The Court Archive:
Pearl M. Hart

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Chicago attorney Pearl M. Hart spent 61 years defending the city's immigrant and marginalized communities. She represented immigrants accused of un-American activities, abused women and children, and later she would centralize her work around Chicago's LGBTQ community. She was a long-time friend of Studs Terkel, another advocate for social justice, and she worked for anti-entrapment laws and the right to privacy.

Hart was born in Traverse City, Michigan in 1890 to Russian Jewish immigrants. Shortly thereafter her family moved to Chicago where her father served as an orthodox rabbi, and her mother was a social worker. She left school in 1904 at the age of 14 to help support her family, and in her early 20s she went to law school at night. In 1914, she graduated from John Marshall Law School and passed the bar exam. In 1915, she became the first woman defender in the Chicago Morals Court, later known as the Women's Court, and was one of very few women working in criminal law in Illinois at the time. After leaving the Morals Court, Hart continued to focus on cases representing women, children, the indigent, and immigrants.

In 1937, Hart was one of the founders of the National Lawyers Guild. The Guild focused on advancing civil liberties, racial equality, the right of workers to organize, and the rights of immigrants. It was a progressive organization of lawyers and jurists who emphasized human rights over property rights, and she served as its first national secretary. Guild lawyers argued cases such as *Hansberry v. Lee, 311 U.S. 32 (1940)* that helped to end redlining laws in Chicago. Guild members also helped write the Universal Declaration of Human Rights at the convening of the United Nations.

During the McCarthy era, Guild members represented thousands of individuals including the Rosenbergs and the Hollywood Ten at the height of anticommunist hysteria. Hart handled many of those cases including a case she appealed all the way to the U.S. Supreme Court, *U.S. v. Witkovich, 353 U.S. 194 (1957)* where her client was indicted under the Immigration and

Nationality Act of 1952. Witkovich was an alien against whom a final order of deportation had been outstanding for more than six months, and he had willfully failed to give information requested by the Immigration and Naturalization Service under the purported authority of the Act. He was asked to reveal information related to his membership in and activities on behalf of the Communist Party and other organizations, and associations with particular individuals. Hart asserted that under the First Amendment of the U.S. Constitution, her client was not obligated to answer and that such questions were irrelevant to his deportation status. She would win the case in 1957. She also represented George Anastaplo in his 1954 Illinois Supreme Court case.

Hart was also instrumental in the founding of the Midwest Chapter of the Mattachine Society in Chicago, which was Chicago's first successful gay rights organization, and served as its legal counsel until her death in 1975. In fact, it wasn't until 1965 at the founding of the Chapter that Hart came out publicly. Though she came to focus on LGBTQ issues later in life, her impact was significant. She was fondly known as 'the guardian angel of the Chicago gay community', she was one of the first individuals to be inducted to the Chicago LGBT Hall of Fame in 1992, and the Gerber Hart Library and Archives—the Midwest's largest gay and lesbian circulating library founded in Chicago in 1981—is named for her and Henry Gerber, an early gay rights activist in Chicago. Hart also has a *Chicago Tribune* Marker of Distinction in her honor at 2821 North Pine Grove Avenue.

Pearl M. Hart died on March 22, 1975, at Northwestern Hospital of pancreatic cancer and heart disease. Her enduring reverence for social justice and civil liberties, instilled in her by her parents and her work in the National Lawyers Guild would be a hallmark of her legal career. She believed in civil liberties for all people and worked tirelessly for those who were marginalized in society.