

Deportation Board Hears 'Man Without a Country'

By Paul Eidsvik

APRIL 29 — The case of Joseph Johnson, the Minnesota socialist declared "man without a country" and ordered deported from the United States, was argued last week before the Board of Immigration Appeals in Washington, D.C. The Appeals hearing, which was the latest legal step in Johnson's long fight to regain the American citizenship stripped from him in May 1964, resulted in a significant legal advance in Johnson's defense.

His case was brought before the three-man board by Leonard Boudin, the eminent constitutional attorney provided by the Emergency Civil Liberties Committee, and by Douglas Hall, a well known Minneapolis labor and civil liberties attorney.

The U.S. Immigration and Naturalization Service charges Johnson lost his American citizenship by allegedly participating in Canadian municipal elections in 1958. The INS claims that he took an oath of allegiance to Queen Elizabeth II as part of the election process, nullifying his American nationality.

Their case was recently weakened when they dropped parts of the charge against Johnson, and referred in the deportation order only to the alleged oath of allegiance and the sections of the 1952 Immigration and Nationalities Act pertaining to it.

Douglas Hall argued in his presentation that the oath referred only vaguely to any national loyalty, that it contained nothing about renunciation of American citizenship and that it was not the type of oath specified in the Act as grounds for the stripping of citizenship. He further argued that the only evidence connecting Johnson with the oath he purportedly took was a statement taken from him at the time of his re-entry into the U.S., when he knew nothing of the charges against him and had no access to an attorney.

Leonard Boudin then presented the constitutional issues in the Johnson case. He pointed to the consequences of making a precedent by stripping a native-born American citizen of his nationality and making him a "stateless" person.

Boudin stated that while the Board of Appeals could not challenge the law itself, it should in

making its decision take note of the constitutional issues and recognize that the Immigration Act itself was in a new and unclear field of constitutional law.

The Immigration Service attorney's rebuttle of the defense arguments was based on a review of the relationship of the King and Queen of England to the country, dating back to the 15th century. His claim that the disputed statement wasn't the only evidence connecting Johnson with the oath of allegiance resulted in Douglas Hall asking pointedly where this evidence was and why it hadn't been introduced. The INS attorney was unable to answer.

In other developments in the case, the Committee to Oppose the Deportation of Joseph Johnson, the defense committee formed to publicize the case and to raise the funds necessary for the defense, announced the opening of a new national office in New York. The new address of the committee is: Committee to Oppose the Deportation of Joseph Johnson, P.O. Box 434, Peter Stuyvesant Station, New York, N. Y. 10009.

Johnson himself is now on the final leg of a 17,000-mile national tour sponsored by the committee. It has brought him, so far, to nearly twenty major cities across the United States, which has recently resulted in the gaining of a number of prominent new sponsors, including Dorothy Day, Carl and Anne Braden, and Dr. Howard Zinn.



Carl Braden

Watts Negro Wins Acquittal On Charge of Shooting Cop

WATTS, Calif. — Philip Bently Brooks, Negro father of four, was freed April 26, after a jury declared him innocent in the shooting death of a deputy sheriff during the Watts uprising of last August.

Deputy Ronald Ludlow was killed during the disorders when the shotgun of his partner Deputy William Lauer discharged, striking him in the stomach. He was the only white person killed in the Watts revolt.

Brooks, Joseph Lavine, Jr., and Harold Potts, were driving in Watts when approached by the armed deputies. After one deputy shot the other, the three Negroes were dragged from their car, beaten, carted off to the jail section of the county hospital and charged with murder, although none had a weapon or had touched the trigger that fired the fatal shot.

Potts and Lavine were held without bail for four months and then released following a court decision. Brooks, held for nearly seven months before he was freed

on bail, was finally brought to trial on the murder charge that ended in his acquittal. He was represented by Attorneys Kenneth R. Thomas and Ben Wyatt.

In freeing Brooks, the jury rejected the claim by Deputy Lauer that the defendant had grabbed at his shotgun, causing the gun to go off. Brooks testified that the gun discharged when Lauer struck him on the elbow with the gun stock.

Several local groups came to Brooks' aid to raise funds for the legal defense and to publicize the case. These included: Brooks Defense Committee, Southside Citizens Defense Committee and Los Angeles Committee for Defense of the Bill of Rights.

The Brooks Defense Committee published a ten-cent pamphlet on the case which can be obtained by writing to: Brooks Defense Committee, c/o Southside Citizens Defense Committee, 1020 1/2 Compton Ave., Los Angeles, Calif., 90002. Contributions to cover the legal costs can also be sent there.

Detroit Student Boycott Wins Ouster of Principal

By Evelyn Sell

DETROIT — Students of Northern High School here claimed an unprecedented victory after a four-day boycott of their substandard ghetto school. The boycott was triggered by Principal Arthur Carty's refusal to allow the school paper to carry an article critical of the educational situation at Northern. The article, written by senior Charles Colding, correctly charged that the education available at Northern and other predominantly Negro schools was inferior.

Protesting the principal's censorship, 2,300 students marched around the school on April 7. The demonstration had been banned by Principal Carty, but this decision was overruled by school Superintendent Samuel Brownell who "authorized" the action. As a pamphlet put out by the students explained: "Brownell boasted that he authorized the demonstration . . . What he failed to reveal was that for three hours before the demonstration he did all he could to prevent it. He was powerless!"

Sent Letter

In a letter to Brownell, the students said they would not return to school until Principal Carty and police officer Lucas, who patrolled the school grounds, were removed. It was signed by the three students who led the student protest: Judy Walker, Michael Batchelor and Charles Colding. In an April *Detroit Free Press* interview, 16-year-old Judy explained, "I am willing to give up everything to fight for an education. If we don't have an education, we don't have anything . . . Negroes must do something to get ahead. They can't stay behind. When I think of the abuse of Negroes in the South — and to a degree here in Detroit — I get mad enough to fight."

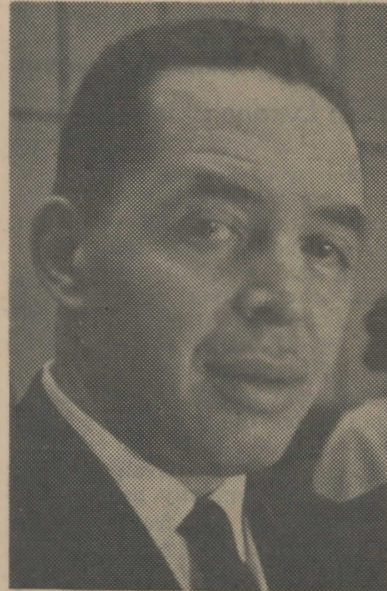
There were immediate results from this letter. The police department reassigned Lucas. Brownell called Carty in to "discuss the Northern situation" and assigned assistant superintendent Charles Wolfe to replace Carty at Northern.

After Easter vacation the students returned to school but on April 20, after a fruitless meeting with the Board of Education, they staged a mass boycott vowing, "not to go back until Carty leaves." The next day it was announced that a Freedom School was being set up for the students by a group of Wayne State University professors.

Throughout the boycott the Freedom School attracted the bulk of Northern's 2,300 student body. Faculty at Northern reported empty or nearly empty classes day after day.

A number of telegrams from clergymen were sent to Dr. Gregory, Freedom School principal, asking that similar Freedom Schools be set up in other neighborhoods. The situation at Northern was typical of all inner city high schools. Because of these common problems there was an all-city meeting of high school students to plan sympathy walk-outs to express their solidarity with Northern's demands.

Rev. Albert Cleage, 1964 candidate for governor of the now-defunct Freedom Now Party, urged the students to carry out the sympathy walk-outs and also to picket the Board of Education offices. Cleage announced the formation of a new group, Citizens to Aid Northern, which threatened to defeat school tax hikes in the upcoming May 9 election.



Rev. Albert Cleage

Efforts of school officials, and appeals from "community leaders," to pressure parents into forcing their children back to school failed. State law requires children from 6 through 16 to attend school.

The sentiments of the parents were expressed by their attendance at mass meetings, their support of the Freedom School and their picketing of the Board of Education offices. One parent's sign read: "We Should Have Done This 20 Years Ago." A number of lawyers volunteered their legal services to help parents charged under the state compulsory attendance law.

The younger militant teachers at Northern backed the students all the way during the organizing and carrying out of the protests and boycott. Of the 88 instructors at Northern, 62 are members of the Detroit Federation of Teachers, and 31 of these issued a public statement supporting the students and volunteering to teach in the Freedom School.

The teachers at Northern had been filing grievances against Principal Carty, but the grievance machinery was cranking out justice very slowly. As a result of the crisis precipitated by the student boycott, the DFT took the unusual step of filing a package of grievances against Carty in the name of the whole union.

The Federation added its weight to the student demand to oust

"In March the weekly spendable income of the average manufacturing worker with three dependents — measured in constant prices — was no higher than a year earlier, although he was working somewhat longer hours. Does anyone imagine that labor will continue to show moderation in its wage demands when prices and profit margins are continually rising?" — Gardner Ackley, chairman of the President's Council of Economic Advisers.

through letters and phone calls Carty. It demanded that "the Board of Education place Northern High School under immediate 'trusteeship' by naming an acting principal for the rest of this term . . . it is obvious that the testimony of Northern teachers in any investigation of that school would be worthless as long as Mr. Carty is in a position to invoke reprisals against those who might speak against him."

In addition to the massive pressure exerted by students, parents, teachers and ghetto organizations, new forces were constantly being drawn into the struggle. Church and civic groups expressed sympathy with the students' cause. Marcellus Ivory, a UAW representative and graduate of Northern, announced the formation of a Northern Alumni Association to further education at Northern. Michigan State Senator Basil Brown asked the Senate to investigate all Wayne County schools with special attention to Northern.

After the students returned to Northern on April 26, Superintendent Brownell met repeatedly with Carty, the three student leaders and union representatives. Brownell asked Carty twice to voluntarily request reassignment. Carty refused stating "such a decision would be morally indefensible." He explained that if he stepped out of the situation "I will be helping convince high school students that success in life can be achieved through sustained disregard for the authority of the community."

His Backing

Carty was supported by the School Administrators Council and the Detroit Federation of Administrators and Supervisors; Carty is a member of both groups. Martin Kalish, president of the latter group said that any request by Carty for reassignment would "obviously be a result of mob pressure. We operate our schools based on the authority of the teacher and the principal. How do we operate schools if the students know they can put out a teacher or a principal or anybody else? . . . How do we control nearly 300,000 students in the Detroit school system if pupils are allowed to dictate that a principal must be fired?"

But Superintendent Brownell announced on April 29 that Carty would definitely not return to Northern. The students had won their demand and had made their point: something has to be done about Northern right now!

One of the most outstanding features of this struggle was that it was entirely student-conceived, student-organized and student-led. A small attempt at witch-hunting was launched by the local press when it was announced that the students were involved with the Detroit chapter of the Congress of Racial Equality (CORE) and West Central Organization (WCO), a community action group. The students had asked for legal advice from CORE and had used some of the facilities of WCO but all decisions and all plans were made by the students themselves and carried out by students.

It is unhappily true that the problems at Northern, as at all ghetto schools, cannot be solved through the removal of one man or by an investigating committee or by a four-day boycott no matter how well planned. But the students have shown the kind of militancy, determination and organizational skill that will be essential to a continuing struggle for a decent education for all.