

**ARAB PRESSURES**

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or with anyone doing business with Israel. In an introduction and summary, Mr. Walpin pointed out that the most obvious legal action against religious discrimination in employment would come under the civil rights laws which prohibit discrimination because of race, color, creed or religion in hiring, firing, compensation and all other conditions of employment.

However, since there is concern in the Jewish community that the Arab boycott might seek to accomplish its purposes by more devious and covert means, Mr. Walpin presented what he called "remedies available to victims of discrimination arising out of more esoteric schemes." Such schemes, he declared, could be combatted by laws relating to fraudulent misrepresentation, banking, breach of contract, anti-trust, and investments by state and city agencies as well as charitable and other trust funds.

Fraudulent misrepresentation, for example, might be charged under the General Business Law (Section 349) against a banking or investment banking firm or other company that complied with the demands of the Arab blacklist but did not inform its customers or shareholders that it was doing so. The reason for this, Mr. Walpin explained, was that "many consumers would no doubt refuse to deal with a company participating in the boycott" and shareholders might "wish to take action to change company policy to avoid loss of good will or suits against the company."

A banking organization that engaged in religious discrimination in connection with loans or in dealings with the State of Israel might be charged under the Banking Law (Section 9(d)), by which the State Superintendent of Banking is required to enforce a section of the State Executive Law which states that it is unlawful for any creditor or officer, agent or employee of such creditor to discriminate "in granting, withholding, extending or renewing, or in the fixing of rates, terms or conditions of, any form of credit."

If a company should be persuaded by Arab pressure to breach a contract, it could of course

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be sued for that breach, Mr. Walpin continued. However, he added, a suit for conspiracy to breach the contract could also be brought against those who induced the breach.

Under New York's Anti-Trust statute, known as The Donnelly Act, Mr. Walpin stated, a suit for restraint of trade must prove that the restraint is "unreasonable," with the question of reasonableness to be determined on a case by case basis. While this might seem to make anti-trust suits in New York somewhat precarious, he offered the following clarification:

"While it is well established that companies and individuals may refuse to deal with whom-ever they choose, this freedom does not extend to concerted refusals to deal. While the New

**BANKING OFFICIALS DENOUNCE BIAS**

NEW YORK (WNS) -- Twenty-two state banking commissioners have told the American Jewish Committee that they will not tolerate discrimination by any state bank under their jurisdiction as the price for accepting Arab investments or deposits in their institutions.

The AJCommittee asked the state commissioners to issue directives following reports that some banks may have been offered large deposits by foreign investors on condition that no Jew serve on the bank's Board of Directors or control any significant portion of stock. The AJCommittee said the strongest action was taken by banking

authorities in Illinois, Massachusetts, New Hampshire and New York.

The other states were California, Colorado, Georgia, Idaho, Iowa, Kansas, Mississippi, Montana, Missouri, Nebraska, New Mexico, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Virginia and Wyoming.

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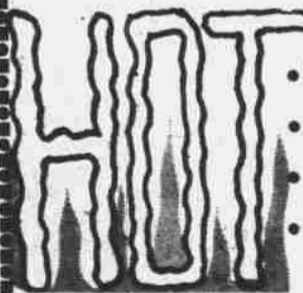
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