the person aggrieved for damages not exceeding \$500."

This law was passed in Minnesota in 1885. It is typical of the public accommodations legislation in most states, and has at least two inherent weaknesses that should be mentioned. (For experience of other states, see page 20 of this study.)

First, although state equal rights laws have been defined as a proper exercise of the state's power to compel recognition of the equal right of citizens to the use of services and facilities afforded to the general public, many courts have severely limited the effectiveness of these statutes by strict interpretation. The courts have held that the acts are not to be extended by analogy or through implication. This has necessitated frequent amendments to these laws by state legislatures in order to cover all aspects of public accommodations, and these amendments, in turn, are used by the courts as an argument against liberal interpretation of the laws.

The typical equal rights statute which provides for civil or criminal action, as does Minnesota's, has a second major weakness. It is costly to institute a lawsuit and see it through to termination, and is beyond the financial means of many who might be the victims of such discrimination. Requiring violators to pay damages is ordinarily not effective unless the amount is substantial. It may otherwise be regarded as a kind of "license fee" to allow for the privilege of continuing to practice discrimination, especially since actions are rarely instituted. Finally, when the violations are made a criminal offense, such violations compete with the more sensational crimes of violence for the attention and concern of county attorneys.

These weaknesses indicate a need for strengthening the legislation with respect to coverage and enforcement. Coverage could be extended in two ways: 1) the existing statute could be amended to include additional places of public accommodation (there is concern for the addition of motels and trailer courts, for example); or 2) the statute could be rewritten to define coverage in general terms and open the way for a more liberal interpretation of the law. A new approach to enforcement could be taken by making it a responsibility of the State Commission Against Discrimination, with procedures similar to those delineated for enforcement of fair employment and fair housing practices. Commission enforcement would be possible with either of the above approaches to coverage.

General recognition of the ineffectiveness of our public accommodations law, plus recent action in other states, may lead to new proposals in this field during the next session, the most probable being Commission enforcement.

Restrictive Covenants

Restrictive covenants (which are written instruments prohibiting the conveying in any manner of real estate to persons of specified religious faith, creed, race or color) have been forbidden by the state legislature, and have also been found unconstitutional by the courts.

Nonetheless, there continue to be some concerns, growing out of the fact that the prohibition is not operative at the point of making the agreement, but only at the point of testing the agreement in the courts. Thus, corporations in which one buys a share, and accepts the agreements of the corporation in regard to future sale or disposal of the real estate involved, continue the practice specifically forbidden by the legislation.

Specific instances, such as discrimination in the operation of cemeteries, have also been suggested as areas which might be included within the framework of such legislation. Whether legislative proposals, to which the League might respond, will be recommended for the next legislative session remains to be seen.

Age

There is growing public awareness of the difficulties people over forty years of age encounter when seeking employment. Many firms have an explicit policy of not hiring anyone over forty, regardless of the individual merit of the applicant. While such a policy is totally inconsistent with the principle of employment on merit, technical considerations of insurance and retirement programs and pension plans have complicated the problems facing the employer. Bills have been introduced in recent sessions, and probably will be again, which would specify age as an additional prohibition in employment discrimination. Such an amendment would undoubtedly include a modification of the present FEP prohibition against special conditions of employment, permitting such things as variance of insurance coverage, as well as excepting certain categories of employment, such as hazardous occupations.

Sex

There is perhaps little public awareness of the problems encountered by women, especially married women, in the employment field, and therefore pressure for legislation here is less likely. Nonetheless, married women seeking employment often do encounter frustration. If an amendment should be proposed in this field, with accompanying documentation which would help us evaluate it, we might wish to take a position on it.

Enforcement Machinery

Since the League believes in the elimination of unfair employment practices, it obviously must concern itself with the machinery for carrying out the work. It seems clear that the present staff of two persons is not adequate to meet the Commission's responsibility for widespread personal contact throughout the state. The added responsibilities it is slated to assume in connection with housing accommodations and real property intensify the problem. The League need not frame any specifics. It is probable that the Commissioners will present recommendations when they evaluate the needs in terms of budget and staff. If we can arrive at some basic decisions on principle, we should be in a position to evaluate and act on specific proposals when they are presented.

THE FEDERAL FRAMEWORK OF CIVIL RIGHTS LEGISLATION

The philosophy and practice of government in the United States changed considerably during the 1930s. Among the leading changes was a shift in the Supreme Court toward greater protection of civil liberties and civil rights of minority groups. The Supreme Court's redirection of emphasis corresponded to advances in status and welfare of minority groups, and in turn strengthened these gains. During the later 1930s the Court followed a different policy from that which guided its predecessors; it now gave to civil rights the same preferred position which earlier Courts had given to property rights.

Nonetheless, in the numerous cases concerning racially segregated schools which were brought up through the years, the Courts did not decide that they were unlawful. The Supreme Court from 1883 to 1954 almost uniformly decided cases on the premise that separate but equal facilities met the constitutional demands of due process and equal protection. It expressed its approval squarely in the famous decision of *Plessy vs. Ferguson* in 1896. While this case involved racial discrimination in public conveyances, the majority opinion equated such segregation in transportation with segregation in public schools as far as arguments of constitutionality were involved.

The basis of argument is the most important provision of the Fourteenth Amendment, Section 1:

"All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Then, in 1954, the Supreme Court concluded that "in the field of public education the doctrine of 'separate but equal' has no place." All provisions of federal, state, or local law requiring or permitting such discrimination were declared unconstitutional. The Court took into account the findings of social sciences in considering the psychological factors involved "including the feeling of inferiority generated in the hearts and minds of Negro children, when separated solely because of their race from those of similar age and qualification" in their decision that separate could not mean equal.

The Fourteenth Amendment restrains government, though not individuals or private entities. Therefore, state or local laws requiring segregation are unconstitutional. After the School Cases in 1954, however, it became clear that segregation in transportation, if supported by police enforcement, was unconstitutional. The most famous case which might be cited here is the Montgomery Bus Case in which the United States district court held that the state statutes and city ordinances requiring segregation in common carriers violated the due process and equal protection clauses of the Fourteenth Amendment. This decision was affirmed by the United States Supreme Court. It is now well settled that racial segregation in the use of public facilities is unconstitutional if the segregation is required by state or local law or is enforced by law.

The student sit-down strikes at lunch counters throughout the South were a further testing of this decision. They have brought to the fore once more, after a lapse of some eighty years, public and constitutional policy affecting such places of public accommodation or resort. The demonstrators cannot be charged with violation of any law requiring racial segregation, for such laws would not survive a constitutional test. A statute or ordinance requiring segregation of the races clearly constitutes "state action" and therefore falls under the ban of the Brown decision (1954 School Cases). Segregation imposed by a private individual in obedience to a mandatory state or municipal act is not private but state action.

Basically, the decision is clear. Racial discrimination, when it pervades public places and characterizes the public environment, and is then enforced by criminal sanction (police or courts) is the state's custom or policy. Then acts of the police and the courts' acts are state acts, and unconstitutional.

The United States Commission on Civil Rights

The Civil Rights Act of 1957 established a United States Commission on Civil Rights, consisting of six persons, who were charged with investigating sworn complaints of denial of the right to vote and of denial of equal protection of the law. They were also charged with appraising the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution. Among the first public actions of the Commission was the designation of state Advisory Committees to aid the Commission in the administration of the Civil Rights Act. In compliance with the provisions of the Act, the Commission on Civil Rights submitted its report to the President and Congress on September 9, 1959. The report contained 14 recommendations for federal action against racial discrimination in voting rights, public education, and housing. The Commission focused its attention upon these three areas which they found to be fundamentally inter-related. (An abridgement of the report was also published under the title "With Liberty and Justice for All" in 1959.)

Three years later, the Civil Rights Act of 1960 was passed. In substance, this Act made it a federal crime to obstruct the performance of duties under a federal court decree; it made it a federal crime to move to avoid prosecution for having attempted to destroy any building; it enhanced the citizen's right to vote by prohibiting the destruction of records for 22 months, by nullifying the effect of resignation of election official, and by providing for the appointment of voting referees; and it required the federal government to provide free public education for children of members of the Armed Forces where public schools had been shut down by state or local action.

STATE LAWS AGAINST DISCRIMINATION

The Legal Framework

The United States Supreme Court has held that federal power under the Fourteenth Amendment does not extend to passing or enforcing laws requiring nondiscriminatory conduct of individuals, unless such individuals exercise some form of state authority. Discriminatory acts by individuals, the Court said, are within the domain of state legislation. It is therefore considered the basic power of the states to define and regulate the civil rights which their own people, by virtue of state citizenship, may enjoy within their respective limits. Consequently, much of what has been done in specific civil rights legislation has been done at the state level.

This legislation falls substantially into four categories: public accommodations, fair employment practices, fair educational practices, and fair housing practices. (See appended charts.)

Public Accommodations

Legislation against discrimination in places of public accommodation has been enacted in 28 states, in 4 of them just this year. The tendency of the court to construe the acts strictly, as previously mentioned in discussing the Minnesota law, has resulted in such statutes growing longer and longer. New York's Law Against Discrimination is probably the most detailed of the 28, listing no fewer than 55 specific places of public accommodation, resort or amusement which are to be included in the meaning of the law.

Connecticut, on the other hand, amended its Civil Rights Law in 1953 by striking out the enumeration of places covered by the statute and substituting "any establishment which caters or offers its services or facilities or goods to the general public." It remains to be seen how statutes written in broad, general terms will be interpreted. Several opinions by state attorneys general have given broad interpretations to the new statutes, but no court decisions have been reported.

The newest approach to enforcement, resulting from FEP legislation in many states, has been to extend the jurisdiction of the administrative agency handling charges of discrimination in employment, and give this same agency jurisdiction in the field of public accommodations. This approach was first utilized in New Jersey in 1949, and 8 other states have now followed suit.

Fair Employment Practices

In 1945, New York became the first state to pass a fair employment practices statute. The Law Against Discrimination and the State Commission Against Discrimination set the pattern, to a large extent, for the 20 states which have enforceable legislation. Two states, Indiana and Idaho, have statutes without enforcement machinery.

There are some differences in the specific provisions of the various state FEP laws, such as number of employees required in order to be covered by the statute, statute of limitations on complaints, or inclusion of "age" (covered in 8 states). But basically, the fully enforceable laws share the provisions for enforcement procedures with which we are familiar in Minnesota's legislation.

There is no doubt of the constitutionality of state statutes outlawing discrimination by employers, employment agencies, and labor unions, under the police power of the state. The United States Supreme Court has held unanimously that such a state civil rights law offends neither the due process clause nor the equal protection clause of the Fourteenth Amendment.

Fair Education Practices

Many states provide in their constitutions or statutes that there shall be no discrimination or segregation in public education. Specific constitutional prohibitions exist in four states, and 12 (including Minnesota) have statutory prohibitions.

As is the case with other kinds of legislation prohibiting discrimination, some states have enacted fair educational laws which provide for protection of the right to equality of opportunity by an administrative agency. To date, six states have established such a pattern.

New Jersey had already vested the authority for fair employment practices legislation in the Division Against Discrimination within the Department of Education, and so its 1949 fair educational practices law became the jurisdiction of the already existing agency. New York, on the other hand, which passed such legislation in 1948, created a new administrative agency within the Department of Education, rather than vesting jurisdiction in its established SCAD.

Massachusetts, in its original law in 1949, followed the New York pattern and created a new agency in the State Board of Education. In 1956, however, the jurisdiction was transferred to the Massachusetts Commission Against Discrimination. This pattern was also followed by Oregon, Washington, and Pennsylvania, which all utilized their existing overall state agencies.

Fair Housing Practices

Although several states had laws on their books before 1949 prohibiting discrimination in public housing projects, no really effective remedy was available to the person victimized by such discrimination until Connecticut extended the jurisdiction of its Civil Rights Commission in 1949 to include complaints involving public housing. In April, 1961, Minnesota became the eleventh state to create legislation with administrative enforcement against discriminatory practices in housing.

Although there have been no court challenges to the constitutionality of the educational practices acts or the new public accommodations statutes, and very few to the fair employment practices laws, the fair housing measures were promptly challenged. There has, as yet, been no United States Supreme Court decision on these laws, but there are several decisions by state courts.

One issue which has been raised in three court cases, is whether or not an act applying only to "publicly assisted" property can be held to be constitutional, or whether this is an arbitrary and unreasonable classification in violation of the equal-protection clauses.

In 1958, in the case of the New York State Commission Against Discrimination versus Pelham Hall Apartments, Inc., the Supreme Court of the State of New York for Westchester County ruled that limiting the initial coverage of the law to public or publicly-assisted housing was not unreasonable. The opinion states that "...the test is whether or not the classification rests upon some reasonable basis bearing in mind the subject-matter and the object of the legislation. ... A proceeding step by step by legislative bodies to eliminate the practice of racial discrimination in affairs closely connected with the lives of our citizens is not only a reasonable, but in view of changing times and circumstances, a required method of procedure in the interest of public welfare." The court further stated in its decision that the legislature had acted within the bounds of its power, for in cases of conflict between the rights of private property owners and the power of the state to regulate the use and enjoyment of property in the interest of the public welfare, the power of the state, when reasonably exercised, is supreme. In determining what legislation the public welfare requires, broad discretion resides in the legislature. Enactments based on the state's police power could be stricken only if they were clearly arbitrary, discriminatory, and without any reasonable basis.

In 1959, in the New Jersey case Levitt and Sons, Inc. versus Division Against Discrimination, the state supreme court dealt at length with the argument that the New Jersey law, by including within its purview only publicly-assisted housing, created an unreasonable and arbitrary classification in violation of the federal and state constitutions. The court stated "considering the circumstances which led to the enactment of the statute in question, it becomes apparent that the classification presents no constitutional difficulties...we cannot declare the legislation unconstitutional. Thus, the means chosen by the Legislature to accomplish its goals are not unreasonable, and on that basis we hold that plaintiffs' argument that the Law Against Discrimination incorporates an unconstitutional classification is without merit."

Notwithstanding these two cases, in September of 1961 the Supreme Court of Washington, in a 5 to 4 decision in the case of O'Meara versus Washington State Board Against Discrimination found that the state law was unconstitutional because it covered only publicly-assisted housing. "There is no reason to suppose that persons with FHA mortgages on their homes are more likely to discriminate against minority groups than those who have conventional mortgages or no mortgages, or those who are purchasing upon contract. This act would prohibit Commander O'Meara from doing what his neighbors are at perfect liberty to do. It gives to those who have conventional mortgages, or no mortgages, and those who are buying upon contract, special privileges and immunities which are not accorded to him. The classification is arbitrary and capricious and bears no reasonable relation to the evil which is sought to be eliminated."

The dissenting opinion stressed the philosophy that "the court must always bear in mind that the legislature, and not the court, is the chosen representative of the people and when it passes a law, it is the voice of the people speaking."

In a California case, the defendants contended that as private owners, building and real estate dealers, they had a perfect right to sell or decline to sell to any person, and that this liberty was a fundamental right as a private citizen. The court said, however, that within the terms of FHA and VA financing, these federal agencies were encouraging the supply of housing available to all who could meet the minimum requirements of financial responsibility. The court reasoned that when the federal government entered the field of housing to stimulate construction and make more and better homes available, it was prohibited by "the fundamental law" from differentiating between races, and whether the statute expresses that limitation in so many words or not, those who operate under that law, and gain the advantage it confers, are as much bound as the administrative agencies of the government.

In July of this year, the constitutionality of Connecticut's fair housing law was upheld by the Superior Court in New Haven County. Superior Court Judge Alva P. Loiselle rejected the attacks on constitutionality. "The Legislature has broad discretion in determining what is best for the general welfare. ...It has long been the belief, at least in this country, that race, creed or color should not be a factor in the amount of right or liberty enjoyed by an individual. This belief has been implemented by our legislative bodies in the enactment of anti-discriminatory laws such as the one in issue. .. The fair housing law cannot be found to be unconstitutional."

PUBLIC ACCOMMODATIONS

	<u>Statutes</u>	<u>Commission Administration</u>
Massachusetts	1865	1950
New York	1874	1952
Kansas	1874	
Connecticut	1884	1949
Iowa	1884	
New Jersey	1884	1949
Ohio	1884	
Colorado	1885	1957
Illinois	"	
Indiana	"	
Michigan	"	
Minnesota	"	
Nebraska	"	
Rhode Island	"	1952
Pennsylvania	1887	1961
Washington	1890	1957
Wisconsin	1895	
California	1897	
Oregon	1953	1957
Montana	1955	
New Mexico	1955	
Vermont	1957	
Maine	1959	
Alaska	(Came to statehood with such legislation)	
Idaho	1961	
North Dakota	1961	
Wyoming	1961	
New Hampshire	1961	

* * * * *

FAIR EDUCATIONAL PRACTICES

	<u>Specific Constitutional Prohibition</u>	<u>Statutory Prohibition</u>	<u>Fair Education Laws with Administrative Agency</u>
Colorado	X		
Idaho	X		
New Jersey	X		1949 Div. Ag. Disc. Dept. of Education (overall agency)
Washington	X		
Connecticut		X	
Illinois		X	
Indiana		X	
Massachusetts		X	1949 (Board of Education) 1956 (Mass. Comm. Ag. Disc.)
Michigan		X	
Minnesota		X	
New York		X	1948 (NY Dept of Educ.)
Pennsylvania		X	1961 (FEPC)
Rhode Island		X	
Washington		X	1957 (St. Bd Ag. Disc.)
Wisconsin		X	
Oregon		X	1957 (Bureau of Labor overall state ag.)

FAIR EMPLOYMENT PRACTICES

	<u>Legislation</u>	<u>Commission Name</u>
New York	1945	SCAD
New Jersey	1945	Division Against Discrimination, Department of Education:
Massachusetts	1946	FEPC
Connecticut	1947	Interim Commission
New Mexico	1949	FEPC
Oregon	1949	Bureau of Labor
Rhode Island	1949	Commission Against Discrimination
Washington	1949	State Board Against Discrimination
Michigan	1955	FEPC
Minnesota	1955	FEPC
Pennsylvania	1955	FEPC
Wisconsin	1957	FEP Division, Wisc. Industrial Comm.
Colorado	1957	Anti-Discrimination Commission
California	1959	FEPC
Ohio	1959	FEPC
Alaska (Statehood 1959) (legis. 1953)		Commissioner of Labor, FEP Law
Delaware	1960	FEP Law, Department of Labor
Kansas	1961	Kansas Commission on Civil Rights
Illinois	1961	
Missouri	1961	

* * * * *

FAIR HOUSING LEGISLATION
With Administrative Enforcement

	Public Housing	Urban Renewal	FHA & VA	Private Housing	Real Est. Agents	Mortgage Lenders	Adver- tising	Off. Enforce- ment Agency
California	X	X	X		X			X
Colorado	X	X	X	X	X	X	X	X
Connecticut	X	X	X	X	X	X		
Indiana	X	X						
Massachusetts	X	X	X	X	X	X		X
Michigan	X				X *			
Minnesota **	X	X	X	X	X	X	X	X
Montana		X						
New Hampshire	X			X				
New Jersey	X	X	X	X	X	X	X	X
New York	X	X	X	X	X	X	X	X
Oregon	X	X	X	X	X		X	X
Pennsylvania	X	X	X	X	X	X	X	X
Rhode Island	X							X
Washington	X	X	X			X	X	X
Wisconsin	X	X						

*By ruling of the Michigan Corporation and Securities Commission.

**Minnesota's FH law becomes effective Dec. 31, 1962.

NOTE: Illinois prohibits restrictive covenants on urban redevelopment land
Kansas and Alabama prohibit racial zoning.

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- Berger, Morroe, Equality by Statute, Columbia University Press, 1952
- Commission on Race and Housing, Report, Where Shall We Live? University of California Press, 1958
- Greensberg, Jack, Race Relations and American Law, Columbia University Press, 1959
- Konvitz and Leskes, A Century of Civil Rights, Columbia University Press, 1961
- Laurenti, Luigi, Property Values and Race, University of California Press, 1960
- Legislative Interim Commission on Housing Discrimination and Segregation Practices, Report, to the Legislature of the State of Minnesota, 1959
- Lord, Miles, Attorney General, Minnesota Laws Against Discrimination, 1957
- Minnesota State Advisory Committee, Report, to the Commission on Civil Rights, 1961
- State Commission Against Discrimination, Law Against Discrimination, (as amended through April 24, 1961), 270 Broadway, New York City

CONSENSUS SHEET ON STATE ITEM II
(Problems of Discrimination)

Local League Boards please return to State League Office by May 1, 1962.

League of Women Voters of _____

The League of Women Voters' support of the principle of employment on merit has been embodied in its support of the Fair Employment Practices Law and the FEP Commission. Spelled out, this position means: 1) we believe the right to employment should be based upon the capacity of the individual, without discrimination because of race, creed, color, religion, or national origin; 2) we believe legislation is an appropriate means of safeguarding this civil right; 3) we support Commission enforcement by the procedures outlined in the 1955 Fair Employment Practices Act.

In April, 1961, passage of the Minnesota State Act Against Discrimination amended the FEP law to include housing, and created the State Commission Against Discrimination. These amendments will become effective on December 31, 1962.

During the next session of the legislature there will undoubtedly be amendments introduced to change the scope of the Act by extending or curtailing the present provisions. In order to be effective in our response to specific legislative proposals the state Board will need to know the general positions within which the local Leagues (as channeled through the state Board) wish to act.

General Position

1. The Minnesota State Act Against Discrimination forbids discrimination in employment and housing on the basis of race, creed, color, religion, or national origin. The Act defines coverage; it defines what constitutes unfair practices; it provides for Commission administration.

The LWV should work to make the Act effective as passed _____

The LWV should work to strengthen the Act _____

The LWV should work to repeal the Act _____

WHY?

Legislative Provisions re Housing

2. The Act provides for coverage of 1) publicly assisted housing, and 2) real property. It exempts from coverage three specific kinds of housing accommodations. (See LWV's December 1961 publication, Problems of Discrimination, pp. 13-15.)

The LWV should oppose attempts to change the present coverage of the Act _____

The LWV should work to extend the present coverage of the Act _____

The LWV should work to curtail the present coverage of the Act _____

WHY?

3. The Act defines four categories of unfair discriminatory practices dealing in general with 1) renting and selling, 2) realtors, 3) financial institutions, and 4) reprisals. (See Problems of Discrimination, pp. 14-15.)

The LWV should oppose attempts to change present definitions of unfair practices _____

The LWV should work to extend present definitions of unfair practices _____

The LWV should work to curtail present definitions of unfair practices _____

WHY?

Legislative Provisions re Employment

4. The restrictions in employment experienced by persons over forty is of increasing significance as the number of people in this age group grows. If an amendment prohibiting age as a basis of discrimination in employment is introduced in the next legislative session:

The LWV should support the principle that it is an unfair employment practice to discriminate against any person on the basis of age

Yes _____

No _____

Undecided _____

WHY?

5. Women, and especially married women, frequently suffer discrimination in employment. Legislation has been introduced in recent sessions, and undoubtedly will be again in the next, making it an unfair practice to discriminate in employment on the basis of marital status.

The LWV should support the principle that it is an unfair employment practice to discriminate against any person on the basis of marital status

Yes _____

No _____

Undecided _____

WHY?

Administration of Antidiscrimination Legislation

(4)

6. The LWV has supported the Fair Employment Practices Commission whose effectiveness depends to a great extent upon adequate funds to carry out its responsibility for conducting educational programs and for processing complaints. Under the Minnesota State Act Against Discrimination, administration will be vested in the State Commission Against Discrimination (SCAD). The 1961 Act enlarges the Commission's responsibilities.

The LWV should support SCAD administration of the Act and the appropriation of funds to do the job _____

The LWV should work to repeal the SCAD administration provisions of the Act _____

(If you check this, what alternatives do you suggest?) _____

WHY?

7. With an increasing number of states giving commission administration to public accommodations legislation, it is very probable that such legislation will be introduced during the next legislative session in Minnesota.

The LWV should support commission administration of public accommodations legislation

Yes _____

No _____

Undecided _____

WHY?