

■ When the Committee of Racial Equality made up its mind to fight jim-crow in the Palisades Pool, N. J., and the Bimini Baths, California, it got results

The Proof of the Pudding

By James Peck

(Reprint from *THE CRISIS*)

IN this case the pudding is racial equality at two swimming pools—one on the east coast, the other on the west coast—and it has proved to be most palatable to the managements. The two pools are Palisades Pool, across the Hudson River from New York, which describes itself as the world's largest salt water pool, and Bimini Baths in Los Angeles.

In both cases the managements were as reluctant to try the pudding as a child is to take castor oil. They both expressed the same fear: that they would lose business if Negroes were admitted. In Los Angeles the Committee of Racial Equality actually gathered attendance statistics to show that other pools in the city had not lost business as a result of admitting Negroes, but Bimini remained stubborn.

Both at Palisades and Bimini it took a prolonged campaign of non-violent direct action by groups of the Committee of Racial Equality (Core) to make the managements abandon their jimcrow policies. At

Palisades the campaign lasted two and one half summers; at Bimini, ten months. In both cases management countered by using violence against members of the groups. In both cases when the managements finally did capitulate, they found the non-segregated policy working smoothly. There were no racial clashes and no business losses.

After several weeks of operation under the new policy, Irving Rosenthal, owner of the Palisades Pool, told officials of New Jersey's Division Against Discrimination that he is completely satisfied. New Jersey officials first called on Rosenthal just before the pool opened for the 1949 summer season. At that time he assured them that he would comply with the 1949 New Jersey civil rights law—the Freeman Act—which specifically prohibits discrimination in swimming pools. That he did comply was determined by members of our committee who went swimming there in small interracial groups. The Negroes were admitted without discrimination.

On these occasions we recalled that as recently as the closing day of the previous year's season, Rosenthal told one of our pickets: "You'll all

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drop dead before I change my policy." He combatted our campaign with two types of club—the membership club and the police club. The membership club served as a device to keep Negroes out. Whites were admitted by merely buying a ticket at the gate.

The police club was used against members of our group who picketed or who sought admission to the pool. In the summer of 1947, I suffered a fractured rib and a broken jaw at the hands of Park guards. On one of these occasions, local police held on to my arm while a guard swung at me. One of our group was black-jacked by a local cop and another by a Park guard. Several of us were repeatedly manhandled by guards and police.

These onslaughts were personally supervised by Rosenthal who issued orders to the police and reprimanded them if they did not carry out the orders fast enough. Fifty arrests were made of members of our group during the summers of 1947 and

1948. That these arrests were illegal was made plain by the New Jersey Supreme Court which reversed lower court convictions in eight key cases. The rest of the cases were dropped by the lower courts.

Use of the police club method by Rosenthal did not deter us from our method of non-violent direct action. Rosenthal had our people beaten, arrested, and sometimes bodily carried out of the Park only to find them back again standing in a group and refusing to move until they should be granted their right to buy a ticket.

In Los Angeles, John Frost, owner of Bimini, also used violence when the Committee of Racial Equality's group stood in line at the ticket booth insisting on their right to go swimming. Members of the group were manhandled by pool employees. On one occasion Kemper Nomland was pushed through a plate glass window. On two occasions a fire hose was played on the group.

But they kept coming back until

GENERAL VIEW of Palisades Park, New Jersey.



Wide World

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CORE

one Saturday the manager came out and said: "How would you all like to go in for a swim?" The jimcrow policy was ended.

At Palisades the direct action campaign was accompanied by legal action. Civil rights suits against the Park were initiated in both state and federal courts by Hiram Elfenbein and Meyer Pesin, Jersey City attorneys who volunteered their services. They testified at hearings preceding the drafting of the 1949 New Jersey civil rights law to make sure that the law specifically mentioned swimming pools. This they succeeded in accomplishing. The old state civil rights law specified merely bathhouses and in court actions brought by us, Palisades claimed that it did not fit into this category.

The inevitable red herring was dragged out by both Palisades and Bimini during the anti-jimcrow campaigns. At both places the managements circulated rumors that we were Communists, although the Committee of Racial Equality is known to be non-Communist. At Palisades they went to the extent of saying that they had seen FBI reports stating that we were Communists.

When Rosenthal was discussing with New Jersey officials details of the change of policy he said, referring to us: "But I won't admit Communists." The officials retorted that he knew as well as they that our group was not Communist and added that if he should refuse admission to any Negro, even a Communist Negro, he would be subject to the penalties of the civil rights law. Rosenthal did not press the point further.

At Bimini, on one occasion, the manager came out and offered to admit the entire group to the pool if they would all sign non-Communist affidavits. This ridiculous proposal, typical of the present atmosphere of hysteria, was of course rejected by the group and a week later the campaign ended successfully.

Having read this far, a skeptic may say: fine, but what about Anacostia Pool in Washington, D.C. and Fairgrounds Pool in St. Louis, Mo., where racial clashes marred the openings on a non-segregated basis.

First, these situations cannot be compared with Palisades or Bimini because they arose in cities where jimcrow prevails in most phases of life. It must also be said that while the newspapers played up these incidents, they did not mention that no racial clashes occurred at the other non-segregated pools operated in Washington by the Department of Interior and in St. Louis by the city.

Secondly, the incidents could have been avoided had the authorities in charge made proper preparations for establishment of non-segregated policy. Details of such preparations are contained in a plan for reopening Anacostia, which was drafted by the Washington Committee of Racial Equality. Some twenty civic and church groups including the NAACP joined in presenting it to the Department of Interior. The Department agreed to put most of the plan into effect when Anacostia Pool is reopened. One point which has been adopted already is the series of talks on race relations which have been



presented to Washington police.

In St. Louis, the Committee of Racial Equality drew up a similar plan and presented it to the mayor and to George Schermer, director of the Detroit Mayor's Interracial Council, who was engaged to make a study of the racial clash at Fairgrounds Pool. In issuing his report, which called for reopening the pool on a non-segregated basis, Schermer recommended adoption of most of the points in the plan.

Both the Washington and St. Louis plans call for making a complete explanation to groups and individuals on how they can cooperate in making a non-segregated policy work plus a clear statement of policy on the part of the authorities. They also call for organization of sympathetic cooperation from the press and local police.

"The key to controlling the situation when the pool reopens on a non-segregated basis lies in the choice of trained and skillful personnel," the plans say. "This personnel should be interracial."

But while the plans were approved, the authorities in Washington and St. Louis did not have the courage to reopen the two respective pools this summer.

In Philadelphia during the war, when Negroes were first employed on the transit system, these same undemocratic elements aided by the company, organized a phoney protest strike. But the non-jimcrow policy was not abandoned and as a result today, over 200 Negroes are employed on the transit system without any racial disturbances.

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