



The Commonwealth of Massachusetts

Mass. Governor's Committee

for

Racial and Religious Understanding: 1944-

PUBLIC POLICY
PAMPHLET

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THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON

MAURICE J. TOBIN
GOVERNOR

February 14, 1945

*To the Mayors and Chairman of Selectmen
of the Commonwealth:*

The Governor's Committee for Racial and Religious Understanding was appointed by my predecessor, now Senator Saltonstall. Because of the effect of war conditions on the publication of public documents, this pamphlet prepared during 1944 is being distributed now.

I welcome this opportunity to state that I thoroughly approve the work of the Governor's Committee for Racial and Religious Understanding and I earnestly hope that the pamphlet will serve the purpose for which it was written.

Sincerely yours,

MAURICE J. TOBIN,
Governor of the Commonwealth.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON

LEVERETT SALTONSTALL
GOVERNOR

December 13, 1944

*To the Mayors and Chairman of Selectmen
of the Commonwealth:*

This pamphlet is being distributed in order that our citizens may have a brief progress report of some of the things the Governor's Committee for Racial and Religious Understanding has done since its formation and in order to assemble in one place references to the laws now on the statute books of our State that protect citizens from discrimination.

On November 9, 1943, I appointed a Committee known as the Governor's Committee for Racial and Religious Understanding "to draw up and advise me in the execution of an over-all program for dealing with the causes of any infringement of personal or religious liberty." This Committee is composed of:

Julius E. Warren,
Commissioner of Education, Chairman
Thomas H. Carens, *Vice-Chairman*
Wilman E. Adams
Rt. Rev. Robert P. Barry
Judge A. K. Cohen
Charles C. Dasey
Rev. William N. DeBerry
Judge Jacob J. Kaplan
Rabbi Joshua L. Liebman
Rt. Rev. Henry Knox Sherrill

The work of the Committee became so large that on May 1, 1944 Mrs. Mildred H. Mahoney was appointed as full-time Executive Secretary.

From this group several subcommittees have been appointed and are now functioning:

- (1) Planning Committee. Judge Kaplan, *Chairman*, Monsignor Barry and Mr. Adams.
- (2) Committee on subversive literature. Mr. Dasey, *Chairman*, Judge Cohen and Bishop Sherrill.
- (3) Committee on action for churches and synagogues. Rabbi Liebman, *Chairman*, Monsignor Barry, Dr. DeBerry and Bishop Sherrill.
- (4) Budget Committee. Mr. Dasey, *Chairman*, Mr. Carens and Mr. Warren.

The planning committee is carrying on an investigation of what is being done by Industry and Labor to prevent racial discrimination from being a factor in employment policies if it becomes necessary to dismiss men and women employees when war contracts cease.

The committee of clergymen has been working with a group of educational experts under the chairmanship of Reverend William J. Daly and has written a number of classroom units which it is hoped will be introduced into various church schools, Protestant, Catholic, and Jewish.

The first publication of the Committee as a whole was called, "A Bulletin for Police Administrators," prepared with the assistance of John F. Stokes, Commissioner of Public Safety. Its purpose is to make police officials more understanding about the conditions which cause intergroup tensions and the most effective ways of handling these tensions where they exist. I am happy to say that this Bulletin has been in great demand by police officials and others concerned with the problem of racism throughout the country. A significant follow-up of the publication of this Bulletin is the organization of a program of lectures and discussions intended for police officers. This program has been developed cooperatively by a committee of educators and police officials.

Encouraging progress is reported in the field of public school education. The proceedings, recently published, of a conference of the Massachusetts Superintendents of School at Bridgewater on April 20 and 21, 1944

presided over by Julius E. Warren, Commissioner of Education and Chairman of the Governor's Committee for Racial and Religious Understanding had as the chief topic for discussion, "Improving Racial Understandings and Respect for Religious Differences THROUGH EDUCATION." This conference was very effective and included definite recommendations relative to Intercultural Education which the Superintendents have pledged themselves to promote. I am pleased to report also that as a follow-up to this conference, teacher training courses in Intercultural Education are being set up by the Division of University Extension of the State Department of Education.

The Governor's Committee is encouraging the formation of Community Relations Committees in cities and towns throughout the State. These local groups do not represent the Governor's Committee officially. They are rather being organized and initiated by local citizens who see the need for the promotion of better intergroup relations in their respective communities. Acting in this unofficial capacity, their purpose is to work with the Governor's Committee in various ways—distributing literature, arranging programs, securing speakers for local meetings, examining into situations that give rise to tensions, lending support to programs of Intercultural Education in the schools and among adults, and seeking to develop cooperative effort on the part of the police and all local groups who are or should be concerned with this significant problem.

As a means of offering help to interested groups, the Committee is planning to publish a news letter which will serve as a clearing house for information provided by some forty odd cooperating groups.

The Commonwealth of Massachusetts has long opposed discrimination based upon race, creed or color. I hope that this pamphlet will be helpful and will receive wide distribution. I know all responsible public officials will be zealous in their duty in these matters.

Sincerely yours,

LEVERETT SALTONSTALL,

Governor of the Commonwealth.

LEGISLATIVE ENACTMENTS DIRECTLY
AFFECTING RACE, COLOR, RELIGION,
AND NATIONALITY

Chapter 376, Acts of 1920.

AN ACT TO SECURE EQUAL OPPORTUNITY TO ALL CITIZENS OF THE COMMONWEALTH FOR EMPLOYMENT IN THE PUBLIC SERVICE OR BY STREET RAILWAY COMPANIES PUBLICLY CONTROLLED OR AIDED.

Be It Enacted, Etc., as Follows:

The application of a citizen of the commonwealth for employment in any department of the commonwealth or any political division thereof or in any department of a street railway company, operated, owned, controlled or financially aided in any way by the commonwealth, or by any political subdivision thereof, shall not be affected by the applicant's national origin, race or color. (*Approved April 30, 1920.*)

Chapter 223, Acts of 1943.

AN ACT PENALIZING THE LIBEL OF GROUPS OF PERSONS BECAUSE OF RACE, COLOR OR RELIGION.

Be It Enacted, Etc., as Follows:

Chapter two hundred and seventy-two of the General Laws is hereby amended by inserting after section ninety-eight B, inserted by chapter one hundred and seventy of the acts of nineteen hundred and forty-one, the following section:—SECTION 98C. Whoever publishes any false written or printed material with intent to maliciously promote hatred of any group of persons in the commonwealth because of race, color or religion shall be guilty of libel and shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. The defendant may prove in defense that the publication was privileged or was not malicious. Prosecutions under this section shall be instituted only by the attorney general or by the district attorney for the district in which the alleged libel was published. (*Approved April 30, 1943.*)

Chapter 138, Acts of 1934.

AN ACT INCREASING THE AMOUNT OF FORFEITURE PAYABLE TO A PERSON AGGRIEVED BY DISCRIMINATION ON ACCOUNT OF RACE OR COLOR.

Be It Enacted, Etc., as Follows:

Section ninety-eight of chapter two hundred and seventy-two of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the eleventh line, the word "twenty-five" and inserting in place thereof the words: — one hundred, — and by striking out, in the same line, the word "three" and inserting in place thereof the word: — five, — so as to read as follows: — SECTION 98. Whoever makes any distinction, discrimination or restriction on account of color or race, except for good cause applicable alike to all persons of every color and race, relative to the admission of any person to, or his treatment in, a theatre, skating rink or other public place of amusement, licensed or unlicensed, or in a public conveyance or public meeting, or in an inn, barber shop or other public place kept for hire, gain or reward, licensed or unlicensed, or whoever aids or incites such distinction, discrimination or restriction, shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year, or both, and shall forfeit to any person aggrieved thereby not less than one hundred nor more than five hundred dollars; but such person so aggrieved shall not recover against more than one person by reason of any one act of distinction, discrimination or restriction. (*Approved April 6, 1934.*)

Chapter 170, Acts of 1941.

AN ACT TO PREVENT DISCRIMINATION IN EMPLOYMENT ON PUBLIC WORKS AND PROJECTS AND IN THE DISPENSING OF PUBLIC WELFARE BECAUSE OF RACE, COLOR, RELIGION OR NATIONALITY.

Be It Enacted, Etc., as Follows:

Chapter two hundred and seventy-two of the General Laws is hereby amended by inserting after section ninety-eight A, inserted by section one of chapter one hundred and fifty-five of the acts of nineteen hundred and thirty-eight, the following new section: — SECTION 98B. Whoever, knowingly and wilfully, em-

employs discriminatory practices in the administration or giving of employment on public works or projects, or in the dispensing or giving of public relief or public welfare or any public benefit, because of race, color, religion or nationality, shall be punished by a fine of not more than one hundred dollars. (*Approved April 9, 1941.*)

Chapter 39 of Resolves of 1943.

RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO THE MATTER OF DISCRIMINATION AGAINST PERSONS IN EMPLOYMENT BECAUSE OF THEIR RACE, COLOR, RELIGION OR NATIONALITY.

RESOLVED, That a special unpaid commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, is hereby established to investigate the matter of discrimination against persons in employment because of their race, color, religion or nationality, and to make such studies within the spirit of this resolve as shall be helpful in abolishing such discrimination. In making said investigation, said commission shall consider the report of the Massachusetts commission on the employment problems of negroes referred to in current house document numbered two hundred and sixteen, and shall consider the subject matter of current senate documents numbered two hundred and twenty-two, two hundred and twenty-three, and current house documents numbered four hundred and forty-four, four hundred and forty-five, four hundred and forty-six and four hundred and forty-seven. Said commission shall hold hearings, shall be provided with quarters in the state house or elsewhere and shall have power to summon witnesses, require the production of books, records, contracts and papers and require the giving of testimony under oath. Said commission may expend for expenses and legal, clerical and other assistance such sums, not exceeding, in the aggregate, one thousand dollars, as may hereafter be appropriated. Said commission shall report to the general court the results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same

with the clerk of the house of representatives not later than the first Wednesday of November in the year nineteen hundred and forty-four. (*Approved June 8, 1943.*)

Chapter 117, Acts of 1933.

AN ACT TO PREVENT ADVERTISEMENTS TENDING TO DISCRIMINATE AGAINST PERSONS OF ANY RELIGIOUS SECT, CREED, CLASS, DENOMINATION OR NATIONALITY BY PLACES OF PUBLIC ACCOMMODATION, RESORT OR AMUSEMENT.

Be It Enacted, Etc., as Follows:

Chapter two hundred and seventy-two of the General Laws, as appearing in the Tercentenary Edition thereof, is hereby amended by inserting after section ninety-two the following new section:—SECTION 92A. No owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, resort or amusement shall, directly or indirectly, by himself or another, publish, issue, circulate, distribute or display, or cause to be published, issued, circulated, distributed or displayed in any way, any advertisement, circular, folder, book, pamphlet, written, or painted or printed notice or sign, of any kind or description, intended to discriminate against or actually discriminating against persons of any religious sect, creed, class, race, color, denomination or nationality, in the full enjoyment of the accommodations, advantages, facilities or privileges offered to the general public by such places of public accommodation, resort or amusement; provided, that nothing herein contained shall be construed to prohibit the mailing to any person of a private communication in writing, in response to his specific written inquiry.

A place of public accommodation, resort or amusement within the meaning hereof shall be defined as and shall be deemed to include any inn, whether conducted for the entertainment, housing or lodging of transient guests, or for the benefit, use or accommodation of those seeking health, recreation or rest, any restaurant, eating-house, public conveyance on land or water or in the air, bathhouse, barber shop, theatre and music hall.

Any person who shall violate any provision of this section, or who shall aid in or incite, cause or bring about, in whole or in part, such a violation shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than thirty days, or both. (*Approved April 6, 1933.*)

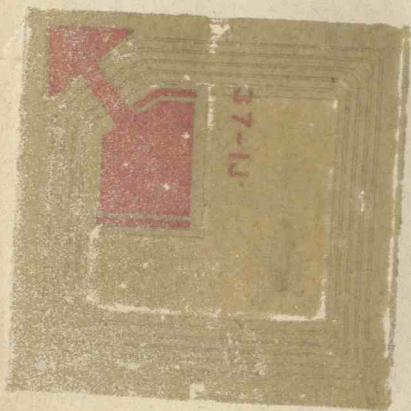
CONSTITUTION OR FORM OF GOVERNMENT
FOR THE
COMMONWEALTH OF MASSACHUSETTS

PART THE FIRST.

*A Declaration of the Rights of the Inhabitants of the
Commonwealth of Massachusetts.*

Article I. All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

Art. II. It is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession or sentiment; provided he doth not disturb the public peace, or obstruct others in their religious worship.



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