

Sacramento Report



By CHARLES CHAPEL

Assemblyman, 46th District

By CHARLES EDWARD CHAPEL, Member of the Assembly, California Legislature, P.O. Box 777, Inglewood 1, Cal.

Party Outlawed

During the last week of the session, the Legislature passed and the Governor signed my Assembly Bill No. 52, which outlaws the Communist Party in California, thus ending a long and bitter fight between patriotic citizens of California and the Communists and their allies.

Background of Fight

In 1940 and 1941, the Legislature enacted laws which attempted to outlaw the Communist Party by name, but in 1942 the Supreme Court of the State of California declared it unconstitutional to outlaw the Communist party by name, at the same time explaining how the Legislature could outlaw the Communists by description, although not by name.

From 1942 until 1953, I do not know of any organized effort to outlaw the Communist Party in accordance with the recommendations of the California Supreme Court until my Assembly Bill No. 52 was introduced in January 1952.

Non-Partisan Effort

One reason that A.B. 52 succeeded is that both Democrats and Republicans were included as co-authors in order that neither political party could claim all the credit for this law. Before, most anti-Communist bills were introduced and pushed almost entirely by Republicans, although a few Democrats did play some part in the fight. Regarding this approach as a fatal weakness, I deliberately obtained the backing of both parties.

Key Phrases

Here are key phrases used to outlaw the Communist Party: "Notwithstanding any other provisions of this code, no party shall be recognized or qualified to participate in any primary election which either directly or indirectly carries on, advocates, teaches, justifies, aids or abets the overthrow by any unlawful means of, or which directly or indirectly carries on, advocates, teaches, justifies, aids, or abets a program of sabotage, force and violence, sedition, or treason against the Government of the United States or of this State."

Due Process

In addition to the above words, which describe the Communist Party instead of naming it, A. B. 52 provides an elaborate procedure whereby any new political party can qualify for a place on the ballot if it does not come within the prohibited description.

Quakers Are Innocent

At the Assembly Elections Committee hearing, a man who opposed the bill said he belonged to the "American Society of Friends." We assumed that he was a genuine Quaker, but members of the "Society of Friends," who have headquarters in Whittier, have assured me that they do not oppose the bill and have never opposed it. Apparently, some who claim they are Quakers are sometimes people who operate falsely under the label.

Importance of New Law

The California Senate's fact-finding committee on un-American activities, the seventh of its kind filed in the Senate during the last ten years, emphasizes the importance of my new law banning the Communist Party from the ballot by means of the following observations:

(1) California has more Communists than any state except New York. Most of these are in Southern California, particularly in Los Angeles County.

(2) California's major state colleges and universities are cooperating with the Senate Com-

mittee in screening Communists with the result some 100 subversive employees have been eliminated.

(3) Five Communists infiltrated the 450-employee staff of the Los Angeles City Housing Authority but have been dumped.

(4) There is no heavy infiltration of Communists among school teachers but where they get in, they have succeeded.

(5) The Communist Party of India is expected to attempt to lean toward a planned state, raise money and recruit Communist agents, among California's population of more than 6000 persons from India and Pakistan. (Many of these are called "Hindus," but that term refers to a religion and not to a race or to a national group).

Anti-Communist Law Halted as Outstanding Act of 1953

Members of both political parties have said that the law barring the Communists from the ballot is the outstanding act of

the 1953 Legislature, that it more effectively restricts their activity than loyalty oaths, or any other type of anti-subversive legislation ever passed in California.

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