

Regional Oral History Office
The Bancroft Library

University of California
Berkeley, California

Elizabeth Paschal, Pioneering Career Woman:
New Deal Labor Economist, Social Security Administration Program Chief,
Ford Foundation Executive

With an Introduction by
Karl E. Case

Interviews Conducted by
Marcia Adams
Sandra Eakins
Joan Merdinger
Jeanne Moulton
Stacia A. Sambar
Mary Elizabeth Schmidt
in 1995

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CATALOGING INFORMATION

PASCHAL, Elizabeth (b. 1902)

Pioneering Career Woman: New Deal Labor Economist, Social Security Administration Program Chief, Ford Foundation Executive, 1996, xii, 328 pp.

Paschal family background; youth, education, vacations; student experiences at Wellesley College, and University of Wisconsin, Ph.D. dissertation ("The Worker's Equity in His Job"); professor of Economics and Sociology at Marietta and Eureka Colleges; Supervisor, Rocky Mountain Region of the Consumers' Purchases Survey; Economics lecturer at the New Jersey College for Women; Researcher for the American Federation of Labor, Florence Thorne; Chief, Program Planning Branch of the Bureau of Old Age and Survivors Insurance (U.S. Social Security Administration); Fund for the Advancement of Education (FAE): Executive Assistant to the President, Corporate Secretary, Treasurer; Ford Foundation: Executive Associate, Associate Program Director; career experiences, sexual discrimination, views on being a career woman in the 1930's, 40's, and 50's; views on the Great Depression, Communism and McCarthyism, Social Security amendments, Civil Rights Movement, labor unions, health care, education, retirement; national and international honors, civic affiliations (West Bay Wellesley Club; Colloquium; English in Action, Stanford University; Chair for Foundations, Wellesley College National Development Fund Committee; Board Member, Neighbors Abroad; Board Member, Women's Club of New York City; President, Marietta chapter of the A.A.U.W.); publications ("Organizing for Better Instruction", *Encouraging the Excellent, Special Programs for Gifted and Talented Students*).

Introduction by Karl E. Case, Marion Butler McLean Professor in the History of Ideas and Professor of Economics at Wellesley College, Lecturer on Economics and Tax Policy in the International Tax Program at Harvard Law School, Visiting Scholar at the Federal Reserve Bank of Boston, partner in the real estate research firm Case Shiller Weiss, Inc., member of the Board of Directors of the Mortgage Guaranty Investment Corporation of Milwaukee, Wisconsin, and the New England Economic Project.

Interviewed 1995 by Marcia Adams, Sandra Eakins, Joan Merdinger, Jeanne Moulton, Stacia A. Sambar, and Mary Elizabeth Schmidt and of the West Bay Wellesley Club, Inc. for the Regional Oral History Office, The Bancroft Library, University of California, Berkeley.

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The Committee for the Oral History of Elizabeth Paschal wishes to acknowledge and to thank their many supporters and helpers for assistance of many kinds. First, as the reader will discover, there could be no better subject for an oral history project than ours, Elizabeth Paschal. Next, we are grateful to the members of the Regional Oral History Office, University of California, Berkeley, for their expert knowledge, tactful guidance, and confidence that our committee of volunteers could accomplish a finished product. We want to thank especially Willa Baum, Lee Swent, and Carolyn Rice. Wellesley College and the West Bay Wellesley Club provided steady encouragement. The Wellesley College Alumnae Association, especially Barbara Luton, Ruth Moffa, and Leigh Maccini, gave us advice and direction. Professor Karl E. Case of Wellesley gave us additional enthusiastic encouragement and wrote the illuminating introduction to the history.

We thank Judith Kemper for videotaping every minute of every interview, and Geoffrey Minter for assistance in editing the introductory material. For transcription services, we thank Diane Ryder and Coast Line Secretarial of Half Moon Bay, California, and our daughters Rebecca Ladd Eakins and Chrissy Hennenberg. For copying the audio tapes, we acknowledge Music Annex of Menlo Park, California. Brian James of Copigraphics of Mountain View, California provided professional services reproducing the book itself. Gil Eakins ran countless errands to supply us with fresh tapes and batteries and he serviced the occasionally balky tape recorders. And finally, Tod Sambar made nightly computer backups of the work in progress and performed innumerable system administration tasks that enabled the successful production of this book.

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INTRODUCTION--by Karl E. Case

Elizabeth Paschal began her academic life writing an undergraduate honors thesis at Wellesley College under the supervision of Katherine Lee Bates. At the University of Wisconsin, her Ph.D. dissertation in economics was supervised by John R. Commons and was published serially in the *Journal of The American Federation of Labor* beginning in 1934.

She held academic positions at Marietta College, Eureka College, and the New Jersey College for Women. She did research at the American Federation of Labor during the reign of Samuel Gompers, directed the Program Planning Branch of the Bureau of Old Age and Survivors Insurance (later, the Social Security Administration) for nearly a decade, and helped mold the Ford Foundation into a powerful force for the advancement of education.

She studied economics at the time that it was emerging as a separate discipline. She was there at the very early stages of the labor movement, during the infancy of the Social Security Administration, and at the birth of the Ford Foundation.

One need only look at the statistics on women in the economics profession to understand what a true pioneer Elizabeth Paschal was as an academic economist. During the 1940's and 1950's, there were only a handful of women professors of economics among nearly two thousand tenured men in the U.S.

The absence of women from academic positions was not confined to economics nor to the distant past. As recently as the early 1980's, the University of California System employed 2,472 men and 117 women as full professors. I was trained at Harvard in an Economics Department made up of 61 men and no women during the 1970's. The labor movement and the senior staffs of most foundations were almost exclusively male when Elizabeth was there.

Now the world is changing. Women are finding their way into the academy in ever increasing numbers, and they are assuming leadership positions in business, the professions, and government. But the women of today owe a deep debt to Elizabeth Paschal and to the others like her who stuck their feet in the closing doors and demanded seats at the table with very little support from anyone.

The story that unfolds in the following pages is fascinating; it will be required reading for all of my students at Wellesley. I only wish that I had met this remarkable woman earlier in my career.

Karl E. Case
Marion Butler McLean Professor in the
History of Ideas and Professor of
Economics at Wellesley College

September 1996
Wellesley, Massachusetts

INTERVIEW HISTORY--Elizabeth Paschal

Elizabeth Paschal is a remarkable woman. Her small and delicate stature belies her strength, her practical can-do attitude, and her ability to succeed in traditionally male-dominated environments - the field of economics, the halls of Congress, and the executive washroom. Intelligent, modest, and an active member of her community, Elizabeth is as valid a role model for today's woman as she was at the height of her career forty years ago. As Sandra Eakins recalls:

"I realized that Elizabeth was a very special person with extraordinarily intellectual capabilities one day in 1989 while driving from Palo Alto to San Francisco for a Wellesley College meeting. I opened a discussion with Elizabeth about a current news topic, and she responded by summarizing the issues, outlining several considerations, and finishing up with a clear summary statement. I asked additional questions and she responded characteristically. We were in San Francisco before I knew it. Readers will recognize this pattern in every chapter of this oral history. As time went on, I habitually turned to Elizabeth for informed, thoughtful analysis of questions and I always came away with my own thinking challenged, a most rewarding process."

About two years after this incident, Sandra met Willa Baum, one of the country's leading authorities on oral history and the current Director of the Regional Oral History Office (ROHO), which is part of the University of California's Bancroft Library at Berkeley. She responded enthusiastically to Sandra's nomination of Elizabeth for an oral history—in fact, Elizabeth's name had already come up as a possible candidate—and soon after, they began the process of determining how to produce one.

Funding was the most immediate challenge; an oral history typically costs about \$20,000 to produce. Frequently, a subject's oral history at ROHO is funded by the industry in which the subject served, but raising the customary sum from former employers seemed unlikely for someone who had retired in 1964 and who had worked largely for the government. Then, in 1994, Lee Swent, an interviewer and editor for ROHO heard Elizabeth speak at Wellesley College's ninth annual Western Regional Alumnae Forum in San Francisco (see Appendix E). She told Sandra, "Get a tape recorder and get going."

With that charge, a new plan took shape. Putting effort into producing an oral history was more attractive to Sandra than trying to raise money, and she realized that making this a group project would have several advantages, especially with volunteers to do the interviews, transcription, and editing. With Willa's encouragement, she set about recruiting a committee. An invitation to participate in producing an oral history of Elizabeth Paschal appeared in the West Bay

Wellesley Club Newsletter (see Appendix F) and a volunteer committee formed quickly. Mary Elizabeth Schmidt was recruited because she was not only interested in Elizabeth and in history, but was also a friend of Lee Swent. Stacia Sambar, the project's writer and editor, saw the announcement and called to volunteer, as did Marcia Adams, who has been the committee's attorney. Joan Merdinger had already volunteered earlier and Jeanne Moulton was invited to join based on her experience evaluating education projects for the Agency for International Development. Finally, the only non-Wellesley alumna, videographer Judith Kemper, volunteered as soon as she heard about the project.

In May 1995, Willa and Lee met with the committee and Elizabeth to explore the idea of a volunteer oral history. By the end of that meeting, they were convinced of the committee's ability and commitment, and with the agreement that the final product would meet ROHO's standards, the project was underway.

When the committee next met, Elizabeth's career and life were divided into six clearly-defined phases: childhood (1902-24), academic career (1924-35, 1937-38), government career (1936-37, 1939-41), Social Security Administration (1942-51), Ford Foundation (1952-67), and finally, retirement (1968-present). The goal was that each committee member would chose a period of Elizabeth's life on which to focus and the interviews would be conducted in chronological order. Sorting out the assignments went very smoothly, as each interviewer followed her special interest. Mary Elizabeth, a historian of her own family, wanted to know more about Elizabeth's family and early life. Stacia, a technical writer and economics major, was interested in Elizabeth's early academic work. Marcia, an attorney and history major, wanted to cover Elizabeth's work during the New Deal, while Joan, a Professor of Social Work, was most interested in Elizabeth's years with the Social Security Administration. Jeanne, a writer and program evaluator, chose Elizabeth's tenure at the Ford Foundation. And finally, Sandra, a business owner and local public official, was particularly interested in Elizabeth's intellectual and social activity in retirement.

The approach taken by the committee was to produce questions that would serve to evoke Elizabeth's memory of events, emotions, and career and life decisions. Of less importance were Elizabeth's present day reflections or judgements of paths she had followed or choices she had made. The carefully prepared research done by each interviewer and the questions produced by this process provided a framework for each interview, to which Elizabeth also contributed topic suggestions and questions. The interviews themselves were conducted in the living room of Elizabeth's home in Palo Alto between April and December 1995. Each was videotaped and audiotaped, and from the audio tapes were produced the transcripts contained in this book. Each transcript went through one or more editing passes by both Elizabeth and the interviewer, until both were satisfied that it captured the essence of their conversation. Chapter and section headings were added last, and the chapters indexed.

During this same period, the committee continued to meet each month to refine the interview and transcription processes, and to plan for the production of the oral history. Communication and coordination between committee members took place by phone and by electronic mail, and there was much sharing of research materials, microcassette recorders, and transcribers. Marcia drew up the legal agreements, Joan found many of Elizabeth's past writings, and Stacia met with Elizabeth to pore over old photos and select some from each stage of her life. Introductory material was prepared, biographical statements written, speakers for the celebration party found, and money raised to cover the costs of reproduction and binding. As volunteers, the committee was inventing their own wheel, a few spokes at a time.

When Elizabeth finished the final corrections on the last chapter, she revealed that she had not been sure how the project was going to go when it was started. To her credit, she never expressed a word of doubt while she gave each interviewer her complete attention and cooperation. She also made each interview fun. She enjoys telling a good story, especially when she can laugh at herself or at just plain silliness, and she loves to laugh. As she says in the last chapter, "Having fun and enjoying your life is what keeps you going."

One of the many motivations for documenting Elizabeth's life was to provide insight into the life of a professional woman at a time when women were not a significant part of the American labor force. In doing so, the committee hoped not only to pay tribute to a fellow Wellesley alumna and to leave a legacy to Wellesley College that would inspire upcoming generations of students, but to make a small contribution to women's history as well.

This is ROHO's first oral history produced by volunteers and the first one produced by a *group* of interviewers as well. In an effort to illuminate each committee member's motivations and to discover her connection to this unique project, each was asked to prepare a brief biographical statement.

Marcia Howe Adams, Wellesley class of 1970

"I received a B.A. in History from Wellesley College in 1970 and a J.D. from Stanford Law School in 1978. After working as a litigation associate at the Palo Alto, California law firm of Ware, Fletcher & Freidenrich, I joined the legal department of Hewlett-Packard Company in 1980 as a Marketing Attorney. I am currently Corporate Counsel there, where I advise and train HP divisions and field personnel on antitrust and contract law matters. In addition to working at HP, I have been married to Ted Adams (Dartmouth '69) since 1970 and have two daughters, born in 1981 and in 1984.

As soon as I saw the article in the West Bay Wellesley Club Newsletter in the spring of 1995 asking for volunteers to interview Elizabeth Paschal as part of an oral history, I knew I wanted to participate. I love learning

about the personal side of history and as a history major, I had focused on 20th century American history and the New Deal in particular. When the interview assignments were being decided, I was quick to ask for the phase of Elizabeth's career that covered her early government work as a New Deal economist during the Depression. Asking questions to find out what happened appealed to me as a lover of history and as a lawyer. Here, unlike preparing for a deposition, I was able to ask lots of open-ended questions and there was no risk in not knowing what the answers would be."

Sandra Brown Eakins, Wellesley class of 1959

"A History of Art major, I graduated from Wellesley College in 1959, and in 1962 and 1979, acquired masters degrees in Social Work and Business Administration. In 1977, I became active in the operation of Eakins Associates, Inc., now known as Eakins Open Systems, Mountain View, California, a seller of computer products and services. I have long been active in local affairs and at present, serve as a Planning Commissioner for the City of Palo Alto. My husband, Gilbert Eakins, and I are the parents of three adult children, Robert, born 1963, Daniel, born 1966, and Rebecca, born 1968.

Women's stories and voices have been important to me all my life. When I first met Elizabeth Paschal, I was attracted by her vitality, wit, and intelligence. As I gradually learned about her career in government and in the Ford Foundation, I knew that her story should be told. When I realized that oral history was a possibility for recording and preserving her story, I seized the idea and pursued it in a determined, if zig-zag, manner. I think that this is the most personally rewarding and interesting project of my post-child rearing life. I am very grateful to Elizabeth and to the Regional Oral History Office for cooperation and support. I urge others who may be seriously interested in oral history, especially as volunteers, to examine our project and to improve upon it."

Joan Merdinger, Wellesley class of 1970

"A member of the Wellesley class of 1970, I received an M.S. from Simmons College, a D.S.W. from the University of Pennsylvania, and am currently Professor of Social Work at San Jose State University.

I was interested in several aspects of this project. I wanted to know more about the life of a professional woman during a time when there were few of them. I wanted to know more about the early days of the Social Security Administration and how that agency operated. I was interested in learning the techniques of an oral historian. And finally, I wanted to be involved in a really meaningful volunteer project that gave me a chance to work with other Wellesley women.

Getting to know Elizabeth was the best part of the oral history project. She is a terrific person with an amazing memory for large and small detail. Her stories about her life and the people and situations that she encountered were rich, detailed, and helped make this project both interesting and fun. Elizabeth made important, hard decisions about her career that are really admirable. She valued the enjoyment of work and the need to keep growing in a career. Her story and her pattern of moving to new challenges would be helpful to any reader, and particularly inspirational to women. By the time the project was finished, I felt that I had received more from the work with Elizabeth and the oral history group than I had given to it."

Jeanne Moulton, Wellesley class of 1964

"I was born and raised in southern California, graduated from Wellesley College in 1964, and subsequently earned an M.A. from Stanford and an Ed.D. from the University of Massachusetts. Currently a resident of Palo Alto, California, I do research and consulting in education in developing countries and am actively engaged in the education of my two teenage daughters as well as occasional school and community activities.

Because of our similar training and professional interest in education, I was able to connect personally to Elizabeth's experiences at Ford in innovations in teacher training and other support to new approaches to education. It was fascinating to hear Elizabeth's account of Ford's influence on education during an era when schools faced new challenges and tried new techniques, many of which have become standard."

Stacia A. Quimby Sambar, Wellesley class of 1986

"I received a B.A. in Economics from Wellesley College in 1986. Since then, I've spent most of the last ten years in Silicon Valley, California as a course developer, technical support engineer, and software technical writer. I married Tod J. Sambar in 1990 and when our busy careers allow, we enjoy golfing and travelling together.

I had not been an active member of the West Bay Wellesley Club until I saw the invitation to join Elizabeth's oral history project in the WBWC newsletter. And what at first seemed like a unique and creative outlet for my writing skills turned out to be so much more. Although aware that my emotional connection to Wellesley was very strong, it wasn't until the project was underway that I realized how much I had missed sharing, and working in, the company of Wellesley women.

Elizabeth herself has been both a joy and an inspiration. At 93, she seems freer of the societal restraints that held her back when she was younger. She is active in both the West Bay Wellesley Club and in her community, she travels extensively, she reads voraciously, and she writes

her speeches on a computer. And she does it all with a sense of humor and fun, an avid curiosity, and a tremendous warmth. I feel myself so much richer now to count her as a friend."

Mary Elizabeth Schmidt, Wellesley class of 1943

"As a fourth generation Chicagoan, I was born on June 14, 1921 and was raised in Winnetka, a North Shore suburb. Being a dyslexic, I had a slow start in school, reading being especially difficult. However, I graduated from New Trier Township High School as a member of the National Honor Society. It was while above the Arctic Circle on a North Cape cruise in July, 1939 that I received a midnight radiogram notifying me of my acceptance to Wellesley College. Four happy, formative years followed during which I rowed on the crew team (earning a letter), served on the First Aid squad after Pearl Harbor, and was a technician for Wellesley's first radio station - broadcasting, if I remember correctly, through the college electrical system.

In 1943, I received an AB degree in Chemistry, after which I was employed as a Lab Assistant in the Chemistry Department at Vassar College, leaving after the first semester to marry Alfred C. Schmidt in February, 1944. Alfred was employed by the University of California, Berkeley Radiation Lab, working on the "Manhattan Project." That fall, we were sent to Oak Ridge, Tennessee where we started our family and lived until the end of World War II. In 1948, we returned permanently to California where we raised a family of six children. Since my marriage, I have not been employed but have devoted my time to my family and various volunteer organizations, concentrating, while the children were home, on school activities and those organizations in which they participated. Now that they are grown, I still am an active volunteer, try to visit my far flung children and grandchildren at least once a year, devote time to managing my investments, and am particularly interested in genealogy and travel.

It is obvious that Elizabeth and I have taken different paths as our lives have unfolded, but do have common threads in our lives, particularly our mid-western backgrounds and Wellesley educations. I have known Elizabeth since she came to live in California. In more recent years, my admiration of her person and intellect has grown as she has presented programs to our Arts and Letters section of the West Bay Wellesley Club. These programs have covered a wide range of subjects as she has explored fields in which she had had little previous exposure. She is a fine model for all of us, especially those of us who are "seniors" and may think "I have done my share" and consider retiring from intellectual and volunteer activities. I was thrilled when asked to join this oral history project and feel that I have received far more than I have given."

The Regional Oral History Office was established in 1954 to record the lives of persons who have contributed significantly to the history of California and the West. The office is a division of The Bancroft Library and is under the direction of Willa K. Baum. Tapes of the interview sessions are available for listening at The Bancroft Library.

Stacia A. Sambar
Writer/Editor

Sandra Eakins
Committee Coordinator

September 1996
Mountain View/Palo Alto, California

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BIOGRAPHICAL INFORMATION

(Please write clearly. Use black ink.)

Your full name Elizabeth Paschal

Date of birth Nov. 11, 1962 Birthplace Spring Hill, Kansas

Father's full name Franklin Wright Paschal

Occupation Lawyer Birthplace Iowa

Mother's full name Elizabeth Rees Paschal

Occupation housewife Birthplace Iowa

Your spouse —

Occupation — Birthplace —

Your children —

Where did you grow up? St. Joseph, Missouri

Present community Palo Alto, California

Education BA Wellesley College; MA Wellesley College;

Ph.D. University of Wisconsin, Madison Wis.

Occupation(s) college teaching; federal government executive;

research for American Federation of Labor; office funds for the

Advancement of Education; executive assistant Ford Foundation.

Areas of expertise areas of expertise; educational college level; economics;

Other interests or activities Travel, reading, Teaching

Organizations in which you are active West Bay Neighborhood; Senior

Center of Palo Alto, Colloquium.

I 1902 - 1924: CHILDHOOD

[Interview 1: April 26, 1995]

Family Background

Mary Elizabeth: When and where were you born?

Elizabeth: I was born in Spring Hill, Kansas on November 11, 1902.

Mary Elizabeth: Were you born at home or in a hospital? Did a doctor or midwife deliver you?

Elizabeth: I was not born in my own home, but in the home of a cousin. My mother had gone to visit her relatives in Spring Hill from Kansas City, Missouri, where the family was living at that time, and I made my appearance before she returned home. There was a doctor present but it may be of interest to know that my birth was never officially recorded. Since I was not a formal resident of Spring Hill, the doctor didn't register me in Kansas, and when we returned to Kansas City, nobody bothered to register me there. So when I went to get my first passport, there was quite a hassle to prove I was properly born in this country.

Mary Elizabeth: Were you the first-born, and who were your siblings?

Elizabeth: I was the last child born in the family. My mother had had one son who died a few months before my older brother, Morgan, was born. I had just the one brother during my life time. He was born the day before Christmas, 1899.

Mary Elizabeth: Who were your parents? I understand they were both college educated. Where, and in what fields did they take their degrees?

Elizabeth: They were both educated at the University of Iowa. Mother was one of the few women graduating from a college in those years. I think she was a rather remarkable woman, and in many ways a better businesswoman than my father was a businessman. My

father was a lawyer, attended law school at the University of Iowa, but he also was interested in a number of business speculations which accounted for our rather large swings of fortune during my early lifetime.

Mary Elizabeth: What are the names of your parents?

Elizabeth: My mother was Elizabeth Rees, and my father, Franklin Wright Paschal. Mother's father and mother both came from the same area of Wales, but were not married until they came to this country, so mother and all of her brothers and sisters were born in this country. My father's family, the Paschals, had lived in this country since the early 18th Century. They came immediately from England, but of course, the name Paschal was originally a French name. The background of the French name goes back to one of the Crusades, I think the second. It's a name which appears in French, Spanish and Italian in various spellings, but all have the same origin.

Mary Elizabeth: I understand that Blaise Pascal, the French philosopher, mathematician, and inventor, was a distant relative of yours. Do you know if he was a direct line ancestor? When did the spelling of the family name change?

Elizabeth: I know nothing about my relationship to Blaise Pascal other than the fact that my family was originally French. However, the name was a designation which the Pope bestowed on any man who furnished and equipped a designated number of men and took them on that Crusade. That is why there are Pascals (or Pasquales or Pascalis) in the three countries which sent people on that Crusade. In France, I don't know how many there were who met that requirement and received the name Pascal, but presumably there weren't a great number. You asked about the spelling ... my family were Huguenots and were kicked out of France and went to England after the revocation of the Edict of Nantes. The English, as you know, like to have many unpronounced letters in their names of all kinds, and they added the "h" without a change in the pronunciation. You probably know, that is the spelling in the King James version of the Bible in reference to the Paschal Lamb.

An Old and Historic Town

Mary Elizabeth: Could you talk about growing up in Kansas City?

Elizabeth: Kansas City was my home only for the first two years of my life, so I really have no childhood impressions of it. We moved from Kansas City to St. Joseph, Missouri which is a few miles up the river from Kansas City, and that's where I grew up and went to school. I lived there until my senior year in college. Spring Hill had only about 600 inhabitants, but I had a number of relatives who lived in and about that area, so I visited there from time to time when I was young. St. Joseph was a town of about 20,000 people, smaller than Kansas City, but it's an old and historic town. It was the start of the Pony Express and it was the home of the notorious James brothers.

Mary Elizabeth: Do you remember when electricity came to your home, because it was obviously near the beginning of that era -- the source of refrigeration, and how the washing was done -- indoor plumbing?

Elizabeth: The first house I remember living in in St. Joseph had gas lighting, no electricity. Our heating was by coal furnace, and we cooked by natural gas. The town was built with alleys running along each block between the houses that backed to each other, so that the alleys were used for delivery. The ice wagon came up the back alley and the driver brought a 50 pound block of ice for our ice box. Most of the things we bought were delivered by wagon of one sort or another. There was a man who came around with a vegetable cart. We got milk every day from a farmer who also brought butter, eggs, and chickens on request. The milk bottles were put on the porch in the early morning. In the winter you often saw the frozen cream pushed up an inch or two above the top of the bottle. We had no washing machine. We had a woman who came in once a week to do the washing, boiling the bed linens and hanging everything outdoors to dry. She came back another day to iron and generally clean and do the carpets. In the spring we had a special house-cleaning when they took all the rugs out and hung them on the line outside and beat them with a heavy rug beater, and washed the walls inside all closets.

Mary Elizabeth: Do you have photos of that home?

Elizabeth: No, I haven't anything of that home. We lived there until I was in the 8th grade in school. Then we moved to another home in the city which did have electricity, but we still had an ice man come. I think we didn't get an electric refrigerator until I was well into high school.

Mary Elizabeth: Did your grandparents live nearby? Did you spend holidays and Sundays with them?

Elizabeth: No. I had only one grandparent living -- my father's mother was living with her daughter in Colorado Springs, Colorado. I used to visit there in the summer for a number of years, but except for that I didn't see her. Mother's mother and father were both dead and my father's father was dead before I was born.

Mary Elizabeth: What was the main form of recreation for your family -- where did you spend your vacations -- does any one particularly stand out in your mind?

Elizabeth: I had an aunt living in St. Louis, Missouri, and mother and I used to go there for the summer every once in a while. When I was about 10 or 11, I had trouble with malaria for several summers in a row, and the family sent me to Colorado to be with my grandmother to get out of the malarial mosquito area most of that time. The family didn't go on vacation together very often. I did travel with my father one time to southern Texas, to the Gulf of Mexico, where he had some business, and was there for a week or two. I think our recreation was largely the kind of thing that many people did in those days -- church affairs, picnics, and club or other activities either through the church or the school. We went often with groups of family and friends to a park called Lake Contrary -- a lake which appeared and disappeared according to the Missouri River activity. The river sometimes got close enough to the lake to drain it, and at other times as the river swung away from it, the lake filled up again.

Mary Elizabeth: What about evening without TV?

Elizabeth: We usually read. Sometimes mother would read to us when we were small, but we learned to read fairly early and we read or we sat around and played games of the simple sort -- Parcheesi and Old Maid, and things of that sort. But our chief recreation was reading. Home libraries were quite usual in my youth.

Mary Elizabeth: You mentioned you had malaria and just about every childhood disease known to mankind. Could you elaborate on that?

Elizabeth: My brother went to school two years before I did and everything he got at school he brought home to me. At that time, as required by the city, the house was posted with quarantine signs for mumps, measles, whooping cough, scarlet fever, diphtheria ...

I can't think of anything else but whatever was going around we got.

Mary Elizabeth: Why did your mother establish a kindergarten for you and other local children? Did she have to be credentialed by the State of Missouri? What are your best memories of kindergarten?

Elizabeth: It wasn't a formal kindergarten. She didn't need any accreditation for it. It was more a baby-sitting operation between several neighbors, I think. I remember that mother got some material... I don't know where from... but there were some big black books that had poems and suggestions for building things and painting and other things children could do, and she used those books. Mother held the sessions more frequently than either of the other neighbors involved, but sometimes we went to one of the other houses. There were, I think, only four or five of us in this little group. I remember at that time we learned to write and to read, so by the time I went to school I could write -- not a very good hand.

My mother preserved a couple of the letters that I wrote when my brother, mother, and I were visiting an uncle and aunt. That summer before I turned five, I wrote a letter to my father saying, "Aunt Grace made a red, white and blue cake." And the next day I wrote, "We ate the Fourth of July cake."

Grammar School

Mary Elizabeth: Did you attend the local grammar school? How did you get there?

Elizabeth: Like almost everybody in that day, we walked. We walked about four or five city blocks to the grammar school which went through the eighth grade. So I should say we probably averaged three miles a day walking to and from grade school. For high school, since we didn't go home for lunch, but had further to go, we probably walked four miles a day.

Mary Elizabeth: Did they have snow days when you were in school?

Elizabeth: If it snowed hard enough during the morning, the school would do away with the lunch break and keep school until about 2:00 in the afternoon and then send us home. But it was lots of fun. We always hoped it would snow hard enough so that we could be let out early.

Mary Elizabeth: How many children were in your class and what were your favorite subjects?

Elizabeth: I don't remember exactly how many. But looking back on it I think it was probably 15 or 20 to a class. I liked English. I liked Reading. I think my favorite grade in school was the third. Our teacher had a very large sand pile mounted on a table in a corner of her room and we illustrated what we were reading, like Robinson Crusoe and Swiss Family Robinson and so forth, by building our scene on that sand table and making our equipment to carry out the activities. So we very much enjoyed what seems to me a much more modern approach to elementary school teaching than was usual at that time.

Mary Elizabeth: Did you have a favorite teacher? How do you think that he or she influenced your life?

Elizabeth: All of my teachers at that time were women - even the principal of the elementary school was a woman. And, she was a very good principal. I remember her influence on classes that were somewhat unruly sometimes. Whenever she came into the room to help out a young teacher who was having trouble, things quieted down immediately.

I think it was a rather unusual elementary school in some respects. I remember particularly the seventh grade, taught by a woman who was on the verge of a nervous breakdown. I think no school would have kept her in this day and age. But perhaps she influenced me as much as anyone because she realized that she was on the verge of serious mental trouble. Whenever the class would get too much for her, she would say, "Sit down and memorize!" And we learned yards and yards of poetry - some of which I can remember to this day! And, although I'm sure she didn't really intend to have that kind of influence, it was a very useful thing for me.

Mary Elizabeth: Do you have a photo of your school or your classmates?

Elizabeth: No, I have nothing of that left.

High School

Mary Elizabeth: What kind of high school did you attend, was it local or did you attend a prep school or a boarding school some distance from home?

Elizabeth: It was a local high school. St. Joseph had three high schools. The one I attended was meant for college preparation, although a large number of the students didn't go on to college. There was also a high school which was mainly vocational. And there was the high school for black students. Missouri, of course, before the Civil War, had been a Southern state - a slave state - and, although, in my years there, the transportation was integrated, no special section on street cars for colored people, St. Joseph was not integrated in other ways. The schools were separate, the churches were separate, the theaters had separate seating sections. It was far from an "equal" environment for black people. Not until I went to college did I heard "Dixie" played without seeing the audience stand.

Mary Elizabeth: What were your favorite subjects, teachers, sports and social activities?

Elizabeth: I think I enjoyed English and History more in high school than other subjects. I got interested in what was called "extemporaneous speaking". That was an outgrowth of the political science of the time. They gave us a number of subjects which we could research on our own and then, at the time of the contest, a particular subject was chosen by lot for each student who was to speak. You had five minutes of preparation time and then you got up and delivered an oration on whatever it was that you had been assigned. I found that stimulating and carried on that activity for two years, during my junior and senior years.

I had not intended, while I was in high school, to take mathematics for four years. But I found that to prepare for the comprehensive examination for college, I needed to attend summer school in one year to make up for the year of mathematics that I had not taken.

I enjoyed the history teacher, particularly, Miss Verner, as I remember. She and my mother were good friends, and together they had organized the College Women's Club in St. Joseph, which had had nothing of that sort before. The English teacher, Miss Rhoades, whom I had for more than three years, was a Wellesley graduate. She, more than anyone else, pushed me towards Wellesley.

"My Family Wanted Me to Go to Wellesley"

Mary Elizabeth: Do you feel that your parents, school, community, or friends had the greatest influence on your choice of college and vocation?

Elizabeth: I was interested in both Wellesley and Bryn Mawr. I think my own preference at that time was for Bryn Mawr, for no very good reason I could think of except that I liked the name! But my family wanted me to go to Wellesley because my brother was in Harvard at the time and they thought he could keep an eye on me.

Mary Elizabeth: Was it scary to board the train by yourself for the first time in the Fall of 1920? And had you been to Wellesley previously?

Elizabeth: I had never been to Wellesley, but it was certainly not the first time I had boarded a train by myself. When I was 10 or 11, my family sent me to Colorado on my own to be with my grandmother. My family put me on the train and my uncle or aunt met me at the other end. I had traveled alone several times and was quite familiar with trains.

Mary Elizabeth: When you had to change trains in Chicago on your trip to Wellesley, was your brother with you, or were you on your own? Were there other Wellesley girls on the train with you?

Elizabeth: Well, the first time I went, I didn't know of any others who would be going. There may have been Wellesley girls on the train but I didn't know. Later, of course, when I did know some people from Chicago, I often met them going back and forth from college. I don't think I minded the transfer in Chicago because I had been in and out of stations enough to feel comfortable with them.

Mary Elizabeth: Did any of your high school friends attend Wellesley or any nearby college?

Elizabeth: No. I was the only student from my high school who went East to college. Since we had to take comprehensive examinations to get into Eastern colleges, and none was given in St. Joseph, I had to go alone to Kansas City.

Initial Impressions of College

Mary Elizabeth: What was your initial impression of the college?

Elizabeth: I was tremendously impressed, of course, when I saw the campus. It was much more beautiful than I had anticipated. I had not before that time been in the East at all. I had never been further than St. Louis. I was bewildered and overwhelmed by the amount of activity that went on in the first week of college.

Among other things, we took that posture test which involved a picture of your spine, which has been much laughed at recently. I remember that it was a chilly day when I took it and, of course, we were nude and the little instrument which they ran down my back gave me a shiver so that my spine looked like nothing human. And, as a result of that picture, they decided that I was not fit for regular gymnasium and was to take remedial classes. I was presumed to have trouble with my back although I had got along very comfortably over many years with long hikes and strenuous games.

Mary Elizabeth: Did you have to take a foreign language test, a speech test? And, if so, what did they think of your Mid-western accent.

Elizabeth: They were appalled at my accent and said that I needed to have a full course to "correct" it. So I took this special course during my freshman year.

Mary Elizabeth: We know you did superbly in your academic area, thus you must have been well prepared for the work. Putting that aside for the moment, did you participate in any sport or sports and become proficient?

Elizabeth: Yes, I got into archery. That also was an odd situation because I had written that I wanted to belong to crew - since I came from the Mid-west and had never seen a crew, I thought it would be fun to row. But they gave me one look and said, "No crew for you!" Nobody told me that I might have applied to be the coxswain. They just said, since I weighed only 90 pounds, that it was not for me. So they put me into archery. But I found archery was a lot of fun. And I stayed with it for four years and made the first team. Our team won in some intercollegiate matches.

Dorm Life

Mary Elizabeth: Freshman year did you live in the 'Vil? What dorm did you live in and do you have special memories of it?

Elizabeth: Freshman year I lived in Loveland, just at the gate of the campus, where one entered into Christmas Tree Alley, if you remember that portion of the campus. It was a small dormitory - - only 12 students. We had a Village Senior living with us and for a get-acquainted party, she made a kind of family of all the people in our dormitory. The Village Senior was "Mother" and tall Nance Weaver was "Daddy", which she got called all the way through college, I believe. Another freshman in Loveland, whose name was Elizabeth, had always been nicknamed "Bish" because she had had a smaller sister who couldn't manage "Elizabeth". "Mother" decided that she and I should be twin boys in the family. They named her "Percy" for Percy Bysshe Shelley, and they named me "Peter" to go with Percy. I got called Pete the rest of the time through college.

Mary Elizabeth: To what dorms did you move in the next three years and did this Loveland "family" move together?

Elizabeth: Sophomore year, I went to Stone and none of the Loveland group went there. "Bish" left college to marry. She was the only one of the Loveland group with whom I remained a life-long friend. The group I stayed with the last three years formed sophomore year in Stone and moved junior and senior years to the dorms on Norumbega Hill. None of those buildings is still standing.

Mary Elizabeth: Do you have photos or memorabilia that you'd like to show us?

Elizabeth: Yes. Here's a group of the Archery team, and there are in this book a number of pictures of Wellesley. I don't think it's going to be profitable at this point to go through them all, but if the college is interested or if anyone else wants to look through this, I will be glad to make it available to them.

Academics

Mary Elizabeth: You had a double major -- English and Sociology. Wasn't this rather unusual at that time? You entered the Honors Program. Was this in both fields and what year did you enter that program, as a senior or were you in the Honors Program from freshman year on?

Elizabeth: The Honors Program was available only to juniors and seniors. Its chief advantage was that you planned an individual program and could take courses you needed for it without having the proper credentials for those courses. I had an interest in some

advanced History courses but had not taken the prerequisites. The Honors Program let me take the History of Tudors and Stuarts and combine my interest in the position of women in current and earlier times, which came under Sociology, with the work in English which I was doing in a graduate seminar offered by Katherine Lee Bates. Wellesley at that time gave a Master's Degree and Miss Bates' seminar included six graduate students and three seniors.

The Honors Program also had the advantage of letting one attend classes or not as you saw fit. If you wanted to do research, you could skip classes to spend more time in the library and read what you wanted to, whether or not it contributed to the particular class that you were cutting. So I found the freedom to do individual work interesting. You then produced a sub-thesis for your Honors Program, in place of regular course examinations. My thesis was on "The Feminist Controversy in England, 1624-1760."

Mary Elizabeth: You showed me your thesis and the blank verse poem you wrote for Katherine Lee Bates, which I hope will be made a part of this oral history because it is part of your life and most remarkable. Did you have to fulfill distribution requirements for graduation?

Elizabeth: Yes, you did. But that was done in your freshman and sophomore years. You could concentrate as you wished in your junior and senior years.

Mary Elizabeth: Were you a member of the debate team all four years?

Elizabeth: I don't remember getting into Debate, and I'm not sure that any freshman did, until sophomore year. I took a course in debate then which was offered by Amy Kelly. She has written extensively since then. I remember she was also the mentor for the debate team. I stayed with the debate team three years and was head of debate in my senior year. That meant, of course, that I was an officer in college government. I understand the college doesn't have a debating team at this time. We had inter-collegiate debates and we were quite successful.

Mary Elizabeth: Did you take Economics as an undergraduate?

Elizabeth: I think I had only the beginning course in Economics. Mostly, I had Sociology, but later I found that I preferred Economics, and in my graduate work I went into Economics rather than Sociology.

Mary Elizabeth: What honors did you receive upon completion of your A.B.?

Elizabeth: I was elected to Phi Beta Kappa in my junior year and graduated Summa Cum Laude, and was a Durant Scholar.

Mary Elizabeth: What subjects did you find most difficult or rather uninteresting personally?

Elizabeth: I found mathematics completely incomprehensible to me. It wasn't that it was difficult to do -- I never had any trouble doing it, but I had absolutely no idea what it was all about. Had it not been for that, I think, I might have liked to go into science, but I avoided anything except the required sciences because I didn't want to do the mathematics.

At the end of my freshman year, when I was concluding the required work in mathematics, I remember that I was sure I had failed the final examination. It consisted of several small questions and one large one which I put off to the end, and I thought I had failed to complete that computation. When I got the exam paper back I found I had made 100 percent on it, and I had absolutely no idea why. But I discovered what I had done was to complete the problem by working a proof and was half way through solving it again by another method! Miss Merrill, the head of the department, talked to me after that year about majoring in mathematics. She said, "You have a flair for mathematics." I said, "I have absolutely no notion what mathematics is." When she talked to me about it, I began to get some comprehension of what I had been doing all those years through high school and that first year in college! If a teacher anywhere along the line earlier had given me the kind of talk Miss Merrill gave me, I might have had quite a different kind of college course.

Technology

Mary Elizabeth: The years 1902 to 1924 were certainly full of changes in the lives of the American people. Briefly touch on a few of those events and how they touched your life: your or your parents' first car, the first airplane you saw or rode in.

Elizabeth: My family never had a car. The first car I can remember seeing was when I was about five or six years old. Many people in St. Joseph still had horses. We used to rent a horse and buggy from the local livery stable whenever we wanted to go somewhere

that needed that kind of transportation, although there were street cars also in St. Joseph. The man next door bought a car and I remember that practically every weekend he spent all his free time under the car blowing something out, oiling something else. I remember going down to the country near Spring Hill where I had relatives and one of my older cousins had a car which he loved to race, and his mother used to say, "Don't drive so fast!" -- at 25 miles per hour.

I think I saw my first airplane during the first World War when there were occasional military planes overhead, and after the war there were some stunt pilots who would take passengers up for a fee. I took my first ride in an airplane in 1938 when I flew from Wichita, Kansas to Cleveland, Ohio.

Mary Elizabeth: Was your first phonograph a windup or electric? When did you get your first radio?

Elizabeth: The first phonograph I remember was one of those very early windup Victor machines that had cylindrical records... it had a metal cylinder and you slipped the record over that and it had a big horn speaker, the kind that used to be advertised with the little dog sitting in front of it. That was, I should say, somewhere in the neighborhood of 1907 or 1908. I don't think we had an electric phonograph in the house until I was in high school. The boys used to make little radios, the crystal kind.

World War I

Mary Elizabeth: W.W.I began in 1914. You would have been in what grade at that time?

Elizabeth: I was in the seventh grade at that time. I was too young to do war work. I think only after we got into the war in 1917, the Red Cross gave out wool yarn to anyone would knit socks or scarves for soldiers. I spent most of the duration of the war working on one scarf. I was not notably good at handwork.

Mary Elizabeth: What events stand out most sharply in your mind leading up to our entry into the war? Was there an isolationist element in the country at that time?

Elizabeth: In our town the sentiment was not very strong for getting into the war. But once we were close to it, and certainly after the sinking of the Lusitania, there was a good deal of indignation against the German population. I had a good friend, a little older

than I, who escorted me to a couple of high school dances. He was from a German family. As soon as we got into the war, he managed, in spite of his age, to get into Annapolis. When he came home on leave with a naval uniform on, there was still a good deal of loose talk against his family and against other German people in town. The high school stopped giving German as a course.

Mary Elizabeth: How did you hear about the events in Europe and Wilson's declaration of war? Was it a special edition of the newspaper -- "extra, extra"?

Elizabeth: Yes, there was certainly that. I remember Extras out, and, of course, once we were in the war, there were Extras for all the major battles in which any of our men were involved. There were also long lists of men who were wounded or lost in the war -- the paper put out special editions for that.

Mary Elizabeth: Did you participate in any anti-war or war activities before or during the war?

Elizabeth: No.

Mary Elizabeth: Was your father, brother, or boy friend called up?

Elizabeth: My brother turned 18 at the very end of 1917 and he went to enlist in the Army at that time. He had not completed his senior year of high school. He was advised to join the Student Army Training Corps (SATC). He left high school and was sent to Washington University in St. Louis and was given an academic course as well as training to become an officer. The high school granted its diploma to boys who went into that training. But, of course, the war was over in November of 1918, so that he had not finished the training course and never was sent abroad. I did have two friends who were slightly older than my brother, one of whom enlisted as soon as the United States declared war, but he was only very briefly in Europe after his training in this country. His younger brother had some eye problems and was turned down by the Army, so he paid his own way to France and enlisted in the French army. He drove an ambulance for nearly a year before the American troops got over. But when the American troops did arrive, he was discharged for his poor eyesight and sent home.

Mary Elizabeth: Describe the reaction of the people in your community upon hearing word of the Armistice and upon the return of the men who had been overseas.

Elizabeth: Armistice Day was on my 16th birthday and it was a very lively occasion in our city. There were parades -- people flooded out into the streets and there were volunteer parades all over town with horns blowing and the automobiles making rackets and everybody poured out into the streets.

The most poignant memory I have of the return of the men from overseas was not in relation to American troops, but to a Canadian man whom I met on a train when I was going to Bellingham, Washington in the summer after the Armistice. My aunt and a friend of hers were sitting in one seat and I was sitting alone in another when this young man came down the aisle and asked if he could sit beside me. He was just back from the Army, and had been in the Princess Pat regiment which was the first to be gassed in the war. They had no masks. He said they lay with their faces in the mud when they discovered they were under gas attack, and nearly all of his regiment were either killed or very severely wounded. He himself had been in the hospital for some time. He said, "I don't know why I am alive when so many better people than I are not. I don't want to talk to anybody about the war when I get home, but I do want to talk to somebody now." So he told me the experiences he had been through in the war and it was something I won't forget.

Childhood Trips

Mary Elizabeth: Would you like to describe some of the trips you took?

Elizabeth: As I said, when I was young, I had gone to Colorado several times. I enjoyed the mountains very much. I think Middle-western people are better at traveling than people born on either coast because the weather is so terribly hot in the summer and so terribly cold in the winter that it's fun to get away for trips. When I was a child my father took me with him to southern Texas down on the Gulf, and I had visited my aunt in St. Louis. The very first time I ever encountered an escalator was in one of the department stores in St. Louis. In Colorado I had gone up into the mountains and over to Manitou, had ridden a burro, and also a narrow gauge train through some of the areas where one could find fossils in the cliffs. I very early acquired a taste for travel that I've been very happy to indulge in recent years. Perhaps I know this country better than most people do, because

I've been in every state of this country except North Dakota. I've been over North Dakota by plane but never spent a night there.

Events of Historical Interest

Mary Elizabeth: Comment, if you care, on each or any of the following: the discovery of radium by the Curies in 1902, the year you were born. Thus you have lived from the beginning of radiation to its use in cancer treatments and the A-bomb with its unsettling aftermath.

Elizabeth: I certainly can't comment on 1902! (laughter) I am very happy to have read just recently that Mme. Curie has been honored by being the only woman admitted in her own right to that famous men of science organization in France.

Mary Elizabeth: Immigration was at a high point in 1914. What effect did this have on labor? What position did your father take? Was he a labor lawyer?

Elizabeth: No.

Mary Elizabeth: What position did he take and how would you compare those immigration problems with the problems of today?

Elizabeth: I don't remember that I was particularly aware of the immigration problems in 1914. I think our town was not an area that was being flooded with new immigrants. We were a fairly old and settled town with a number of different population groups, of which the English, French, and German were particularly important. In general, I think, the big difference is that immigration at that time, and indeed through the '20s, was mostly from Europe, while the immigration today is very largely from Asia and Latin America. It was much easier for the European immigrants to be absorbed within at least one generation into the general population because if they didn't know English when they came, they learned it quickly and easily. They were more readily accepted into the population than are people who can be more quickly identified as foreigners by either their physical appearance or their speech.

Mary Elizabeth: Were you aware of the labor troubles in 1919?

Elizabeth: I knew, or course, or heard or read in the newspaper of some strikes and the big efforts of unions to improve living conditions, but I can't say that it really affected my immediate

life. I was not sufficiently aware of it in our town or in anything that related to me to be disturbed.

Mary Elizabeth: Do you recall the Elk Hills and Teapot Dome scandals?

Elizabeth: I remember reading about them at the time and hearing indignant speeches. I believe our minister made some comments about the decline in morality in one of his sermons, but that's the extent of my recollection at that date.

Mary Elizabeth: You were only 10 years old during the formation of the Federal Reserve Bank in 1912, so you weren't probably aware of that.

Elizabeth: That's right.

Mary Elizabeth: Income tax came in 1924, the year you graduated from college. What was your feeling about that?

Elizabeth: That affected me only two years later when I had to pay, and, as I recall, my first income tax payment was \$3.

Mary Elizabeth: Prohibition?

Elizabeth: There was a good deal of women's concern for Prohibition in our town, but St. Joseph was the home of a large brewery and had many saloons so there was also active business opposition. The French and German population generally opposed Prohibition. There was quite an active Women's Christian Temperance League, but my mother didn't belong to it. In our family we did not indulge in alcoholic beverages to any great extent but we did occasionally have a glass of wine, and my father occasionally had a drink of whiskey. The idea of Prohibition was rather frowned on in my family. My parents felt that people should look after themselves and live on a level of personal integrity that would not require Prohibition by the government.

Mary Elizabeth: Did you participate in any of the Woman's Suffrage Movement?

Elizabeth: No, I didn't personally and I don't believe that my mother did either although she was certainly sympathetic to the idea of women's suffrage. There was a small group of women who were rather active, but I think in our town it was not a major concern. I don't remember any of the women chaining themselves to courthouse steps and things of that sort that happened in some cities. So I think it was a minor activity in

our city, although a lot of people were in favor of the women's vote.

Mary Elizabeth: Harding died in 1923. He had promised a soldiers' bonus but it was not passed until Coolidge became president, and not to be paid until 1945. What were your views about this in 1923-24?

Elizabeth: I remember when we were in college, there was some talk about that, and we conducted a kind of mock campaign while we were in college. Three or four people took the parts of the men who were going to run for president the next time. I took the part of Debs who was a candidate for president. In the student body there was enthusiasm for paying the soldiers promptly and a feeling that Harding had let the country down.

Mary Elizabeth: We forgot an important part of the W.W.I era -- the flu epidemic. How did it affect you and your family and what precautions did you take?

Elizabeth: It affected me very definitely because I was one of the people who got it! I came home in the fall of my sophomore year, 1917. I was sent home from high school because I was sick and, since I wasn't expected at home until later in the afternoon, mother wasn't there. I sat out on the porch for quite a while so I was really very sick by the time mother got home. I lost about two months of schooling. I was the only one in my family who did get the flu.

Mother was very busy caring for me and our next door neighbor, a young woman with a tiny baby, both of whom were sick. Mother and the neighbor on the other side were feeding that family. On alternate days mother would make them a big pot of soup, and the neighbor on the other side would make what she called "milky pudding" to keep them going.

An aunt who was a Christian Scientist was visiting us and she didn't approve of mother's having a doctor see me, because she thought that flu could be healed by faith. So she was rather a nuisance until she got a telegram from a neighbor of hers that she should come home quickly because her husband was in error and thought he had the flu. She left immediately for her home, and neither my uncle nor I succumbed to it, proving, perhaps, that both doctors and faith are useful. Even the woman and baby next door got well ultimately, but there were lots of people in our town who did die from it.

College Recollections

Mary Elizabeth: Have we missed any important events or activities of this era that you would like to discuss?

Elizabeth: I think you might find it amusing that when I took my comprehensive exams to get into Wellesley, I was sure that I had failed my Latin exam. About a third of the examination consisted of translating English into Latin instead of translating Latin into English. In the Middle-west that was not a common part of the courses in Latin, at least not so far as I knew them in my own experience, and a couple of Mid-western friends have told me that they didn't have that kind of teaching when they were in high school. The preparatory schools and the eastern public schools did teach prose translation both ways. I had a teacher who was rather bored with teaching Latin for many years, and he preferred to read to us in Latin rather than have us translate. So my knowledge of Latin, although I had always made good grades in it, was certainly not up to college expectations. I expected to be turned down by Wellesley, and was happily surprised that I was admitted. When I was working in the President's office some years later, I checked on my examination and found that I had indeed failed it! I think it's a credit to the college that they recognized the difference in instruction between the Middle-west schools and the Eastern and preparatory schools and admitted me anyway.

Mary Elizabeth: You talked about the girls bobbing their hair between freshman and sophomore year, then the knicker suits came in. Tell the story about the teacher who came up behind you.

Elizabeth: It was in the spring of my sophomore year that knicker suits became popular. I had a very pale green knicker suit that I was proud of, and I had my newly bobbed hair. I was going down the steps at Founders' Hall when Laura Lockwood, an English professor with whom I had taken work, came up behind me, took my arm, and said, "I wish I had a pale green knicker suit."

Mary Elizabeth: What other stories can you remember that really should be recorded?

Elizabeth: One spring a group of us had gone to Rockport for vacation. We all had knicker suits on, and were walking along the street eating candy. A lot of children had grouped around us -- we had given them some candy. There was a little boy walking along on the other side of the street, keeping up with us but not joining the

group. So we called to him and said, "Come over and you can have some candy too." He said, "I can't!" We said, "Why not?" He said, "My mother told me to stay away from those women who dress like men!"

Mary Elizabeth: Thank you, Elizabeth. This has been very rewarding for me and will be for everyone else, I'm sure.

II 1924 - 1938: ACADEMIC CAREER

[Interview 2: July 15, 1995]

"A Difficult Time in My Life"

Stacia: I'm here today talking with Elizabeth about the time from 1924, the year of Elizabeth's graduation from Wellesley, and about her graduate studies and academic career covering the years up to, and including, her tenure at the New Jersey College for Women in 1938. It will also be interesting to get her reaction to some of the events of world-wide importance that happened during that time.

Elizabeth, I have to ask before we start, do you have a middle name?

Elizabeth: No, no - I once asked Mother why I didn't have a middle name, and she said, "If you want one, you can get married!" (laughter)

Stacia: Was the intention then for your last name to become your middle name?

Elizabeth: Yes - I think it does frequently. Mother always signed her name with her own name - Elizabeth Rees Paschal - because she had no middle name until she was married.

Stacia: Do you remember how you felt on the eve of your graduation from Wellesley? the night before graduation?

Elizabeth: Well, that was a difficult time in my life because, at the beginning of my senior year, my father had not been able to finance my continued college education. I had borrowed money to pay my own way through senior year, and that had changed what I could do in the way of continuing study.

My father was a pretty good lawyer, but he was, unfortunately, also not satisfied with his work as a lawyer. He was very

frequently trying out some kind of investment or dabbling into some new kind of work, and our finances went up and down according to that. While I didn't really anticipate the kind of major crisis that occurred, his inability to finance my senior year also meant that neither he nor Mother could come to graduation, and I had no chance of going on to law school, which I had rather thought I might be able to do. But I had anticipated going into his office when I went home, and perhaps put law school on hold for a later period.

Unfortunately, things got so serious for him that he simply went away, and when I went home after graduation, he just went off and never came back. So it was rather a traumatic experience. Although I didn't know *that* at the time of graduation, I was prepared for some difficulties.

Stacia: So you actually went back home after graduation?

Elizabeth: Yes.

Stacia: Did you spend the summer at home to be with your mother?

Elizabeth: I had made arrangements to be a counselor at a summer camp, and I did that. My father didn't leave until I had almost finished the summer camp, and then, when he was gone, I went home and Mother and I went on from there.

Stacia: You must have been quite anxious.

Elizabeth: Yes, it was a time of some anxiety, not knowing exactly what was coming up, and knowing that I had the debt of \$1100, which I had incurred, to pay off. So I knew I was going to have to earn rather rapidly.

University of Nebraska, Dept. of Rural Economics & Sociology

Stacia: I heard that you found someone who was quite helpful to you...

Elizabeth: Yes. There was a woman who ran an employment agency, and I went to see what she could do, since I was not prepared to teach in public schools. I'd never taken the proper courses in education for that. She taught me shorthand and got me a temporary job in an office, and, within a few weeks, she told me there was an opening at the Department of Rural Economics and Sociology at the University of Nebraska. So I went for an interview with the professor there. He was getting ready to have

a survey made by some of his students, and he wanted somebody to direct a group of six students in that statistical survey.

Stacia: Were they graduate students?

Elizabeth: Some of them were seniors and some were graduate students. He was really a very odd man (laughter), and he didn't ask me whether I knew anything about statistics. So I didn't tell him that I didn't. He was satisfied with my background at Wellesley and offered me the job. So I took it, to start the next week. Then I hunted up the professor of statistics at the university and told him, and he was quite amused at the idea, and he took me through the first course in statistics over the weekend! - the highlights of it, at least. It worked alright...

Stacia: And that was enough to get you by?

Elizabeth: Yes, because of course, I could stay ahead of the students working on it myself... enough to direct them.

Stacia: Had you taken economics at Wellesley?

Elizabeth: No, I had taken just sociology, or perhaps an introductory course in economics - I forget now.

Stacia: So, when you took the job, I'm sure for immediate financial reasons, that that was a great relief?

Elizabeth: Yes.

My mother was really a very superior sort of person, I think. She said right away, "Well, we'll have to do some things to economize," so we rented out a couple of rooms in our house, and that gave us some income. With the job that I had, I was able to pay off about a third of my loan in that year.

Stacia: During that time, were you thinking about what the next step for you might be? Did you like doing the research? Did you think you might stay on?

Elizabeth: No, I really didn't want to stay. For one thing, that was a temporary job: a particular research was to be done, and it would not be carried on. And I probably could not have gotten a *good* position at the University of Nebraska with only a bachelors degree.

President Pendleton wrote me and asked me if I would like to start graduate work and work in her office while I was doing it. So I decided to do that. My mother had needed to leave, in any case, to be with her brother who was very ill. His wife needed help, so Mother went to stay with her for the next year while I went back to Wellesley.

"Pres. Pen Took Me Under Her Wing"

Stacia: How is it that President Pendleton came to write you that letter?

Elizabeth: Well, she knew, of course, that I had borrowed money, because she had arranged for that to be done. At the time that I needed the money, all the grants for assistance at the college had been assigned before I knew that I wasn't going to be able to pay for my tuition. So she understood the financial position I was in and she had inquired about what I was doing and planning to do, and she said she thought I would be better off if I took graduate work fairly soon.

Stacia: She took you under her wing?

Elizabeth: Yes. Yes, she did. And then, after I had been there a year, my mother came to Wellesley as head of a dormitory. She was there until she became age 65.

Stacia: Can you give us any insight into President Pendleton? what one of Wellesley's presidents was like?

Elizabeth: She was a very remarkable woman, I think. The students didn't really know her as they know the college presidents now. No one would have thought of calling her by her first name, you know, or shouting at her as she rode through the campus, as they do with the presidents today. But she was very much aware of the students and knew what was going on and she had a very great capacity to deal with situations and people. I think she was an unusual woman.

I remember one time when one of the faculty members came into her office and said that she was concerned about their making some changes in the building in which she worked. She was quite upset about the plans that had been made, and thought something else would be better. And she said to "Pres Pen", as we didn't call her to her face (laughter), that she had been up all night. And Miss Pendleton said, "That was very foolish of you!" (laughter)

Stacia: She sounds like a wonderful woman.

What kind of work did you do for President Pendleton?

Elizabeth: I was a second secretary. One of the Wellesley graduates was her first secretary. I did secretarial work and I also was auditor for all of the student organizations. That was part of what I did - to keep their books and see that they were on the right track, didn't lose money, and so forth. But mostly, it was just ordinary secretarial work.

Stacia: So at that time, your mother was a housemother at the college, and where were you living?

Elizabeth: I lived in the village. I had a room in a rooming house there. I took one complete course at Wellesley, and during the summer, I took two courses at Harvard. They accepted women as graduate students before they admitted women generally. Then, the following year, I took two courses at Wellesley, so that I completed the requirements for the masters degree within two years.

Stacia: Was that the length of time it normally took, or it would have taken if you had not been working?

Elizabeth: It *can* be done within a year - a masters - although a number of people take longer, if they want to work.

Stacia: How many women were in your graduating class when you got your MA?

Elizabeth: I really don't know. I don't think there were very many. I wasn't aware of anybody - no one that was a close friend was doing it - and I had very little contact with the other people outside of class because I was busy with what I was doing. What I was doing was taking time away from the office, during classtime, and then working extra time after regular office hours to make up my hours. So that I was busy, and really associated more with other members of the faculty and the staff of the offices than I did with other students. It was a very small number of graduate students, other than the physical education students. Wellesley gave a masters in Physical Education, and then it did give a few masters degrees in other fields if people wanted them, but it wasn't a major part of the college in those days. Since then, of course, they've dropped it.

Stacia: Some of the other women that you graduated with when you got your bachelors, were they also going on to graduate school?

Elizabeth: No, I can't think of any that were particular friends of mine who went to graduate school at that time. A few of them were getting married, and one was going into... *two* of them were going into high school teaching. They had prepared for that. One was interested in the theatre, and was doing that, so there were a variety of things going on, but nobody I knew went immediately to graduate work.

Stacia: So was it considered unusual for a woman to go on to that level of education?

Elizabeth: It was rare, yes; it wasn't impossible at all, but there were not very many women in graduate work at that time.

Stacia: Was it your intention to teach afterwards?

Elizabeth: Yes. Yes, that seemed to me the quickest way that I could get into regular employment - to take the graduate work and then look for a teaching position. And I got one when I graduated with the MA.

Stacia: Had you decided not to go on to law school, or had you put that aside?

Elizabeth: Well, the idea sort of evaporated; it was not going to be possible for a considerable period of time, so I really was going into teaching at that point.

Stacia: So, when you chose teaching, it was very much because you needed to support yourself. I think you said you also knew that you would need to support your mother.

Elizabeth: Yes. When she couldn't work any longer, I knew that she would be dependent on me.

Marietta College

Stacia: Did you enjoy teaching?

Elizabeth: Yes, I liked it. It was interesting to deal with the students and usually, there were pleasant members of the faculty. I made

some very good friendships that lasted many years, in the teaching positions that I held.

Stacia: Now, you served as Assistant Professor of Economics and Sociology at Marietta...

Elizabeth: Yes, there were just two of us in the department. The man who was head of the department chose to do the sociology and I did the economics at that time.

Stacia: That's interesting considering that you actually had a very strong background in sociology as well.

Elizabeth: Yes, but he preferred to do sociology. I think maybe I taught one course in sociology, but I don't remember really whether I did or not. Mostly, I think he liked to teach sociology better than economics, so since he was the head of the department...
(laughter)

Stacia: You didn't argue!

How would you describe the academic environment?

Elizabeth: Well, they had some very good professors at Marietta. It was a small college; it was co-educational, but more men than women students. Its quality was not, of course, that of Wellesley, but it was a good college and they had some very good professors. I was particularly interested to talk with the head of the History department, and the man who was in Biology was very interesting, and also in Philosophy were men who were not particularly interested in going into university work. They liked teaching better than they liked the research and the pressure of publishing that is required in universities. So I would say that it was, for its size, excellent.

Stacia: So it doesn't seem that it was what they refer to nowadays as the "publish or perish" environment.

Elizabeth: No, not there. Some people were doing some work to publish, but you didn't feel that pressure. Your primary interest was in dealing with your students.

Stacia: And did you find yourself doing research on the side or were you focused also on your students?

Elizabeth: More on students than on research. Although I didn't do anything that I published at that time, I did some individual study. As a matter of fact, I'm not really interested in trying to publish. That was, perhaps, one reason for my not staying in the teaching, because I was more interested in my own study, and learning, and teaching, than I was in publishing.

Stacia: You spent two years at Marietta - is that correct?

Elizabeth: Four years.

Stacia: I'm sorry; that's right - from 1927 to 1931.

Elizabeth: Yes.

Ph.D., University of Wisconsin

Stacia: ...and then from 1931 to 33, you worked on your Ph.D?

Elizabeth: Yes.

Stacia: ...at the University of Wisconsin.

Elizabeth: Yes.

Stacia: You decided to go on to get your Ph.D. Why?

Elizabeth: Because if I was going to be a professor over the years ahead, that was almost an essential. If I was going to get a position in a university or if I was going to get a professorial position in a college of more standing than Marietta, I would have to have the doctorate.

Stacia: What was your thesis in?

Elizabeth: It was called "The Worker's Equity in His Job". It was a joint project in economics and law. I took a minor in Law. That was my chance to get into law school.

It was interesting, perhaps, that I could get into that because of what a professor at Wellesley had said to me when I was just taking my masters degree. I had come out from the masters exam - the oral - and I met a professor whom I had not worked under but whom I knew, and she said to me, "How did you do in the examination"? And I said, "Alright, I think." And she said, "Only alright?" I was a little taken aback, because that's the

sort of thing you usually say. And she said, "At this stage in your career, you ought to be able to judge your own work, and if you've done excellent work, you should say so!"

Well, when I was planning my work at Wisconsin, I asked the dean of the law school if I could be admitted to take the minor in law. I mentioned the courses that I was thinking of taking, and he said that I could take all of them except with one professor - Professor Page in Contracts. He said that Professor Page didn't like to take students from the liberal arts division; he didn't think they were really serious students. So he said, "You'll have to get permission from him; I can't give you permission." I went to see Professor Page and said that I wanted to take his course as a minor, and he was very gruff. He was a really mean man (laughter). I've seen him reduce students - men students - to tears!

Elizabeth: He said to me, "Why should I let you in? Do you think you can do the work?" And I remembered that advice that I had gotten, and I said, "Certainly I can do the work. I'm an excellent student!" (laughter)

Elizabeth: He was very much surprised, I think, that I would answer him like that. But he let me in, and never once did he ever ride me in class. And I've seen him, as I said, get students so mixed up that they were in tears; they didn't know what they were doing by the time he got through with them. But we got along very well, and I had no trouble with him at all.

Stacia: And so this recurring theme of law... your interest in law when you were working on your bachelors, and then the opportunity to minor in law when you were getting your Ph.D...

Elizabeth: Yes, I've always been interested in law although I've never gone on in it.

Stacia: I assume you got your interest in law from your father?

Elizabeth: Yes, I think that was it.

Stacia: But you weren't turned off? - because he was somewhat turned off by his profession.

Elizabeth: Yes, I think he had a little of the gambler's spirit. There was always something a little brighter on the other side if you could

just make it work, you know. And sometimes it worked, but a lot of times it didn't.

Stacia: You mentioned that your thesis was a joint project...

Elizabeth: It was a legal subject, but relating to the labor field. I was working in labor economics and I had two very good professors there - John R. Commons, who was my thesis advisor, and Selig Perlman, who was my course advisor.

When I first met Selig, he asked me what I wanted to take, and I said, "Well, I want to get through in two years." Most people took a good deal longer than two years to get their Ph.D, but he said, "You can do it in two years if you want to work that hard." I mentioned a certain course and said that I'd been teaching it for several years and thought I needn't spend the time on that. And he said, "If you want to pass the written examinations, you're going to have to take that course because that professor will not pass you unless you have had *his* course, but," he said, "you can omit some of my courses if you want!", which was very generous of him. But I liked his work, and I took several courses with him.

John R. Commons was, of course, a very unusual man. He had his graduate students come to his house about once a week for dinner, all the graduate students. At that time, of course, prices were very low. We paid \$.50 and his cook made us a wonderful dinner! He had people from all over the world who stopped at Wisconsin and would come to his 'Friday night' to talk to his graduate students. So it was a very inspiring and interesting situation.

Stacia: It sounds like it. Can you tell us a little bit about your thesis? You still have a copy of it, right?

Elizabeth: Yes, I have a copy of it, but I haven't read it for many, many years! (laughter) It was an attempt to determine to what extent the worker really has a claim on his job which goes beyond the immediate time for which he has been employed. That is, his *ownership* of the job apart from any contractual ownership of it that you might expect him to have. You often see that in questions of whether, if the business is going to have to lay off people, do they lay off some that have a real ownership right in the job, or do workers lose all that equity if the firm can't keep them employed at that time?

Stacia: Do you ever think back and reflect on the work you did on your thesis and think, "that's still true today" or "things have changed so that the arguments I made are no longer valid" or...?

Elizabeth: No, I don't think I think of it in terms of the thesis. It was published serially by the American Federation of Labor and what I do think is that the work I did on that contributed to my getting the job in the Federation later. It also was of value to me in the relationship I had when I was working in the Federation with some members and staff/persons of Congress. That work contributed to what I did later in the government.

Stacia: So we were talking about how your thesis contributed to your involvement in the rest of your career. It actually had a very direct impact.

Elizabeth: Yes, it did, I think. That's one thing I think about my career as a whole: I can see what each kind of thing that I did feeds into what I did later. Although I have a spotty employment record from the point of view of moving from one thing to another - quite different types of work - each one depends to some extent on what I learned in the earlier work.

Stacia: There's a thread that runs through them all.

Elizabeth: Yes.

Stacia: You are somewhat unique in that, today, a lot of people change careers and do something entirely unrelated to something they've done before, and yet you stayed with economics throughout your career.

Elizabeth: Yes, although I didn't actually use the economics as I would have done had I stayed in an academic career.

Eureka College and New Jersey College for Women

Stacia: Talking about the academic, you said that you did enjoy teaching. What was it about teaching that you enjoyed so much?

Elizabeth: I think it was helping the students to find out new things and see them develop.

Stacia: Did your own interests guide what you were teaching in any way? Were you teaching courses like macro- and microeconomics which were very - I'll say, standard - or were

you teaching courses which you yourself developed based on your own interests?

Elizabeth: I think mostly I was teaching standard courses with textbooks, except when I was at the New Jersey College for Women. I had a seminar of a group of students with whom I used the experience of my work for the government in the Rocky Mountain survey.

Stacia: In 1936, you were Supervisor of the Rocky Mountain region of the Consumers Purchasers Survey.

Elizabeth: Yes, that's right. I used that as the basis for the seminar that I developed at the New Jersey College for Women. That was a very good seminar because I had, I think, ten students in it, eight of whom were Phi Beta Kappa. So it was challenging and I had a good group. I was able to freewheel with them, as I couldn't in the colleges where the standards were somewhat less.

Stacia: Between the time that you worked as Assistant Professor of Economics and Sociology at Marietta and at the New Jersey College for Women, you were also Professor of Economics at Eureka College.

Elizabeth: Yes. When I finished my Ph.D, I had expected to go back to Marietta because when I left there, they had said that I would be given a leave of absence for two years. But when I wrote to them to say that I was ready to come back, they said they couldn't take me back. I think the Depression had hit very hard and they didn't have a position that they felt that I could fit into.

So, I got the position at Eureka College. The man who had been - they had only one person in Economics at Eureka - the man who had retired had been at the college for many, many years. He had almost the entire football team majoring in economics (laughter) which tells you something of the quality of work! As a matter of fact, Ronald Reagan was one of the football heroes who had been in that class and graduated the year before I came to teach.

It was somewhat of a problem the first semester because I decided that if I wasn't going to ruin Eureka's football team altogether, I'd better give a quiz early in the session. So I gave them one about six weeks into the first term, which practically everybody failed. Then, they began to work a little harder. But it took quite a while to convince some of them that economics was not something they could breeze through.

- Stacia:* What was the ratio of men to women in your classes?
- Elizabeth:* In both Eureka and Marietta, almost entirely men. There were a few women in the class, but men were really the only ones who did any talking in class. The women just sort of faded out of the picture. They could do the work, but they never took any part in it. Of course, at the New Jersey College for Women, it was quite a different story.
- Stacia:* Did you find that the experience at the New Jersey College for Women was similar to Wellesley?
- Elizabeth:* Yes, although the students, on the whole, were not as strong students as they are at Wellesley. But it was a good college for women and, as I say, I had some of the best of the women in economics, which was a great pleasure.
- Stacia:* So you actually taught to quite a range of students, from the football players to the Phi Beta Kappas...
- Elizabeth:* (laughter) Yes.
- Stacia:* It must be very challenging getting the football players as interested, and stimulating them intellectually, as with the Phi Beta Kappas...
- Elizabeth:* Yes, it was difficult to get them to really take it seriously because you see, this old professor who had just retired had given A's and B's to practically everybody in his class regardless of what they were doing.

I do remember that one of the men - who was a football player, but he was a good student too - he tried to work with them when he became aware that the team was threatened by not being able to play if they couldn't keep up their credits. He worked with me on it some and one of the men who had failed the mid-semester exam, he asked me if I would give him another exam. I said, "Well, if you want to work with him and try to see if you can't bring him up to snuff, I will give another exam but I won't make it any easier than the first one." He said he would and he worked with this student and I said, "Well, I will give the exam and then I will let you grade it if you'll promise me to grade it honestly. If you think he failed, you'll have to say so." And he graded it and he said he failed.

Stacia: So you brought him up to your standards.

Elizabeth: Yes. (laughter)

Stacia: That's wonderful.

We've talked a lot about what your work was like. What was your *lifestyle* like during the time you were getting your Ph.D? You did it in a very short amount of time.

Elizabeth: Yes, I was really a plutocrat though when I was getting my PhD because the first year, I had a tuition scholarship and the second year, I had not only the tuition scholarship, but a fellowship which was given by Wellesley College to someone doing graduate work. So, in the depths of the Depression, I was really someone that had money. But, of course, it was a small amount compared to what the scholarships are today. But it was very good at that time.

I lived one year, when I was doing graduate work, in a private home, in a room. The second year, I shared an apartment with another woman, a friend of mine - well, it wasn't really an apartment; it was two rooms in a rooming house that had several other graduate students in it.

When I was at Marietta, I had a room in a private home for two years and then the college asked me if I would take charge of a dormitory. So I lived in the dormitory for another two years. And I lived in a dormitory at Eureka College.

Stacia: Did that imply that you had housemother-type responsibilities?

Elizabeth: Yes, to some extent. At Marietta, there was a housemother, so I wasn't really the housemother, but I was on call for consultations with students who were in trouble and things of that sort. They did that to save money because after 1929, the college was in rather serious financial straits. So, they asked me to do that and while I was doing it really for room and board, I was also helping the college. And the same was true at Eureka because, of course, the Depression was still very serious in those years.

Stacia: So while you were at Marietta and Eureka and the New Jersey College for Women, was your mother still a housemother at Wellesley?

- Elizabeth:* No, she retired. She retired from Wellesley in '35 when she reached 65. Then, I bought a house for her in - did I buy that house? No; we rented that house - in Denver. She took her older brother and older sister to live with her, to take care of them because they needed some help.
- Stacia:* What were your contemporaries doing? You're out in the working world, you're a professor in the universities... Did you keep in touch with your Wellesley friends?
- Elizabeth:* Yes, with the friends that I knew best at college, I kept in touch.
- Stacia:* What were their lives like compared to what you were doing?
- Elizabeth:* Well, several of them were married and had small children. Some of them, two of them, were teachers - high school teachers. One was doing some theatre work, a little theatre work on a volunteer basis. One was at home taking care of eleven younger children. Her mother had died in childbirth when she was graduating from Wellesley, and she went home to take care of those eleven children younger than herself.
- Stacia:* So she became a mother when she got out of Wellesley.
- Elizabeth:* Yes. I remember one time visiting at her home and she had them all organized. The whole team of them were cleaning house and the two-year old was dusting the rungs of the chairs, and the three-year old was dusting the tops of low tables, and the four-year old was dusting a little bit higher up (laughter)... They were really doing a job of keeping the whole family at work and getting things done.

"I Had the Support of Friends and Family"

- Stacia:* Did your friends and family support what you were doing?
- Elizabeth:* Oh yes. Mother was very, very supportive of me, although I think she would have been happier had I married. She gave me one of the pushes in my life that was a help. When I was at Marietta, I helped organize the AAUW. I was their first president for the AAUW. They were going to have a national convention in New Orleans and I said to Mother, "It would be nice to go." I was president of the AAUW for the local group; and I said, "It would be nice to go, but I don't think I ought to spend the money to go down there." And she said, "Go ahead

and do it." She said, "When I look back on my life, it's not the things I did, but the things I didn't do, that I regret." So I went.

Stacia: Great advice.

It sounds like you had a great relationship with your mother.

Elizabeth: Yes, yes. She was a very stable sort of person, I think. Unlike my father, she had nothing of the gambler in her. I remember that she disapproved when I began to buy stocks and in the Depression I lost some money on the first stocks that I had bought. She said, "You know, you shouldn't gamble in the stock market" which of course, was her point of view about income. Later, during the war - Mother's family had owned farm land in Iowa when she was young - she said that when the price of farm land went up so terrifically during the war, she said "Oh my, if we had just held onto the farm..." And I said, "Now Mother, you know that that would be gambling. The prices of farm land now are speculative because of the war efforts." And she didn't say anything then, but a day or two later, she said, "I'm glad you said that to me about the speculation. I've always sort of regretted that we didn't still have the farm. Now, I'm glad we don't!" (laughter)

Stacia: I know that you were involved in quite a serious relationship around 1936, but I'm going to put that aside because Marcia wants to talk to you about that year in particular when you were Supervisor of the Rocky Mountain Research Survey.

Leaving the Teaching Profession

You had mentioned in a speech you did last fall - when you were on a career panel for Wellesley - that at some point, you became dissatisfied with the way that your career was going, and you decided to leave academia, leave teaching. Can you talk a little bit about that?

Elizabeth: Yes. I was, of course, fighting a trend that was very strong then: that women didn't have much of a chance in, what was called, a man's occupation - the teaching of economics. I realized that that was going to be a big struggle. I could have gotten a position in a women's college, but I felt that it wasn't fair that you never got the same opportunities or the same salary that a man would have in that field.

The New Jersey College for Women position was a known temporary. That is, a friend of mine was teaching there and she had asked me if I would fill in while she went on a leave of absence. So, I knew when I took that position that it was only a temporary position and I thought I would try teaching in a women's college to see how I liked it. But when you went to conventions, to the meetings in the winter, it was always the men that had the opportunities to make speeches and to give their research. Men had a better chance at getting things published in the magazines. And I just thought that I would like to try something else.

Since I had done the thesis in the labor movement and it had been published by the American Federation of Labor (AFL), I thought I would try research, and I went there and got a position. The head of research in the AFL was a woman, a very remarkable and interesting woman. She was a very, very ardent Republican and she hated the Roosevelts. (laughter) I remember one time going into her office and she was looking at the mail. She had a card from Mrs. Roosevelt inviting her to a luncheon. Mrs. Roosevelt was inviting a number of working women to luncheon. And Florence said, "I may have to go to the White House on business, but I certainly don't have to associate with them socially!" (laughter) And she tore up the card.

Stacia: And she didn't go.

Elizabeth: She didn't go! She was a very delicate looking woman, a southerner. She was very much liked by all the men there in the AFL. She had written the autobiography of Samuel Gompers, who had been the president of the AFL for many years. She was a stimulating sort of person to work with, and I enjoyed that very much.

Stacia: So you didn't regret leaving teaching.

Elizabeth: No.

Stacia: When you look back on the years that you spent preparing for your teaching career and the years that you spent teaching, how do you feel?

Elizabeth: Well, I think it was worth doing. Certainly, I would never have had the position I had in the Ford Foundation if I hadn't had both a Ph.D. and the teaching experience. I would not have had the kind of association with Congress that I had in the

government work if I hadn't had the experience dealing with Congress while I was in the AFL. So things dove-tailed very well. I don't feel there's any real loss of any of the time that I spent.

Stacia: You made a very smooth transition from one to the other.

Elizabeth: Yes.

World Events

Stacia: We've talked about the years 1924 to 1938 - that was a very tumultuous time.

Elizabeth: Yes.

Stacia: There were a lot of exciting events going on in the economy at that time.

Elizabeth: Yes, it was a very, very bad depression, of course - the worst the country has ever seen. And it was aggravated by the terrible Dust Bowl during that period, even at Wisconsin although it was from Nebraska and Kansas. That's a long way from Wisconsin, but you could wake up in the morning and see this black cloud coming in. And every morning, there would be a quarter of an inch of dust on the windowsills, and you felt it gritting in your teeth when you ate.

It was a terribly hard time for the farmers. I remember that one time, the milk producers in Wisconsin brought all their milk and poured it down the steps of the capitol because the price was so low, they couldn't make enough money to maintain their dairies.

Many of the students at Wisconsin couldn't afford even to stay in the university. The university let them stay for six weeks without paying their tuition, and they could come back twice. And some of them did that. They would come and take six weeks of work and then they had to leave because they couldn't pay their tuition. They'd come back the next semester and take six weeks of work, and come back the next time and take another six weeks, and then that was all they could do.

There were a group of boys who had a place in a loft. An old factory had been abandoned - and the loft that was up there was empty - and a group of boys lived up there. They bought a barrel

of oats and they would go round the back doors of the grocery stores and get vegetables that had been thrown out, you know - lettuce that was a little wilted, or other things that weren't quite up to scratch that had been thrown out. They made oatmeal and ate these wilted vegetables, and they could sign up for milk. Of course, the University of Wisconsin had a dairy and they could get a quart of milk a day if they had signed up for it. If they could live on that and pay their tuition, they could stay through the period. But it was a hard time.

Stacia: And you were teaching during part of the Depression. It must have been hard to see your students going through that.

Elizabeth: Yes, of course, the Depression was still on. It had begun before I left Marietta, and was still on when I was teaching at Eureka. At both Marietta, at the end, and at Eureka, in the early days, sometimes they couldn't pay their salaries. Of course, at Eureka, for a period of time, they paid us in script and the people in the town would accept the script in the hope that the banks could make it good sometime.

Stacia: So the community really pulled together.

Elizabeth: Yes.

Stacia: In the 20's, the early to mid 20's before the stock market crash, it was actually quite a prosperous time...

Elizabeth: Yes. Yes, up to '29.

Stacia: And then, the crash.

Elizabeth: Yes.

Stacia: Did you foresee it?

Elizabeth: (laughter) No. Well, I knew of course that the stock market was too high, but as I say, I lost some money. It wasn't disastrous for me because I didn't have very much stock at that time, and I didn't have to get money out of the stock that I had, so in the long run, I didn't actually lose money. I had some paper losses. But I remember the Economics Association meeting in December after the stock market crash and one of the men, a very famous economist - Irving Fisher - said to the group, "We've all been saying that there was going to be a crash and

what I want to know is how many of you got out without any losses?" (laughter)

Stacia: Were there many raised hands?

Elizabeth: That was it! A lot of them had been predicting it, but still, they hadn't gotten out in time.

Stacia: They were still surprised by it?

Elizabeth: Yes.

Stacia: At that time, there was a world-wide interest, or resurgence of interest, in the Communist party. Do you think that the stock market had anything to do with that? Do you think it disillusioned people? or marred the record of capitalism in any way?

Elizabeth: I don't think that it really made much difference to the communists. There was a lot of talk about it and, of course, we went off the gold standard. The communists were saying, you know, that capitalism was doomed and so forth, but actually, I don't think that those who were really communists ever had the strength to move this country into communism.

When I was at Wisconsin, I knew some people who were members of the Communist party and I knew a man and his wife who were IWW, which is Industrial Workers of the World - that was not communism, but it was anarchism. They were anarchists. We always used to laugh at them because they had been married and they didn't want to admit that they had been married, so she went by her maiden name and they always said they weren't married, but they were! (laughter) And they thought it was kind of disgraceful.

In a sense, there was a lot of communism because people were unhappy with the situation because the country was not doing what it needed to do to get us out of the Depression. So there was, among young people, a lot of communist ideology and some people joined the Communist party who later regretted it. But it never was really very serious; it was a reaction to the events of the time. With many of those young people who joined then, it was not a real conviction that communism was going to be the right way, it was simply that they felt that we were going the *wrong* way at that time in the Depression.

I remember somebody said at that time, "If you haven't been a communist or a socialist before age 25, you haven't any heart; if you've been after that age, you haven't any head!" (laughter)

Stacia: So it's something you grow out of?

Elizabeth: Yes. And there's something to it, you know, because many young people were not really aware of what was going on in Russia. They didn't know what communism really was like. They were convinced on the superficial level that more was being done to help the poor people and to help labor get ahead. So later, when we had the red-baiting in Congress with McCarthy, the throwback to that earlier period, the effort to prove that somebody had either been a communist or had associated with communists, was ridiculous because they were talking of a situation which was a temporary situation.

Stacia: We'd alluded a little bit before to the Great Depression and you had told us what it was like when you were at the University of Wisconsin. How did the Depression, if it did at all, affect your outlook or your perspective? Did it change you in any way? Did it make you more cautious?

Elizabeth: I don't think it probably changed me very much. Of course, it has been a useful thing to look back and say that even a very severe depression like that, you get out of and go on, and to realize that in a society such as ours, you're going to have periodic swings up and down. If you are reasonably cautious, you can make it through. It also, I suppose, made, as it has for everyone, made me more aware of the extremes of income in the country and the need for the government to take action in ways that it hadn't done up to that time. You see, before the New Deal, there really *wasn't* much from the national government to take care of people who were, for long periods of time, without work, and even trying their best, couldn't find work.

Stacia: How did you feel about the 100 Days of Legislation? some of the things that Franklin D. Roosevelt was doing to right the economy? Did you support him?

Elizabeth: I was in favor of them, yes. Although I had insight into the bank problem from one of my uncles who was a banker who owned the small bank in a very small town in western Kansas. When the bank closure came, he said, "If they had had sense enough *not* to send auditors to the little banks, a lot of them would have

gotten back on their feet." He said, "In a small town like Liota, the bank has to lend money to people on their character, not on what they have in the way of resources to back up the loan. And all of the small town bankers knew that. The communities were not going to make a run on the bank because they knew the situation that the bank was in. They knew they wouldn't have any place to borrow if the bank went under." "But," he said, "when the government closed the banks and audited them, they closed permanently a lot of those small banks that could have stayed open if they had let them alone."

Stacia: In the 30's, there was a workers rights movement and a rise in the interest in unions.

Elizabeth: Yes.

Stacia: Was that in any way part of what you had studied when you were at Wisconsin?

Elizabeth: Yes.

Stacia: Can you tell us a little bit about that? what your take on that period was? what was going on?

Elizabeth: Well, it was a time when the unions were getting ahead and that was one reason why communism was not successful in this country. Because the unions hated the communists as much as the capitalists hated the communists. Because they felt that the way to improve situations for people was for the workers to unite and be able to exert some power to raise wages, to make jobs steadier for people, to exert this equity in the job which I was investigating. They felt that communism was overthrowing really the workers' point, and particularly that was true of the stronger craft unions. The CIO, you see, was a different class of workers. It was not the old line craft workers such as the printers and the typesetters and the ones who had reasonably good positions with the better wages, but the mass of workers who had been pressed down that got into the larger unions, you see. There was conflict between those two unions at first before they finally managed to get themselves together. But there was an increase in the amount of union activity and the number of unions and the number of people becoming union members when they realized that they could get some power just by joining the union. So, it was a useful experiment that they succeeded in increasing the unionization at a time when there was this balance between the effort of the communists, or the

people who thought it could be done by government activity, as against people who thought it could be done by joint effort.

Stacia: You had mentioned that you supported Roosevelt's efforts and that includes the Public Works Administration, the building of roads, the attempt to create employment, and those sorts of things?

Elizabeth: The WPA and the Conservation Corps...

Stacia: Were you active politically during this period?

Elizabeth: No. I've never been very active politically. I voted, but I'm not primarily a political person.

Stacia: Did economics give you an objective view of what was going on? Did you look at things more in an economic sense than in a political sense, do you think?

Elizabeth: I think so, yes.

Stacia: Well, this has been wonderful. I'd like to ask you if, looking back over your life, you were happy with that period?

Elizabeth: Yes, I think I was. It was an interesting period. It was a difficult period, but interesting. The atmosphere at the University of Wisconsin was particularly good because you had so many people from all levels, you see. You had the farmers - it was a farm community and of course, it was a state university with an agricultural college - and within the Economics department, you had a great range of ideology from extremely conservative to the people who were encouraging communism.

Selig Perlman, of course, who as I said was my course advisor, had gotten out of Russia in the 1905 revolution; he had been smuggled out when he was a boy, both because he was a Jew and because his family was revolutionary. He was very well aware of the revolutionary approach to improving things as against the economic approach to improving things. He was not at all communistic in his ideas, you see, because he felt that labor and the strong effort of workers could improve things and get legislation that would bring the country out of the depression that it was in. Then, on the other hand, you had as I say, some anarchists and some communists. The total mix of ideas was very stimulating.

Stacia: What, in that time period, were you most proud of? - whether personally or professionally?

Elizabeth: Well, I suppose it was the development of more maturity, a greater understanding of the mix that exists in this country, and an ability to look at a number of different points of view and analyze what's good and what's temporary in ideas. The feeling of being in control of things, I suppose, is what I was getting in that period. Part of it is just a matter of maturity.

Stacia: We've talked a lot about what you did during that period and I'm wondering, do you ever look back and think about other paths you might have taken and wonder where they lead?

Elizabeth: Yes, sometimes I've thought of that, but I remember something that Katherine Lee Bates said one time. I took a seminar one time with her when I was at Wellesley. Somebody was saying that she didn't know whether she wanted to get married or whether she didn't want to get married, and Katherine Lee Bates said, "Well, whether you do or whether you don't, there'll be times in your life when you wish you had done the other thing."

Stacia: That's very true. Thank you so much, Elizabeth, for talking with us.

Elizabeth: Well, I was very glad to.

Stacia: It's been a real pleasure.

III 1936 - 1941: EARLY GOVERNMENT WORK

[Interview 3: August 27, 1995]

Marcia: Today I am going to be talking with Elizabeth about her early government work, her one year appointment as Supervisor of the Rocky Mountain Region for the Consumer Purchases Survey that was sponsored by the Bureau of Labor Statistics and the Department of Home Economics. We are also going to talk about the Great Depression and unemployment and her job at the American Federation of Labor where she worked for Florence Thorne doing research. We will talk about broader topics of interest in the 1930's such as the Labor Movement, Communism, and entry into World War II.

1936 - Regional Supervisor, Consumer Purchases Survey

How did you get the job for the Consumer Purchases Survey?

Elizabeth: I suppose someone from the University of Wisconsin recommended me for it. There were a number of people in the Bureau of Labor Statistics who had graduated from Wisconsin and my doctorate had fairly recently occurred. I never really knew, but the Bureau wrote me and asked me whether I would take this position.

Marcia: So you didn't have to interview?

Elizabeth: No, I didn't interview for the job. I did go into Washington to get instructions on what to do and then I was on my own getting started with it.

Marcia: What were your thoughts about the fact that it was only a one-year appointment, a short term thing?

Elizabeth: I could have stayed longer although I knew that the particular job of collecting the data in my region would be ended in a year. I could have gone into Washington and helped put the material

together and write up the survey, but it happened that I didn't want to do that because at the time (it was about half way through the year) someone whom I knew at the New Jersey College for Women at Rutgers which is now called Douglas College was going on leave and wanted me to fill in her position. I chose not to go further with the survey, but to finish out the year which was only the one year in the field.

Marcia: What do you think prepared you to do this job?

Elizabeth: I suppose the experience I had on my first job in Nebraska on that small survey that I did and mostly the experience in my graduate work. There was really no good preparation for it because it was such a varied experience, but I think simply having the confidence to work with a number of different people.

Marcia: Had you ever supervised people before?

Elizabeth: No, I think I had not except in that first job when I was only supervising students, but after all teaching gives you some background in handling groups of people.

Marcia: Did you find it was difficult to leave teaching or the Midwest? Did you think you would be going back to teaching?

Elizabeth: Yes, I thought probably I would be going back to teaching sometime, unless I chose to stay on in Washington and take government work as a permanent occupation. I think I wasn't, at the time I took this position, entirely sure what I would do in the future.

Marcia: But you didn't have any doubts or uncertainties?

Elizabeth: No.

Marcia: Were you eager to accept it?

Elizabeth: Yes, I was eager to accept it. For one thing it was considerably above the salary I was making in the teaching position I held at Eureka College and, for another, it seemed to me it would be interesting.

Purpose of Consumer Purchases Survey

- Marcia:* What was the purpose of the survey? What kind of data was collected?
- Elizabeth:* There were two main schedules that were collected. One was on the kind of expenditures people were making: what they were spending on housing and clothing and amusement and food and so forth. That schedule, we attempted to get from everyone who was interviewed. Then there was another schedule on sources and amount of income and that was collected from some of the people interviewed but not from all of them.
- Marcia:* Why did they only want 10% of the people?
- Elizabeth:* Yes, about 10% of the people were asked for the income. It was more difficult to get that. People were more unwilling to say exactly where their income was coming from sometimes and how much income they were making. It was, of course, Depression years and some of them were not happy about the income they were getting and some of them were probably getting income from sources they didn't choose to reveal so it was harder to collect that and it was taken from fewer people.
- Marcia:* How was the data going to be used?
- Elizabeth:* It was a kind of benchmark with data from these cities from different areas of the country. They hoped to get a better picture of how seriously the Depression had cut into incomes and how much real hardship there was in the kinds of expenditures that were being made. Also, it would help to set the standards for what relief was to be given. It was in a period when there were many ideas in the government about how to handle the situation and this was benchmark data to help with that kind of decision making later.
- Marcia:* Was one of the purposes of the Survey to employ people?
- Elizabeth:* Yes, it was definitely part of the New Deal effort to get people jobs because all of the people who were hired as Enumerators had to be taken from relief rolls. That requirement was not put on local supervisors and the national supervisors so that in every region we could hire one supervisor for each office who was not taken from the relief rolls. But then everyone else had to come from the relief rolls.

Marcia: Who did you report to?

Elizabeth: I sent the schedules that we collected in my region to the Washington office in the Bureau of Labor Statistics that was handling it. That was the extent of the reporting that was done.

Marcia: Did you have a particular individual that was checking up on you?

Elizabeth: No. Any correspondence was with someone in the Bureau of Labor Statistics who was available for questions if we had any or would ask us if we were having particular difficulties with schedules or anything of that sort. There was no one who came around and looked over my shoulder.

Marcia: You were very independent.

Elizabeth: Yes.

Marcia: What were the missions and goals of the Department of Home Economics?

Elizabeth: I think they had interest primarily in the kind of living standards that people had and whether the best uses were being made of resources. I believe they had a good deal of contact with the departments in the land grant colleges which were spread throughout the Midwest and Western states to help women make efficient use of their household incomes.

Marcia: The Department of Home Economics co-sponsored it.

Elizabeth: Yes, but the Bureau of Labor Statistics was the primary mover and I gave my data to them.

Marcia: How did the survey fit in with their goals and mission?

Elizabeth: They were to collect data that would be of use to the government in making policy and carrying out their efforts to change the situation in the Depression period.

Responsibilities as Regional Supervisor

Marcia: What were your particular responsibilities? What did you have to do?

- Elizabeth:* Initially, I had to employ the local supervisors and get them started employing people who would collect the data. After we had all the offices set up and running, I moved around from office to office spending a little time with the various offices or with the various local supervisors. I looked over the schedules that came in, to be sure they were in good form to send into Washington. I made contact with the state welfare offices and if there was any problem between our office and the welfare office I tried to adjudicate that. Generally, it was a matter of keeping supervision to see that we were getting our schedules in on time and that they were in good form.
- Marcia:* What kind of volume were you talking about? How many schedules would you be handling?
- Elizabeth:* The effort was made in every community that we went into to collect a schedule from every household in the community. Places were of different size. Some were quite small offices such as Steamboat Springs in Colorado and there were some that were larger such as Provo in Utah. I should say, in any one city, we did perhaps something between 5,000 and 10,000 schedules.
- Marcia:* In your responsibilities in handling problems with your employees, was there a situation that came up in the Wichita office?
- Elizabeth:* In the Dodge City office in Kansas they had hired a girl as secretary who was black and she was a really hopeless secretary. She couldn't spell, she couldn't type and she was just really a hopeless person. When I first went into that office and had correspondence that had to be attended to, I discovered that it wasted so much of my time to deal with her that I began to do my own letters, to type them myself. She complained to the Welfare Office in Wichita that I was discriminating against her because I wouldn't use her services. I had to go into the office and explain to them that she really was so completely inadequate as a secretary that I couldn't make use of her at all. So they finally decided to let us fire her. She went back on the welfare rolls.
- Marcia:* Did you feel surprised to get that phone call?
- Elizabeth:* Yes, I must say I did because the idea that anybody thought she was being discriminated against on a racial basis was so peculiar. I hadn't thought of that; it was simply that she was totally incompetent.

- Marcia:* Did you have any interaction with the other regional supervisors of the survey?
- Elizabeth:* No, they had their own duties which were similar to mine, but we did not get together as a group at all.
- Marcia:* Were any of the other supervisors of the other regions women?
- Elizabeth:* I can't remember. I don't know that I ever met any of them and I don't remember whether they were women or not, but I presume that they had some because the Department of Home Economics probably looked out for the fact that they should hire some women.
- Marcia:* Of the local supervisors or local office administrators you hired, did you hire mostly men or women?
- Elizabeth:* I had more women than men. I had two men and the other three were women.
- Marcia:* You had five states and eight cities?
- Elizabeth:* Yes, I had three in Colorado, one in Kansas, two in Utah and one each in North and South Dakota.
- Marcia:* Why wasn't Nebraska part of your region?
- Elizabeth:* It had been assigned as part of my region, but there was some kind of political objection to it. I don't really know all the ins and outs of it, but one of the senators from Nebraska felt that it was going to make trouble in his district. There were people who objected to this survey you know, who didn't like the government taking over this kind of work and they didn't like the idea of people from welfare coming around and asking them what their income was and what they did with their income. That senator was primarily having trouble with the western part of the state which was a rather poor (the sand hill area of Nebraska was pretty poor) and he felt that he was going to be in trouble politically. Washington hoped we might save it if the Governor would agree to intervene and I went and talked to the Governor, but he said if the Senator didn't want it they really shouldn't do it so they elected out.
- Marcia:* Was it normal for you to go see the Governor of the state?

Elizabeth: No, I think he was the only one I saw, but he was the last resort, so I simply reported back to Washington that unless they could do something about it there, we couldn't make the...

Marcia: Do you remember meeting the Governor? Was he hospitable to you?

Elizabeth: Yes, very pleasant. He was perfectly friendly, but just adamant that he wasn't going to intervene to get the survey going.

Marcia: Was it a big deal for you? Were you nervous going to see the Governor?

Elizabeth: Yes, I was somewhat, and, of course, disappointed that I wasn't successful in getting it established, but the Bureau just decided to drop that state.

Travel Experiences

Marcia: Where did you live during this time?

Elizabeth: I had an office in Greeley, Colorado which was one of the three offices in Colorado, and I rented a small half-basement apartment. I had that the whole time that I was working. Of course, I was on the road a good deal of the time and usually I stayed either in a private home that took in boarders or in a hotel.

Marcia: Were you traveling 80% of the time?

Elizabeth: No, I think more like 50% of the time perhaps because I had to make a swing around every once in awhile and then go back in and deal with schedules that were coming into the Greeley office and so forth. It wasn't that I was out long periods of time, but perhaps two weeks at a time I might be out and then back in the office for a couple of weeks and then out again.

Marcia: What were your travel experiences during this year? How did you get around?

Elizabeth: I had a car and usually I drove. I wanted the car wherever I was, so I usually drove. Perhaps in the winter, I don't remember now whether I took the train. I might have done that some of the time in the winter, but I drove when it was possible.

Marcia: Those are big states with long distances. Were they long periods of driving?

Elizabeth: Yes, perhaps a couple of days for some of them.

Marcia: Were you alone?

Elizabeth: Yes.

Marcia: What kind of experiences did you have? Was it hard traveling like that, alone in a car, a woman professional by herself?

Elizabeth: No, I don't remember that it was particularly hard. I liked driving and I've done a good deal of long distance driving or had at that time so I didn't think too much about it.

Marcia: What kind of car did you have?

Elizabeth: I don't remember.

Marcia: What happened to you in Dodge City when you stayed at a businessman's hotel?

Elizabeth: That was a small hotel, very hot I remember in the summer. The rooms had doors with transoms over them and I had an open transom. About midnight one night somebody knocked on my door and this man's voice said "Henry, Henry." I let that go for awhile and he kept saying "Henry" so I said in a very firm voice, "This is NOT Henry's room." There was a long silence, then he said, "Well, is Henry in there?"

Marcia: And you said "No" and he went away. [laughter] Did you have any occasion to fly during this period?

Elizabeth: I did make my very first flight during that time when I went from Kansas to Ohio at Christmas time.

Marcia: How did it feel?

Elizabeth: Well, I enjoyed it. Very, very surprising feeling to go up. I think I got a little seasick at first. Once I was in the air and felt stable, I enjoyed it and it was a very remarkable feeling to cover the territory so rapidly.

Marcia: How long a flight was it?

- Elizabeth:* It was only about an hour and a half I think, but it was very surprising and enjoyable.
- Marcia:* Did you have to fly or take the train back to Washington during that year?
- Elizabeth:* No, I didn't go back to Washington. I just sent the material in.
- Marcia:* How many people do you think you directly supervised?
- Elizabeth:* Directly, just the local supervisors in each area.
- Marcia:* The eight cities.
- Elizabeth:* Yes. One supervisor had two cities in western Colorado. That was kind of funny, too, because Washington had set up where these offices were to be before we went out, but when I had the supervisor who was to do the two western Colorado offices, we discovered that in order to get from one to the other in the winter (you could do it by car if the weather was good), but in the winter when the weather was not good, you had to take the train from western Colorado into Denver and then back out to the other one on the other side of the mountains.
- Marcia:* What two cities were those?
- Elizabeth:* Steamboat Springs is one and I don't remember the name of the other one that they had chosen. So we had to change that. We wrote to Washington and said this is a hopeless situation from the point of view of administration and they let us select another city and we took Rifle which was on the same side of the mountain as Steamboat Springs. Except for that where I had one person supervising those two areas, I had supervisors in all the other areas.
- Marcia:* Why don't you just name the cities that you can remember.
- Elizabeth:* Rifle, Steamboat Springs and Greeley in Colorado. Dodge City in Kansas. Provo and Logan in Utah. I had an assistant supervisor who had responsibility for one office in each of North and South Dakota. I did not visit those offices as I did in the other states and I have forgotten their locations.

Hiring from the Relief Rolls

- Marcia:* Did you get to know any of the people they hired to collect the data?
- Elizabeth:* No, I didn't know any of the collectors.
- Marcia:* So, you were required to hire people from the relief rolls?
- Elizabeth:* Yes. They gave us a list of people they had on the relief rolls and the local supervisors picked from the rolls. If they wanted to get rid of somebody and get somebody else in, sometimes they could do that directly with no problem. Sometimes I had to go into the welfare office and talk about it.
- Marcia:* Were you spending a lot of time on that kind of thing?
- Elizabeth:* Not a lot, but some.
- Marcia:* What problems might you have? Why would you get rid of someone?
- Elizabeth:* We had some problem with people who wouldn't get their schedules honestly. They would prefer to sit at home and fill out the schedules from their imaginations rather than going around from door to door collecting them. That was something we had to keep watching and the local supervisors spent some time making spot visits to where the collectors were supposed to be on certain days, or to the home of the collector hoping to find nobody home when they shouldn't be. I spent some of my time going over schedules looking for too much duplication of information in schedules collected by a single collector because you usually tell if someone was making them up. They followed a pretty general pattern.
- Marcia:* They thought no one would notice.
- Elizabeth:* Yes.
- Marcia:* They were supposed to work eight hours a day doing this?
- Elizabeth:* I'm not sure whether there was a definite time limit. I think they had to vary the time because mostly they collected from women at home, but if the woman was out working, then of course they had to make their visits more in the evening and on weekends. I think there was a good deal of flexibility in the time,

but the supervisors generally knew what schedules the collector was responsible for in a given day or week and where they might be working at those times so they could make spot checks whether they were at work or not.

Marcia: Can you talk about hiring Mormon ladies to do the interviews with the welfare recipients?

Elizabeth: In Utah there was a rather unusual situation because if people were in good standing with the church they were much less likely to be on welfare because the church did a good deal to try to help its own people. I was told when I went in there that it would be difficult. The first difficult job would be to get the people who were being interviewed to give the information to people who were on welfare as interviewers because the Mormon Church connections was very important in that state. In the two Utah cities we had, I got supervisors who were very good church women and who made a real effort in the community to overcome that resentment at having people on welfare come to interview the people who were not on welfare. They did a very good job of it, but it was something that did not arise in the other states.

Marcia: What stories did you hear about how people came to be on welfare and how this job your group gave them might have affected their lives?

Elizabeth: I didn't hear very much about that. We did get some feedback in the schedules themselves because they were trying to collect from everybody in the community and some of those people being interviewed would themselves be on welfare. There was some confirmation of something that is sometimes said that the giving of money proportionate to the number of children in the family is not the best way to deal with the situation because we ran into a few cases in which somebody said, "We're not doing so well now, but if we have another baby we'll get so much more and that will make us feel better. We'll get along better if we can just get another baby in the family." We also ran into some cases where people were claiming more children than they actually had. Children of the neighborhood were being passed around families in order to get additional income.

Marcia: How would your schedule takers find that out? Did they check up on the truth?

- Elizabeth:* Sometimes they would see it in the families. If they asked how many children in the family and sometimes there was a little hesitation. They would check among other neighbors when they were collecting schedules they would say "Let's see, you have so many children and your neighbor on the right has ..." and they would get a different answer.
- Marcia:* Were you successful in getting a complete report from everyone in the community?
- Elizabeth:* No, we never got a complete report, but we got a fair, quite a large proportion I think.
- Marcia:* Did you feel that you collected statistically valid data?
- Elizabeth:* I suppose as valid as most statistical studies get. I think there are usually some discrepancies because this problem of getting collectors to do a really good job is standard in statistical studies. It certainly is in the Census, for instance.

Life in Greeley, Colorado

- Marcia:* What was your work environment like? Was your office in Greeley small? Did you have any other people in your office with you?
- Elizabeth:* No, the local supervisor had just a one room office. I worked in my apartment some of the time. When the schedules came in, she passed them over to me. Sometimes I was working in that office and sometimes I was working in my own apartment.
- Marcia:* Did you get to know people in Greeley?
- Elizabeth:* No, not much. I was friendly with the local supervisor and knew a few people around, but not very much. Part of it being that I was away a good deal of the time and also I went into Denver a number of weekends because my mother was living in Denver at that time. During a few weeks during the summer I had a friend with me, Dorothy Roberts, who later shared this house with me. She came to visit during the summer while I was out there and she wrote her first novel in my basement apartment.
- Marcia:* How many rooms in your apartment?
- Elizabeth:* There was just a bedroom, a kitchen and a small living room.

Marcia: Do you have any idea what the rent was? Was it cheap or expensive?

Elizabeth: I think it was fairly cheap. The prices were low at that time. I don't remember specifically. I do remember that my mother was very fond of Dorothy and was one of the people that thought that Dorothy should write. She said she was sure Dorothy was going to be a novelist. During the summer I said to Dorothy, "Why don't you move into my apartment" because it was cool, a basement apartment, and so she did live there while I was off on trips.

Marcia: What was your mother doing in Denver?

Elizabeth: She was taking care of her older brother and sister. She had retired from Wellesley where she was the first Head of House of Munger; she was Head of Norembiga for awhile and then she was the first Head of Munger when it was built. She was there from '27 to '35. When she became 65 she retired. Her older by 14 years brother was living in western Kansas and her sister who was 12 years older was in St. Louis. Mother gathered the two of them and took care of them. I bought them a little house in Denver and they moved there.

Marcia: So you felt financially able to buy a house for your mother and your aunt and uncle?

Elizabeth: My uncle put some money in, too. Substantially at that time I was taking care of my mother and about half my aunt's expenses. My uncle was taking care of himself and about half of my aunt's expenses.

Marcia: That's a lot of financial responsibility.

Elizabeth: I had that for a number of years after that.

Marcia: Did you feel stretched financially or comfortable?

Elizabeth: I was fairly comfortable then. With the salary I was getting at that time, I was able to do it without difficulty.

Feelings About the Job as Regional Supervisor

Marcia: What was the most interesting part of this job for you?

- Elizabeth:* I think the diversity of it. There were a number of different things. Getting to meet a lot of different people and trying to do the best I could with the responsibility of a number of different things on hand. I enjoy new things; trying something that I haven't tried before is fun.
- Marcia:* This was new. What was the hardest part of this job?
- Elizabeth:* I suppose dealing with some people who were pretty hard up and not very competent people. For instance, this secretary that I couldn't use. I felt sorry for her but what can you do with a person who is so hopelessly unfitted and yet to see that she felt seriously discriminated against. To know that she was going to go through life feeling that way wherever she worked or attempted to work. Of course, the Depression was serious. There were lots of people who were having much, much harder times than I was having and it was difficult to see that.
- Marcia:* What did you achieve in this job that you are most proud of?
- Elizabeth:* I suppose a certain growth in maturity and competence. I think, at least so far as I know, the work in my region was considered adequate and well received in the Bureau. I don't think of anything particular. In a sense it was not unique because all the other regions were doing the same sort of thing, so I don't think I made an outstanding contribution to the field any more than any of the other regions.
- Marcia:* You did what the job called for.
- Elizabeth:* Yes.
- Marcia:* Is there anything you wish you had done differently?
- Elizabeth:* No, I don't think so.
- Marcia:* How did this job enhance, inhibit, or affect your career?
- Elizabeth:* I'm sure it was good for me later because it did give me confidence in dealing with a lot of different kinds of people and in feeling that I could handle a large and varied job without problems. I'm sure it was a good contribution to my later employment.
- Marcia:* Do have a copy of the study that was published by the Bureau?

- Elizabeth:* No, I don't.
- Marcia:* What was your life like outside of work? You said that on the weekends you would go to Denver. What was Denver like then? What did you do?
- Elizabeth:* Well, Denver was much better then than now because it wasn't nearly so smoggy and crowded as it is in these days. There were lots of interesting places in Denver. It was, of course, an old city and also there were good hotels there. The Brown Palace Hotel which was built by the famous Molly Brown. You know the unsinkable Molly Brown of whom the stories were many. There was a light opera made of her at one time, wasn't there? Then, of course, there were beautiful places to drive all around Colorado. Greeley is just right up against the mountains. I often went driving and went up into the mountains. I don't recall that there was anything particular about the weekends when I was with the family.
- Marcia:* When you were traveling what would you do on the weekend?
- Elizabeth:* I think, if I'm not mistaken, that when I was traveling I didn't usually stay over weekends in places where I wasn't staying more than a week. I traveled on the weekends; I drove on Saturday and Sunday to get somewhere on Monday.
- Marcia:* So, basically you were working.
- Elizabeth:* Yes, in a sense I was.
- Marcia:* Was the government paying for your gasoline?
- Elizabeth:* Yes.
- Marcia:* Did they pay for the car?
- Elizabeth:* No, I don't think they paid for the car, but you got a certain allowance for use of the car.
- Marcia:* Did you have time to have friends in Greeley?
- Elizabeth:* I don't remember that I made very good friends. I knew a few people, but certainly nobody that I kept up with later.
- Marcia:* Anything else about this particular period in your life that you would like to share?

Elizabeth: I might tell you an amusing story that one of my supervisors in Utah told me. She was a little embarrassed about it, but thought it was funny, too. They were having a memorial celebration (I don't know whether it was a birthday or when they came there) for Brigham Young, but at any rate there was going to be a parade with floats. Her son and a couple of other boys were very busy in the barn building a float and they wouldn't say what it was. They brought it to the parade ground all under covers and when they unveiled it just as the parade was to start, it was a huge double bed and over it they had a very large sign "The Old Work Bench."

Marcia: Did they let them put it in the parade? [Laughter]?

Elizabeth: I think they made them take the sign down. But they did have what was supposed to be Brigham Young's bed.

Marcia: Any other stories? That's a good one.

Elizabeth: I did have a rather amusing encounter with a policeman one night. I had taken the plane from Wichita over a holiday time. When I came back it was quite late at night and I had left my car at the airport. I got my car and started out and I was driving fairly fast. A car came along behind me and I could see that it was one man in the car. He honked two or three times and I thought "Oh, this going to be a nuisance," so I stepped on the gas and went a little faster. He came out around me and then I could see it was a police car so I stopped. The policeman got out and rather indignantly said "Why were you trying to run away from a police car?" I said, "I didn't know you were a police car until you went by me and I could see the sign." He said, "All the police cars are white." I said, "Yes, but I didn't know that." He said, "You were speeding inside the city limits." I looked around and it was country all the way around, not a house in sight, so I said, "The city limits? How could this be the city limits when it's clearly open country?" He said, "Well, it is. It's city limits for another five miles." I said, "Well, I'm sorry, but I didn't know that and I was in a hurry to get back to Dodge City tonight." He said, "I'm going to give you a citation." I said, "What is that?" He said, "If you get four citations, then you have to pay a fine. At least they are talking about a law like that up at the legislature." So I never had to pay a fine.

Marcia: So, there were no uncomfortable situations driving around at night?

Elizabeth: No, I never had any trouble.

Marriage versus Career Decision

Marcia: Let's talk about another aspect of this year in your life. This was the time when you were trying to make a decision about whether or not to get married.

Elizabeth: I hadn't expected to make this decision at that time, but it came up. A man with whom I had established a relationship asked me at that time to marry him because he was beginning to feel that it was time to have a family and children. He wanted me to stop work and get married. We had had a very pleasant relationship up to that time. I was perfectly willing to go on the way we were, but he was beginning to feel uncomfortable about it because almost all his friends were married and in his professional life it was time for him to be getting established. I felt that I couldn't marry then. I told him I was taking care of my mother. He said he would put money in for Mother and I didn't really want that either. But, I suppose the real truth of the matter was that I was enjoying what I was doing working, and I really didn't want to get married.

Marcia: If it meant giving up your career?

Elizabeth: Yes, so I suppose the truth of the matter was I didn't care enough about getting married to be willing to give up what I was doing.

Marcia: That's a hard choice to have to make. If he had wanted to marry you and not asked you to stop working, would you have married him?

Elizabeth: Yes, I might have, although I'm not sure. I think in a way we were a little bit too much alike. I think we were both a little too set in our own ways. I think he had a perfectly good point that in that day, even more than today, but it's true even today, that men who are married get better positions, are paid more, than men who aren't married. I think he was perfectly justified in saying he had to have a wife who was willing to stay at home and rear children because that was the pattern in those days. It isn't today. I can understand the total pattern is different. I can't blame him for his position in that. My position was that the pattern that was characteristic for women at that time was not

one that I wanted. So we were just not really in a position to get together.

Marcia: What was his profession?

Elizabeth: He was a banker.

Marcia: Did you prior to that time think that you might marry him sometime?

Elizabeth: I suppose I hadn't really thought it out.

Marcia: You were in your mid-thirties?

Elizabeth: Yes. I was perfectly happy with our arrangement together when we could see each other. I enjoyed him. He was a pleasant and interesting person. I think probably the truth of the matter is that I was not head over heels in love and that I just was not prepared to give up my freedom to make my own decisions. He was not prepared to go along with that and the mores of the time were against it really.

Marcia: Did you personally have any friends who were women that married and still worked?

Elizabeth: No, I think my friends either were married and at home, or were not married and were working. I had both kinds of friends.

Marcia: Do you remember a friend who got married, gave up her career and had a life that was not as fulfilling for her?

Elizabeth: No, I think most of the people I knew who were married were already married by that time. I knew people who were married and divorced. At that time some of the friends who had married were getting divorced because they were not happy with their arrangement in marriage. I think on the whole I was as happy as any of my other friends. I think it's a change in the general situation which makes it possible today for women to marry and have families and work also. You have to make some choices even then. It's not easy. It would have been very difficult to me to have the kind of position that I had then if I had a family and children. Traveling. And it would have been impossible to have the position which I later had in the Ford Foundation which involved a great deal of travel if I had had a family of small children. It does mean certain choices no matter whether

you marry or whether you don't. You have some advantages and some disadvantages.

Marcia: Was it a difficult decision? Did you confide in any friends or family about making it?

Elizabeth: No, I think I didn't. I think I made the decision myself. It was difficult at the time. I did some agonizing over it, but decided. I don't remember consulting anyone.

Marcia: Do you know whether he went on to marry someone?

Elizabeth: I'm sure he did. I didn't keep up with him because when I said no, that was the end of our relationship.

The Great Depression

Marcia: I'd like to move now to generally talk about the Great Depression. This era was at the heart of the Great Depression. I was wondering how this time affected you or your family and your feelings about life to live through this period of the deep part of the Depression?

Elizabeth: It was easier for me than it was for many people because I did have a job, and I had a reasonably good job. I don't remember exactly what I was paid, but I was paid well compared to the times I know. One of the things that affected my family was that my uncle who had owned a small bank in western Kansas lost it in the general bank closures and was not allowed to reopen when they did the inspections of banks and closed a large number of small banks. He felt that it was a great mistake to use the criteria they did for assessing the reliability of banks. He said there are many banks like his which depended on the faith of the community and the integrity of the people that had borrowed money from the bank. He said he knew that he could not, in the bank that he had, live by the standards of loans that the city banks had. His was a very small town bank. He said when the farmers in the area had to borrow money for their crops, they didn't have much in the way of collateral to put up, but he knew they were going to pay when their crops came in and the people in the community knew that, and they were willing to have that kind of banking service. When the government sent in inspectors and looked at the banks at a time when they had loaned out too much money and the crops weren't in yet, then a lot of banks were required to close and stay closed that would have been perfectly good banks if they had

waited until the season when the money would come in. He felt, and a lot of small town bankers felt, that the government did them and their communities a disservice by inspecting the banks and insisting on the rigid collateral requirements.

Marcia: When the crops came in though, weren't prices depressed? They weren't getting as much for their crops.

Elizabeth: That's true, and you might have to carry somebody over another season perhaps; you didn't have the security in the bank that you should have had, but a lot of those banks would have weathered the Depression and gone ahead because the people in the community understood the situation. They were people who needed those banks themselves and they wouldn't have panicked, they hadn't panicked. When the banks were closed and didn't reopen in that period, a lot of communities lost their small banks and were at a disadvantage because they had to use banks at some distance and they couldn't as easily finance their businesses.

Marcia: What was your uncle's community?

Elizabeth: Leoti, Kansas, a small town in western Kansas.

Marcia: What was your brother doing in this period?

Elizabeth: He had a job in Iowa, but he was not particularly well off. He was reasonably well off, but not much inclined to be helpful financially.

Marcia: What was his job?

Elizabeth: He was working for an insurance company.

Marcia: Did he have family or children?

Elizabeth: Let me see. He did marry, but I think not at that time. He never had children, but he was married a little later than this particular period.

Marcia: Did you personally know people that were unemployed, friends or people that you knew?

Elizabeth: No, I don't think so. I knew people who were considerably reduced in income because of either failures of business or inability to improve their situation, but I don't believe that any

of my immediate friends were unemployed or seriously in trouble.

Marcia: Did anyone lose their house? Do you remember knowing someone who had a foreclosure or anything?

Elizabeth: Not that I recall.

Marcia: How did it affect your outlook on life or did you feel that living in this time was a depressing time to live in?

Elizabeth: Perhaps at this particular era in '36 I was not quite as immediately aware of it as I had been when I was in the university because there you had not only the Depression, but the Dust Bowl had affected this area in which I was. Kansas was one of states that was blowing out in the Dust Bowl period. I had relatives in Kansas whose land was seriously hurt by that period of blowing, long period of drought and high winds that took the good soil away so that it made their property much less valuable and they had to change their crops. For several years they didn't get anything coming in, but they still of course could live on the farm (subsistence); it changed lives, but not irrevocably.

Marcia: Who were those relatives?

Elizabeth: Some cousins of Mother's and my uncle's.

Marcia: But they made it through?

Elizabeth: They made it through.

Marcia: Do you have a theory about what caused the Depression?

Elizabeth: [laughter] That's a long story. I think it was over expansion, partly the aftermath of the First World War which had made a boom in agriculture at one time and then rapidly pulled it back. It had also made a boom in some fields of industry and then withdrew after the First World War. There was inflation. There was over speculation. There were many things that fed into it.

President Hoover

Marcia: What was your view of how President Hoover responded to the economic situation?

Elizabeth: I think he was overwhelmed by it. He didn't really see that it took more than the sort of piecemeal things that he was doing for it. It really took the Second World War to get us out of the Depression. Even what Roosevelt did, which gave some help to families that were in need, didn't get us really out of the Depression. We really had to have a tremendous boost for business and industry and farming which the war gave to get everybody back to work and start us on the boom period again.

Marcia: Hoover was against giving direct relief. Did you think that was a wise thing or were you supportive of giving direct relief to people?

Elizabeth: I was supportive of the various things that Roosevelt got going in the WPA and the PWA and the Civilian Corps.

Marcia: We are talking about the cause of the Depression or if Hoover could have done anything.

Elizabeth: It was such an enormous problem that nothing that any one person did or didn't do could have pulled us out. I think even with all the various angles that Roosevelt undertook with the new legislation and direct aid and setting up all these various New Deal organizations and so forth, even that couldn't pull us out. I think Hoover was just swamped by it and that he has been blamed for something that he didn't start and couldn't stop. Perhaps sometime he will be treated a little more fairly than he was in those years. Nothing really, no one thing, except a enormous catastrophe like the Second World War could end the many, many flaws in the economic system at that time.

Marcia: Did you think that the Reconstruction Finance Corporation that Hoover felt was the key to his relief program did some good? That was the credit expansion?

Elizabeth: It didn't really get to people directly so that it left many people in dire need and the trickle down theories never seemed to work as they are supposed to.

President Roosevelt

Marcia: What was your view about the First Hundred Days when Roosevelt was elected and all this flood of legislation came out?

Elizabeth: I was hopeful at that time that it would do some good. And, I think it did. It did more certainly. It made people a little more

hopeful that things were getting better. I was in the university at that time, of course, in the First Hundred Days and I do remember that most of us got caught with the banks closing. We didn't have any money in our pockets, you see. But one of my friends in the university at that time had a lot of money in her pocket that she had just recently taken out of the bank and somebody said to her, "How did you happen to have all your money out of the bank?" She said, "It was just good luck. I was walking down the street behind two men who were talking. I recognized one of them as the chief officer in the bank I go to. I heard him say, "we're 70% liquid." I thought if they were that bad off, I'd better get my money out." [laughter]

Marcia: Did she lend it to the rest of her friends?

Elizabeth: All of us economists who knew that 70% liquid was a most astonishing security for banks would never have taken our money out.

Marcia: To her it sounded the opposite.

Elizabeth: Yes.

Marcia: What about the end of Prohibition? Did people celebrate? He promised in his campaign to end Prohibition and he did.

Elizabeth: I can't think that it made an enormous amount of difference among the people I knew because it seemed to me that what with the bathtub gin and the beer that was going around in the university that people had drinks if they wanted drinks. There was, of course, a "to do" made about it.

Marcia: Did you personally listen to Roosevelt's Sunday night radio broadcasts?

Elizabeth: Yes, usually I did. I was a supporter of Roosevelt. I felt that he was making some changes for the better and that there really was a beginning of understanding that things were going to have to be done more directly for people who couldn't make it on their own at that time.

Marcia: How did the radio broadcasts affect you or the people in general do you think?

Elizabeth: I think that a lot of people felt that there was hope, that his "No fear except fear itself" ... it was his manner of speaking, his

assuring voice, I think, helped a lot of people, although I did know people who hated Roosevelt and thought that things were going to come to an end under his administration. I remember one woman with whom I had roomed at first when I went to the university; she was overwhelmed when Roosevelt was elected. She said, "I would rather see my daughters dead than under Roosevelt's administration."

Marcia: Very strong feelings.

Elizabeth: Yes.

Marcia: Was it the kind of thing where people either loved him or hated him? No in-between?

Elizabeth: Yes. No in-between.

Marcia: You personally dealt with the Works Progress Administration state offices when you were the Regional Director of the survey. What did you think of the WPA and how it worked?

Elizabeth: I thought they were doing a pretty good job under extreme difficulties. As I mentioned this girl who was a very poor secretary/typist. They had to take in a lot of people like that who had really no competence to do practically anything and find jobs for them if they could. Many of them were simply not able to do anything that would provide them a reasonable living. Essentially, it had to be direct money to them because that's all they were ever going to be able to do. Some of them were simply not competent to make a living in an industrial society.

Marcia: Did you think of yourself as a "New Dealer"?

Elizabeth: Yes, I suppose I did.

1939-41: American Federation of Labor

Marcia: Moving on now to another very interesting job that you had. In 1939 you took a position at the American Federation of Labor as a researcher. I wondered how did you get this job?

Elizabeth: I applied for it. They had accepted my doctoral thesis for publication in the journal that the Federation published at that time. When I had completed the year and a half at New Jersey College for Women I went down to Washington and did two things. I put in an application for the civil service and got

myself established on civil service rolls and I went to the American Federation of Labor and applied for a position in research and that is what I got at that time.

Marcia: Did you interview?

Elizabeth: Yes, I interviewed Florence Thorne. She, of course, had been the one who had accepted my thesis for publication. She was willing to take me on.

Marcia: So you had met her before you applied for the job?

Elizabeth: No, I think I hadn't met her, but I had corresponded with her.

Florence Thorne

Marcia: What was she like?

Elizabeth: She was a very interesting woman. She was a very, very aristocratic Southerner. She hated the Roosevelts. That was odd because, of course, most of the labor people were strongly Democratic and for Roosevelt. She had a real interest in improving the work of laboring people. She had worked with Gompers. When I was there, Green was the President of the American Federation of Labor. Florence had written Gompers' autobiography.

Marcia: Wait. An autobiography means he wrote it.

Elizabeth: Well, she wrote it.

Marcia: He didn't write his own autobiography?

Elizabeth: No, but of course that is not generally known. She had worked with him very closely and was very convinced that he had done a great deal in improving the condition of the union people, the working man. She was very highly respected by the union officers who came to the Federation. It was surprising in what great esteem they held Florence.

Marcia: What was her job title?

Elizabeth: She was Head of Research.

Marcia: What age person was she at that time?

- Elizabeth:* I suppose she might have been 10 years or so older than I.
- Marcia:* You would be 37 then?
- Elizabeth:* Yes. I suppose she was in her late 40's. She had a nice house out in the country on the Virginia side. Later the government took that land, wanted it for building the new ... I don't know, one of the government offices. They were building a new building and she and Margaret Scattergood who also worked with the Federation had lived there for a number of years and they objected very strenuously to having their house and property taken by the government. There was private bill introduced in Congress "for the relief of spinsters Florence Thorne and Margaret Scattergood."
- Marcia:* And it passed?
- Elizabeth:* It passed. The government then allowed her to stay in her house until her death, but the government owned it and paid all the bills for the house, but she and Margaret could live in it until they didn't want it any more.
- Marcia:* And she did stay in it?
- Elizabeth:* She, with the backing of the AF of L, got the bill through Congress that the government could take over the land, but they couldn't tear down her house or build on the land until her death.
- Marcia:* Did you ever go to her home?
- Elizabeth:* Oh, yes, many times.
- Marcia:* That's a fascinating thing. That shows a lot of connections to get that bill passed in Congress.
- Elizabeth:* Yes.
- Marcia:* What impact do you think she had on the Labor Movement?
- Elizabeth:* I don't suppose she had a great deal of impact because the AF of L, of course, was a central organization, but the real influence lay in the separate unions which were affiliated in this organization; so that while everybody respected her and individually she may have influenced some of the officers of the various unions, the

real power lay with individual unions rather than with the Federation.

Marcia: Tell us about the time she got an invitation to the White House.

Elizabeth: Mrs. Roosevelt was giving a luncheon for important women in Washington. I happened to be in Florence's room when she was opening the mail. She looked at her invitation card and said, "Well, I may have to go to the White House on business now and then, but I certainly don't have to associate with them socially!" And she tore up the card.

Marcia: She had no desire to meet Mrs. Roosevelt?

Elizabeth: I'm sure she had met Mrs. Roosevelt on business before, but she had no intention of being obligated to her socially for a luncheon.

Job Responsibilities at the AFL

Marcia: What were your responsibilities at that time?

Elizabeth: I did some answering of inquiries for information that came in from separate unions, particularly that was true after the war broke out. I did what I suppose was lobbying, going to talk to members of Congress for legislation that the Federation was either interested in having passed or interested in stopping. At one time, I attended a large conference. (I've forgotten what they called that conference, something on families and children.) There was at that time a considerable pressure from outside for "family allowances." I don't know whether that phrase means anything to you or not, but there was a lot of pressure for legislation which would give a certain amount of money for each child in the family. The Labor Movement was against it, the labor unions were against it because they felt that it would interfere with getting a fair wage based on what the worker was doing. This was a very large conference, people came from all over the country, like some later ones that they've had on aging, children and so forth. One of the parts that was almost certain to come up was this movement for family allowances. When I went into this conference, (the Federation had arranged that I should be a delegate to it), I happened to see Mrs. Sidney Hillman. Mr. Hillman was President of the Amalgamated Clothing Workers. I thought, she will certainly be against this family allowance business. So when the person who was organizing one section of the conference said we need to get a

Chairman, I got up and said, "I nominate Mrs. Sydney Hillman" and she turned around and looked at me. She didn't know me, of course. I had met her, but she didn't remember. I knew her husband better than I knew her. She looked around quite pleased. Some other person got up immediately and moved that the nominations be closed, so Mrs. Hillman was elected chairman of the session. Then, she said, "we'll now break up into buzz groups and we will discuss various of the topics that are here before us and I will appoint this lady (and she pointed to me) to be the coordinator of the reports from the buzz groups." So I got the business of putting together the recommendations that came from the various buzz groups which meant, of course, that I could slant my session of the conference away from the family allowance proposal. Actually, it didn't have a great deal of effect because there were so many items on the conference agenda that when they finally came to the end of it and had no time left for full discussion of all items, somebody said, "I move that we accept everything else in principle and leave the working out of the report to a committee." So, the full session approved in principle a lot of things which were diametrically opposed to each other. Ultimately, of course, the report of the conference, like the report of many, many conferences, was written up by a few people and family allowances were not recommended.

Marcia: Did you have a role in family allowances not being recommended?

Elizabeth: No, I wasn't on that committee, but some other people from the Federation did get on that committee. I was just amused at my attempt at politicking and the result that it got.

Marcia: What government departments did you need to keep in touch with on behalf of the AFL?

Elizabeth: Primarily, I think with Social Security Administration which was Old Age and Survivor's Insurance, because the AFL was interested in all legislation of that sort. Sometimes other departments. For instance, after the war broke out, one delegation from a union whose members worked making handbags was in trouble because their company couldn't get the copper that they needed for making the closure clasps and copper was needed because it's more flexible than other kinds of metal. The government had put a hold on all copper so the company had asked the labor people to get the Federation to help them get enough copper to finish the handbags that were done all except

for the clasps. I was asked to get in touch with some government people who might get that copper for them. I called up somebody in the war time unit that was concerned with copper and I got hold of a man who had been answering letters about it so I said, "Good, I have this group of labor people here and I'll bring them over to your office and you can talk with them about their need." He said, "Oh, don't bring them over here. I don't know a thing about it. I only answer letters." We finally did find somebody who gave them enough copper to finish the handbags that they had completed except for the clasps.

Marcia: Through your efforts.

Elizabeth: Yes.

Marcia: Other agencies?

Elizabeth: I don't remember specifically, but that's the sort of thing. To help them for things that they needed; any legislation that they were interested in having passed, then I would talk to a Congressman or a Senator as the case might be.

Marcia: Do you remember visiting the members of Congress?

Elizabeth: Yes. I remember Frank Norris particularly. He was a very able man I think. I always admired what he had to say. He told me a story one time about how easy it is to get trapped if you are in a situation where somebody might be trying to get around you. He said he had a safe deposit box and he let his major assistant have a key to it. If he wanted something from it, he usually asked his assistant to get it. One day he happened to be near the bank where his box was and he thought of something that he wanted and he went in and looked in his safe deposit box. He said there was about \$50,000 in bearer bonds in there that he didn't know anything about. He went back to his office and asked his assistant how these bearer bonds got there. His assistant said a friend got these bonds for his boss and had asked the assistant if he had a safe deposit box and could keep them for a few days over the weekend. Norris said, "You know what could have happened. They could accuse me of having taken a bribe and that I would have said I didn't do that and they could have said we want to look at your safe deposit box and there would have been the bonds."

Marcia: And he would have said I know nothing about it. Were there other researchers like yourself that worked for Florence Thorne?

Elizabeth: Margaret Scattergood worked part-time there and that was all.

Marcia: What issues did you research? It sounds like you did more than research and write papers.

Elizabeth: Yes, but it was sort of ad hoc, whatever they happened to need at a particular time.

Marcia: Family allowances; copper...you wouldn't need to do research on that one.

Elizabeth: No, but it wasn't really so much a research job as it was a kind of a general assistance in getting material together and I went to hearings and when Green would testify we had his testimony to go over and revise.

Marcia: Prepare his speech?

Elizabeth: Yes, prepare his speeches and after he'd been in a session of testifying, often there were things that you revised. He went over it and marked what he wanted left out of the testimony and that's done regularly for the Congressional Record.

Marcia: So the Congressional Record doesn't do verbatim?

Elizabeth: No. It can be revised if people want to revise it. It was necessary often in cases of some of the hearings because sometimes you'd have a Chairman of the hearing who was a little hard of hearing himself and Green was certainly hard of hearing and sometimes the questions and answers didn't very well fit together and you had to work with the secretary of the committee and with what Green wanted to say to get the questions and answers properly responsive.

Marcia: So you worked directly with Mr. Green?

Elizabeth: Yes, sometimes.

Marcia: What was he like?

Elizabeth: He was a very pleasant man, rather mild, not at all like Meany who followed him. I don't remember anything particular that I can characterize him by. He was not as forceful a person as some

of the other heads of individual unions were. He was rather elderly when I was working there.

Marcia: How were you treated when you would go to Congress? You were representing the AFL. Would the Congress people be willing to see you?

Elizabeth: Oh, yes.

Marcia: Did you struggle to get a hearing time?

Elizabeth: No. Normally the people I saw were people who were interested in working with the Labor Movement. They were people who already had had contacts with individual unions or with the Federation, so they were perfectly willing to talk with me.

Marcia: Did you feel that being a woman made a difference? Were you taken less seriously or how did that work?

Elizabeth: I think in so far as I was representing a position which the union was taking in its efforts to get legislation through, that was what was important; the means was not of any importance. That is, I, as an individual, was not there; I was the voice of the union at that moment.

Marcia: Did you have any incidents where you had a pass made at you?

Elizabeth: No, I never did. I never encountered a person like Mr. Packwood. I think to some extent that is in the way you approach a situation. I'm not saying that women who have passes made at them are always at fault. I don't think that's true. But I think to some extent they may be at fault in the way they dress or the way they act, how you come across. I think you can anticipate the possibility of trouble and avoid it.

Marcia: What was your work environment like? Did you have your own office?

Elizabeth: No. I was in a large room which had several people working in it on different things that they were doing for unions. Florence had her own office, but I didn't.

Marcia: Did you socialize with your co-workers? Did you get to know anyone at the AFL as a friend?

Elizabeth: Only Florence and Margaret. I was quite well acquainted with them and they often invited me to their house, but the others I never got to know very well. Most of them were men and married and I knew them slightly, but not well. I had other friends in Washington. I had some people that I'd known before I went to Washington who were also now living there. One woman who had been a student of mine when I was teaching at Marietta College was married and I saw her occasionally. Some other people that I got acquainted with there, but not friends in the Federation except for Margaret and Florence.

Marcia: Do you remember any particular legislation that you worked on to push or oppose?

Elizabeth: The amendments which extended the benefits of the Social Security Administration to wives and widows and children, I believe we were still working on. That was enacted in 1939, but the implementation of it, the specific regulations which had to be made to carry it out, were being worked on at that time and I worked with them on that.

Life in Washington, D.C.

Marcia: Where did you live?

Elizabeth: Originally I had a very small place, a room in a boarding house which was about to go out of business. I was looking for an apartment, but I took this place temporarily. The owners were only willing to take me on a temporary basis because they wanted to go out of existence. It amuses me to think of it because there was an incident which seemed to me so characteristic of the feelings in Washington about embassies. There was only one other boarder in this place and they were keeping it open until her lease ran out. The elderly couple that had been running it had a dog, just a mutt of a dog (obviously various kinds of dog mixed up) and the dog had puppies. This woman who was living there said to me one time, "I'd like one of those puppies. Do you think they'd sell me one?" I said, "Well, I don't know why they wouldn't. They certainly don't want that whole lot of puppies." She went down and talked to them ... they were immigrants and were a little difficult to understand... and she came back up and said, "I really can't make out, but I think they said they want \$50 for one of those puppies. Do you think I should pay \$50?" I said, "No. Two dollars would be a great sufficiency. You could get one at the pound for nothing." She said, "You go down and talk to them." So I went

down and I said she wanted a puppy but she didn't want to pay very much. They said no, they wanted \$50. They said, "It's a pedigreed dog." I said, "Oh, it couldn't be a pedigreed dog. You can tell by looking at it that it's a mixture of various dogs." They said, "Yes, but we think the father came over from the embassy across the street." [laughter]

When I left that place, I found an apartment on the Virginia side of the District of Columbia. It was a very pleasant place; an old home that had been made into two apartments, a downstairs and an upstairs and I had the upstairs apartment. I enjoyed that. That was my first real apartment, that one in Virginia, and I liked that very much.

Marcia: Did it seem expensive to you?

Elizabeth: I don't remember what I paid for it, but it was certainly worth it because I enjoyed that place so much.

Marcia: How did you get to work?

Elizabeth: I drove. I had a car.

Marcia: What was a typical day like for you? When would you get to the office?

Elizabeth: I got there about 9:00 and left about 5:00. Sometimes I was in and around, over to one office or another, and sometimes I was working all the time in the Federation building. They were going to have a new building, but they hadn't gotten around to it when I was there.

Marcia: Did your work pace seem hectic or intense?

Elizabeth: No, not particularly.

Marcia: What was the most interesting part of this job for you?

Elizabeth: I suppose it was the people that I dealt with. I liked Florence and Margaret. I liked meeting people at the various agencies and in Congress.

Split Between AFL and CIO

Marcia: What was the hardest part of this job for you?

Elizabeth: There was a certain amount of "stuckness" in the labor organization I think. It was at that time that the labor organization was split. The CIO had grown up and there was a good deal of antagonism between the two organizations; so that while some things really were good for both AF of L and CIO, it was hard to get them to work together on anything because of the antagonism that the older unions felt at the defection of some unions that left the AF of L to go into the CIO when it was organized. The United Mine Workers was one of those that left and I know that Florence Thorne always felt quite ... I don't know that angry is quite the right word, but disappointed that John L. Lewis should have left the Federation.

Marcia: She must have known him personally.

Elizabeth: She knew him personally and felt it was something that he shouldn't have done, to have taken his union out. So there were some irritations and some failures of the Movement to work together. On the other hand, this was a period when, under Roosevelt, the unions were strong and were getting a good deal of legislation that they wanted. You felt successful in what you were doing because often things that you wanted to come about did happen.

Marcia: How did it impact your work, the fact that the AFL and CIO had split and there was this antagonism?

Elizabeth: It sometimes made difficulty in dealing with Congressional committees because if there was any difference between the two unions on what they wanted, it was not so easy... well, you just lost impact. You sometimes lost the chance to get something that would have gained if the two had worked together better than they did. Later, of course, they did go together, but the unions that had formed the AF of L earlier were on the whole the craft unions whose members were better paid and a little more conservative in their outlook. The CIO unions were the mass labor more and were on the whole more slanted toward the Left, although certainly they were not interested in Communism. The Labor Movement as a whole was very strongly anti-Communist. One reason I think why Communism never really had much chance in this country because laboring classes didn't think they were going to be better off under Communism.

Marcia: Do you remember an issue where the two groups, AFL and CIO, did not see eye to eye?

Elizabeth: I don't remember specifically, but I do remember in general that there were such things.

Career Development

Marcia: What did this job do for you personally? What did you feel you accomplished and how did help your development or your career?

Elizabeth: It was, of course, directly related to my next job because when I went into the Old Age and Survivors Insurance I was dealing with people with whom I had dealt on the other side of the fence. To some extent I was in the reverse position; I was looking to the labor people for certain things because I was the head of the Program Planning Branch and was interested in new legislation and I relied on the labor people, among others, to let me know what their interests were. My experience fed directly into that next job.

Marcia: Did you get the next job because of people you knew?

Elizabeth: No. I got the next job after the war broke out and people were leaving the government offices. A lot of men were leaving their jobs to go to war or into the war industries. The Civil Service notified me that my name had come up and I was offered the job. I didn't go looking for it at that time, but I was on the Civil Service Register and when they needed me, I was asked.

Marcia: Did you regret leaving the AFL or would you have been happy to stay there?

Elizabeth: I probably would have stayed longer if I hadn't been offered this other job, but at that time it was an advance to change jobs. The Federation's own focus was changing during the War ... to some extent they were dealing with different kinds of things and the individual unions were strengthened by the War because of the need for labor ... so they didn't really have the same needs for me that they did before. Although I could have stayed and probably would have stayed if I hadn't been offered this position, I wasn't desperately needing to look for a new job at that time; it was just that it came along and was a better job so I took it.

Personal Life

Marcia: What was your life like outside of work? I know this is the era of Big Bands and dancing and there were movies. What did you do for fun?

Elizabeth: I did go to the movies and, as I say, I knew a few people in town. I didn't do much dancing, although I did go to some dances. I don't remember too much about it. I just went around with friends that I knew, went driving around in the countryside. It's very pretty in that part of Virginia and Maryland. I had friends over on the Eastern Shore and went over there some.

Marcia: Do you remember any vacations?

Elizabeth: I remember going with Dorothy Roberts to the Eastern Shore one time when she came to visit me and we were going to visit a friend over there. She had an accident that affected all the rest of her life. We were on a ferry that had very narrow metal steps from the upper deck to the lower. She slipped at the top and fell down that flight of stairs and cut the front of her leg to the bone. When the ferry got across they got an ambulance and took her to the hospital. I stayed all night in the hospital with her. They stitched it up but didn't clean it out and it got infected later. It was a very bad infection and made her lame for the rest of her life. I'd forgotten that, but your speaking of vacation made me think of it.

Marcia: What was Washington society like?

Elizabeth: I really wasn't in society. Society was the White House and the embassies and so forth. Florence Thorne was the person who was invited into that milieu; I wasn't. So I didn't have that view of Washington society.

Marcia: What about your financial obligations at this time? Were they increasing?

Elizabeth: They were still the same. I supported Mother. My aunt was still living then, so I kept on partially supporting her.

Marcia: They were in Denver?

Elizabeth: Yes, they were in Denver.

Communism and the Labor Movement

Marcia: Is there anything else about this period of your life that you'd like to share?

Elizabeth: We were speaking of the feeling of the labor unions toward Communism. I was thinking of the time when Alger Hiss was in the government and went to the meeting in San Francisco which organized the United Nations. That was at the end of the War in '45, not in this period we are discussing.

Marcia: Go ahead.

Elizabeth: Florence told me that one of the Federation officers, the president of a big union, came back from the meeting for the United Nations and said, "We're going to have to keep our eyes on that man Hiss. He's a Communist."

Marcia: How ironic. Interesting because I was going to ask you also about whether you felt there was any connections between the Communist Party and the labor unions.

Elizabeth: The labor unions were afraid of Communism, disliked the idea of Communism getting into the movement and, generally speaking, they policed their membership pretty well against Communism.

Marcia: Were you aware of accusations made, people accusing the unions or the New Dealers, or Mrs. Roosevelt of being Communist?

Elizabeth: Yes, that was fairly common talk. I don't think Mrs. Roosevelt was ever Communist or that Lash, a friend of hers, was. I don't know whether he had any Communist leanings or not. He may have had, but certainly Mrs. Roosevelt was not a Communist.

Segregation

Elizabeth: Indeed, while she was very active in the Civil Rights Movement and went to a number of the committees and special organizations that were trying to get the Civil Rights Act passed, she was never one to take an extreme position. She didn't push for the complete end of segregation. I suppose it was because of the government position. Roosevelt wanted to have a gradual improvement, but allowing segregation to continue in those states that wanted it. In other words, "separate but equal" was

what the Roosevelts both stood for. They recognized that there was not equality under segregation, but they supported the activities which would tend to try to get some equality without ending segregation. Of course the southern states were very violent against ending segregation in the schools or in the political situation. Mrs. Roosevelt was for increasing voting rights to the extent that it was possible, but she never came out firmly for the position that there's no such thing as separate but equal.

Marcia: Do you remember whether your workplace was segregated?

Elizabeth: There were one or two black people in our organization, in the workplace.

Marcia: Do you remember the big push to abolish the poll tax?

Elizabeth: Yes, in the southern states. Actually, of course, Washington didn't have a vote in any case, so it was not immediately pertinent to the situation immediately around me. I do know that in the southern states it was definitely being talked about and there was a drive to abolish it.

Marcia: Did you have any personal experiences with segregation as you went about your life in the 1930's?

Elizabeth: It was in segregated situations to a very large extent. As I say, there were one or two people working in the Federation who were black, but in custodial jobs and things of that sort. You didn't really deal very much with a non-segregated population.

Marcia: When you were doing the survey for the Bureau of Labor Statistics, did you hire any blacks?

Elizabeth: Yes, there were some hired who were on the relief rolls. Not in a supervisory role.

Marcia: Do you remember any uproar, were in Washington at the time, when Marion Anderson was going to sing at Constitution Hall?

Elizabeth: I wasn't at that meeting when she did sing. Whether I was in Washington then or not, I don't remember. I don't remember what year that was, but I do remember the incident.

Marcia: The way I understand it there was such an uproar, the Roosevelts said, "All right, we'll have her sing outdoors" and had her go to the Lincoln Memorial.

Labor Unions

Do you remember any experiences about the Labor Movement and the working conditions or the strikes and things from the 1930's that made an impression on you?

Elizabeth: I'm sure I knew what was going on then, but I don't have any very vivid recollection of it now.

Marcia: It is interesting that as an economist you chose to focus on labor and working people and not just economic theory.

Elizabeth: Yes. I had very good professors,... that's really why I went to the University of Wisconsin, to do graduate study with John R. Commons and Selig Perlman. I thought the writing that they had done was very interesting and I was interested in the plight of laboring people at that time. I think the experience in my graduate work, particularly with Selig who had been a revolutionary in Russia before he came to this country in the 1908 or 1909 revolution (I can't remember the exact year) before the actual overthrow of the Czarist regime. They both, Selig and John R., were very convinced that Communism could have no hold within the Labor Movement of this country, because the working people saw that they had chances to go up if the unions kept control of job rules and kept pushing for improvement in wages and working conditions. The focus of the labor unions was just that, that they were going to improve working conditions and improve the income of the laboring man. The idea of letting a dictatorship take over was not something that they wanted. They wanted to have control of conditions of work and they felt sure that they would then improve their finances and their feeling of independence.

Marcia: Did you personally know anyone that was a member of the Communist Party?

Elizabeth: I knew one man who was a member of the Anarchist Party, the IWW. I have known one or two who probably were Communist Party members although they didn't admit that they were. The one I knew who was an Anarchist was in the university with me, and the possible Communists were people I

knew in the government. I never knew anyone who claimed to be a member of the Communist Party.

Marcia: There was a lot of anti-union activity. There were spies within the unions and the sense that... Do you remember anything about the LaFollette Committee hearings on civil liberties? Did you go to those hearings?

Elizabeth: No, I don't think I went to any of those hearings. Most of that came a little later than this period. It came more in the 40's when I was already in the government service. I don't remember exactly when those LaFollette hearings were. Under Roosevelt, the unions were in pretty good shape and the larger amount of Communist spying came a little bit later, about '47 or '48.

Marcia: I wasn't thinking about Communism. I was thinking about the employers against organization of unions and collective bargaining.

Elizabeth: That was pretty generally weakened during the Roosevelt time. Earlier there had been a lot of big efforts... in Chicago and the Pinkertons spies and so forth. I may be wrong about this, my memory is vague on it, but my general feeling is that the unions were in reasonably good shape and not so much direct antagonism to them in the period of the '30's.

Marcia: Do you remember how you felt when Congress passed the National Labor Relations Act of 1935 that gave collective bargaining and the right to organize? Do remember thinking about that?

Elizabeth: I don't remember specifically now.

World War II

Marcia: The last area that I thought would be interesting to cover at this timeframe was the rise to Naziism and how America was thinking about our involvement in World War II. I wondered how aware were you about what was going on in Germany?

Elizabeth: Not very much, just what you heard in the press, what people were saying. You never really knew until later about the big concentration camps. There was a feeling, of course, that war was pending. I had some friends in England at that time who said it's getting more and more tense ... the reaction in England

against Hitler and the controversy and the fact that Chamberlain made the trip and gave in, and the occupation of the Sudetenland. Those things were known and people were apprehensive, but it didn't really hit here until a little later after the War had actually begun. I remember one time after England was in the war and before we were, Florence Thorne had a British Labor leader to dinner one night. He had come over to get help for Britain from this country. We were sitting around after dinner in her home. He was talking about conditions in England at that time. He was sitting in an arm chair and I saw his hand tighten and you could see the knuckles get white. I then became aware that a plane was going over. He didn't comment, he didn't stop talking, but you could just see the tension as he heard the plane and then it relaxed as the plane went on.

Marcia: Wow, to live with the bombing. How interesting. When England went into the War after the invasion of Poland on September 1, 1939, how did that affect attitudes in America?

Elizabeth: Some people were very antagonistic to the notion of our going into the War. That was particularly true in the early years. Roosevelt had to move rather cautiously in getting help for England because there was antagonism to the notion that anything he did might get us into the War. One of my very good friends joined the Lindberg organization called America First that was against War, the idea of our having anything to do with it. Other people of course were more sympathetic to our helping the Allies, particularly that part of the population which had English and French connections was more sympathetic to the Allied cause and felt that Roosevelt did the right thing when he set up the Lend-Lease Plan.

Marcia: How did you feel?

Elizabeth: I was in favor of what he did. I felt that Germany was a serious danger and that it was really a kind of continuation of World War I. I was hoping that we wouldn't have to be pulled into it, but I felt that we ought to give as much support as we could to the Allied cause and that if we were pulled into it, it would be because Germany was a real danger and had to be stopped.

Marcia: Your friend that joined America First, what did she do?

Elizabeth: She belonged to the organization, and as I recall, they had little stickers that they used to put on their envelopes when they

wrote letters, and they put money into rousing antagonism to our taking any action that might prejudice our absolute neutrality.

Marcia: Did you have any acquaintances or friends that got involved in the war effort before Pearl Harbor? Did they go to Canada to join up or anything?

Elizabeth: No, I don't think I did know anyone who did that, although I knew of some people who did.

Marcia: Where were you when you heard that Pearl Harbor had been bombed on December 7, 1941?

Elizabeth: I was in a drug store eating some ice cream. I had just been to a movie and I stopped to get some ice cream on the way home and the news came over the radio.

Marcia: Were you with someone else?

Elizabeth: No, I was alone then. The friend who had gone to the movie with me and I had gone off in different directions afterwards. I had stopped in the drug store and the radio was just coming on with the news.

Marcia: What was your reaction?

Elizabeth: Of course it was an appalling thought, but, on the other hand, by that time I was fairly sure that we would have to go into the war. The bombing of Pearl Harbor was such a shocking event that no one had anticipated that that would be the way we would be drawn in. The idea that we would go to war was sort of a foregone conclusion, but not that way.

Marcia: What movie was it? Do you remember?

Elizabeth: I don't remember.

Marcia: Did you know anyone that immediately enlisted?

Elizabeth: No, I didn't. I, and most of my friends, were past the age of enlisting immediately at that time. I knew more people who went into the First World War than I did in the Second.

Marcia: Do you remember seeing blue stars in people's windows or gold stars in people's windows to indicate that they had someone who had gone into the service or had died in the service?

Elizabeth: I certainly remember that about the First World War. I don't remember in the Second World War that they did that so much. I'm not sure. I remember it very distinctly with the First World War because my brother was in and we had a blue star in our window.

Marcia: You've said that the War was what really brought us out of the Depression. What other impact did it have on your life or the people you knew, America getting into the War?

Elizabeth: It did change my life, so far as a job was concerned, because almost right away I got the call to the new job and went to that. A good many women I knew went to work who had either not been working or had been working part-time before. Of course, it changed all of us to some extent with rationing for food and for gasoline. It was difficult to get gas.

Marcia: How did rationing affect what you could do? What did it do?

Elizabeth: It changed your dietary habits a little. You couldn't get as much meat or butter. Coffee and cigarettes were what bothered a lot of people, but not me because I didn't smoke and I didn't like coffee. Rationing made it hard on people who worked. The housewives would get to the store and get the supplies of butter when they came in and those of us who were working usually found that even if we had a coupon for it, there was none to be had by the time we got to the stores.

Marcia: Gas was rationed.

Elizabeth: I'm trying to remember whether... I think I sold my car at that time.

Marcia: How would you get to work?

Elizabeth: On the bus. I'm pretty sure I sold my car at that time because I remember riding the bus to go to work.

Observations on the Significance of this Era

Marcia: I'm ready to wrap up and I just wonder as you look back at this period of your life, you were in your mid to late thirties and you

think about how your life has developed since then and this whole period, a very amazing time in history... what do you think as you look back on it?

Elizabeth: That's a big question.

Marcia: Do you say, "Oh, I was so young then and uninformed," or do you feel, "Gee, I was really at the heart of some very exciting times"?

Elizabeth: Certainly, I was aware of it living in an important and stressful time. I was not immediately involved in any dangerous or even partially warlike activities. That is, I didn't belong to any of the organizations that served soldiers in transit or on leave. It was a time when changes were occurring in our mores. The war interrupted a lot of people's lives in subtle ways. That is without any big disruption, you had changes in value, changes in behavior, and because so many women went into war work or other kinds of work afterwards, change in family situations. That period was the dividing line between the kind of family situation that we had earlier, when very few women who could afford to stay home with their children worked outside their own homes, and one in which it was quite common for married women to work outside their homes. Even though the tide of men returning from the war sent a lot of women back into their homes, an essential change had been made. A lot of women were not satisfied to do nothing outside their home except a little volunteer work perhaps. And there had been both a loosening of moral tone, and the beginning of recognition that women were people who had interests and abilities that hadn't been recognized completely before that time. So those years were a watershed I think that you never reversed, not completely, although there was some change back. Certainly an effort was made to cancel some of the New Deal legislation and to retreat somewhat from the liberal position had achieved. Still the legal situation was changing and we were on the verge of the big push in civil rights that affected initially the blacks and minorities. The women's push came just slightly later with almost the same vigor. We were dealing in those years with changes around the world which pushed us into a new era.

Marcia: Anything you'd like to add? Anything you've thought of I haven't covered?

Elizabeth: I think not. We've covered a good deal.

Marcia:

Thank you. This concludes our interview on the era of Elizabeth's life where she was in the end of the 1930's and the beginning of the War.

IV 1942 - 1951: SOCIAL SECURITY ADMINISTRATION

[Interview 4: August 21, 1995]

Joining the Bureau of Old Age and Survivors Insurance

Joan

This is an interview with Elizabeth about the period of her life from 1942 to 1951. It covers her work history during the time that she worked for the Social Security Administration, which at the time was called the Bureau of Old Age and Survivors Insurance.

When did you leave your employment with the AFL?

Elizabeth

I left, Joan, in the early part of 1942. I don't remember the exact month. The war had started and there were a number of changes in the employment situation at that time. Previously, I had applied for a position in the government and my name was on file, and they called me and asked me if I would take the position.

Joan

And that was in...?

Elizabeth

The spring of 1942.

Joan

Could you talk about the pushes away from the AFL and the pull to the Bureau of Old Age and Survivors Insurance?

Elizabeth

The situation in the AFL changed, of course, when the war began. There were changes in the staff -- some of the men were going off to war -- and the kind of work which was likely to be undertaken in the Federation was different. As I said, I already had my name on the civil service register and because they were getting short of staff as people left for the war, they were seeking new employees and they offered me a considerable promotion. And so I left.

Joan

Could you tell me about the differences between the culture of the AFL and that of the Bureau?

Elizabeth

The AFL headquarters staff was relatively small. I was in the research division and Florence Thorne, who had been there many years, was head of that division. She was a very remarkable woman, a southerner, a dedicated Republican, although the Democrats were more favorable to the labor movement. She had a strong antagonism to the Roosevelt family, but she was dedicated to the labor movement and a remarkable individual on her own account. I worked mostly with her in the AFL. We dealt in the AFL with a number of different unions, but perhaps I will be talking more about that in another interview.

There was some stuffiness in the government position, as one might expect. For instance, I was accustomed to dealing with Wilbur Cohen, who was in a high position in the Social Security Administration at that time. He and I met quite frequently when I was working for the Federation, but one day soon after I moved, I called him up to ask him something and I was given to understand in no uncertain terms later, that a person in my position in the government should not be calling up Wilbur Cohen in his position, in spite of the fact that I knew him very well. Things of that sort struck me as odd.

Joan

Could you tell me about where the Bureau was located, because when I was looking through some of the books, I found that there was a transfer.

Elizabeth

Yes, originally there was a new building in Washington for Social Security, but they had hardly got into it when the war started. Since Social Security was not a war agency, there was a more important need for that building in Washington. So, they moved the Bureau of Old Age and Survivors Insurance, which was a major part of the Social Security Administration, to Baltimore. So, almost right away I was moved to Baltimore and was there the rest of my time of employment.

Joan

So, even up to 1951 you still remained in Baltimore?

Elizabeth

Yes.

Chief of the Program Planning Branch

Joan

What was your title when you were at the Bureau?

Elizabeth

I was the Chief of the Program Planning Branch for Old Age and Survivors Insurance.

Joan

What were some of the tasks that were performed in the Program Planning Branch?

Elizabeth

We were responsible for getting information from a number of the field offices about difficulties they had with the operation of the Act, and we then drafted ideas for new legislation. When there was no immediate legislation pending, we did a good deal of correspondence for everybody in the government, practically from the President on down. When anybody wrote to a congressman or to somebody in a high office in the Social Security Administration, the letters were referred to us and we answered them in the name of the persons addressed.

There was a rather amusing time once when five different people in the government sent us identical letters from the same person who was very angry about something in the administration. We answered them, but then the letters came firing back from the woman who wanted, of course, a higher pension than she was given. She said, "I have written to five different people and they all tell me the same thing."

Joan

You told me some wonderful stories about some of the consequences of the 1939 amendments when dependents were added to the original legislation, and wives, widows, children, and parents were now covered. Could you share some of those stories?

Elizabeth

Yes. As you may know, when they brought in wives' and children's benefits, in order to take care of a number of people who had worked many years before the act was passed, the law specified that if a woman aged 65 or over had been married to a man and had children, she received her benefits right away. If she had not been legally married to him, but she had children by him, she could get her benefits immediately by marrying him. There was one old black woman who had not been married to this man, but had lived with him many, many years. She had a number of children and a lot of grandchildren, so they said to her, "If you would like to have benefits, marry him now." And she said, "Me marry that man? I don't like him all that well."

Joan

There's that other wonderful story you told me about the man whose name was so unusual.

Elizabeth

He was a black man from the south and the field office felt he was over 65, but he had absolutely no proof of it - no birth certificate, no registration of any kind, and they were casting about for everything they could. His name was Defurz Johnson. Someone said, "That's an odd name, Defurz. Is it a family name?" And he said, "No, my mother called me that because when I was born, it was de first (Defurz) day that we weren't slaves no more." They thought he couldn't possibly have

made that up, and accepted it as proof that he was over 65 and could get benefits immediately.

Joan Could you tell me, as time went by, how World War II affected the workings of the agency?

Elizabeth From a personal point of view, it affected us because we were told that we had no days off - no holidays, except Christmas day - and during the war, that was what we did. We worked steadily, Monday through Saturday with Sunday and Christmas as the only days off. It also meant that more women came into the Bureau because a lot of men were leaving for the war. We were not, of course, involved actively in any war work, but the work was heavier because we were somewhat short-handed.

Joan Just before we began, you were telling me the special story about the women's corps, the WAVES, and that Mildred McAfee Horton, the head, was recruiting women to come into it. Would you tell me that story?

Elizabeth Yes. When the WAVES were started, of course, they had to get some officers in quickly. I don't know whether the notice was sent to a number of colleges - I presume it was - to recruit some women for whom the period of training would be short. They would be commissioned Lieutenant JG and then would begin work for the WAVES. I was one of the people who was asked whether I would join at that time. I was supporting my mother and it would have meant a considerable cut in my income if I had taken the position, but I was willing to do that, provided they would give me dependent's allowance for my mother as they gave men who went into service. They said the women's corps was not to have any dependent's allowances. I felt that was not fair treatment and I turned down the request to go into the WAVES.

National Health Insurance

Joan We talked about the Wagner-Murray-Dingell bill that was the beginning of the series of proposals about National Health Insurance submitted in June of 1943. Did that have any affect on the Program Planning Division?

Elizabeth Yes, originally we were dealing with many other ideas for changes in the Act and we had been working on ideas about health insurance for a long time. Originally, we had some of that investigation in my branch, but then a separate branch was set up to deal just with the question of health insurance, so I was not immediately concerned with that or

similar bills, but the ideas were tried over a long period of time, you know.

Joan You were also saying that debate back then reminds you of the recent debate we have had about health insurance.

Elizabeth Yes. Of course, also, the antagonism. Many of the New Deal ideas which had begun in the 1930's and were being fought desperately, particularly by the Southern congressman during the 1940's and on into the 1950's, reminds me very much of what is going on today with the effort to put down a lot of social insurance and social ideas which have been accepted for many years.

President Roosevelt

Joan Did the 1944 elections have an effect on the Bureau? This was the presidential election between Roosevelt and Dewey.

Elizabeth We knew that Roosevelt was not in good health. It was pretty obvious if you saw him, and there was a good deal of talk that he would not last out the full term, but I do not think that anyone was aware that he was as desperately ill as he was then. We anticipated that his leadership would continue on very much as it had in the past.

Joan What was the effect of Roosevelt's death on April 23, 1945?

Elizabeth Well, of course it was a shock, a great grief to many people. So far as our work was concerned, nothing particularly changed immediately. Later, of course, the antagonisms that had been building up against Roosevelt and the effort to reduce the amount of social insurance, that had already become critical during the last part of his years, increased under Truman and led Truman to take action, particularly the Loyalty Oath and things of that sort in an attempt to appease the Southern congressman.

The End of World War II

Joan I would like to move now to the end of the war and the reaction to V-E Day in May of 1945. Did some changes take place as a result of the end of the war in Europe?

Elizabeth There were some people who came back into the Bureau who had been out for the war years. Other than that, I cannot think of any particular changes. We kept on, so far as our work was concerned, living in Baltimore. Of course, the day the war was over, like every place, there

was tremendous excitement and celebration, and we did get back our holidays.

Joan Any reactions that you remember, in particular, to the dropping of the atom bombs on Hiroshima and Nagasaki?

Elizabeth No, I think that was more a personal reaction. Some people had thought that it was an outrageous thing for us to have done. Other people felt that it was a reasonable reaction to the Japanese bombing of Pearl Harbor.

Joan After the war, labor pushed for higher wages. Did this effort to increase wages affect government workers as well?

Elizabeth Government workers had been better paid, relative to workers outside, in that period than they were later, I think, and there wasn't as much a push for high wages for government employees. As time went on, the difference between people in government and people in comparable positions in industry reversed, so that there had been some talk about changing the pay scale for the various levels of government positions. Of course, there had been some increase in salary while I was in the Bureau, but by the time I left the government, the salary was not as good as it was possible to get in non-government positions. Later, there was more increase in government salaries and new higher ratings made in the salary scale.

Joan Were there changes in Social Security planned in your division during and after the war? For instance, there is a special report that was published in 1946, that ultimately resulted in the 1950 amendments to the Social Security Act. Was the program planning division working on some of those proposals?

Elizabeth Yes, we were planning changes that would come later, for bringing more people into the system. There were a lot of people who were not covered originally and we were concerned with covering people in independent employment and teachers. There was a series of these that went into effect over a period of time. When legislation was being considered by Congress, we were responsible for working with the lawyers who were drafting the legislation, to be sure that the actual wording of the legislation would have the results that were intended. When we were immediately concerned with legislation, of course, I went back and forth between Washington and Baltimore a good deal, to deal with people in Congress. It was not too different from what I had done for the AFL when I was working for legislation of interest to it.

Joan When the men left to go to World War II and there were fewer people working and everyone was working more, were there opportunities for advancement?

Elizabeth No, I think not at that time, that I recall. Shortly before I left the government position, there was an opportunity for advancement which I thought I should have had and did not get, and that was one of my strong reasons to start thinking of a move. I do not know whether civil service operates this way now or not, but at that time, if a position was vacant, the person who was in charge of filling it was given a list of the three people on the top of the civil service register for that class of position and he or she could choose from among those three top persons. That, of course, was a device which resulted in women not being employed many times because even though a woman might be the top of the three, if the person filling the position wanted to, one of the other three could be chosen instead. I think that was why there were relatively few women in top high positions in government employment, because usually the person ahead was a man and chose to pick a man. It was a device which clearly made it possible to discriminate against women without violating the civil service regulations.

Joan Did the Republican landslide in the 1946 election bring changes in the Bureau?

Elizabeth There were personnel changes in the top positions, but not at my level, which was under Civil Service rules.

Communism

Joan Beginning in 1947, the House Committee on un-American Activities began to investigate communists. At what point did that begin to affect government workers?

Elizabeth Truman was eager to avoid too much pressure and he instituted the Loyalty Oath for all people in government positions. You had to take an oath saying that you were not conspiring against the government, or words to that effect. I was not particularly troubled by that. It seemed to me that if the President takes an oath to support the Constitution, there is no particular reason why it is bad to take an oath to say that you are doing your best in your position as a government employee to sustain what you are supposed to do in relation to the country. A lot of people did not feel that way. They felt that it was something that should not have been instituted and there was a good deal of opposition within the Bureau and within government positions all around.

Joan

When I spoke to your friend, Anne Draper, she mentioned that within your branch there was an effect and that people felt more drawn together because there seemed to be more stress coming from the outside. But she also remembered that a person resigned because of the Loyalty Oath or the issue of Communism.

Elizabeth

Yes, in my branch there was a man who may have been a communist. I am not sure whether he was or not. He had attended the Highland Folk School at one time and there was a lot of talk that that was a communist organization. I think it had never been proved that it was. There was a good deal of feeling that this man in my branch had attended meetings that were communist. He swore he was not a card-carrying communist, but was a liberal. He was not forced out, but he resigned.

There was a rather amusing incident before that happened. A number of accusations had been made against him, and among them, that he had deserted from the Army during World War I. He replied to these various accusations that he had gone to communist meetings and things of that sort. When he came to this particular accusation, that he had deserted from the Army, he said, "I won't deny that, but I have absolutely no recollection of it. I will say that it is an important thing in a man's life and I certainly should remember it. I hope you will investigate further because I don't believe it happened, but if you find on further investigation that it did, I hope you will take into consideration that I was only seven years old at the time," and he appended his birth certificate.

Joan

Do you have other recollections of that time?

Elizabeth

I think a lot of this was blown up far beyond what it should have been. There was a woman in my branch, and had been for many years, who was a loyal member of the socialist party. She was a strong pacifist and they investigated her. They came to her house and found on her bookshelves several books by Norman Thomas, and they were very suspicious of that. Norman Thomas, of course, was a socialist and, far from being a communist, was anti-Communist, but they pestered her about her beliefs and her anti-war feelings for a long time. She stuck it out and would not resign, and they finally dropped the harassment. It was an unpleasant time and it made for disruption in the organization, I think. McCarthyism was a bad period in our history.

Korean War

Joan

Did the outbreak of the Korean war in June of 1950 have any effect on the Bureau?

- Elizabeth* No, that was not a large enough operation to make much difference to us.
- Joan* What were the reactions to the firing of General Douglas MacArthur in 1951?
- Elizabeth* It was more of a personal thing. Some people were indignant about it and others felt that he deserved what he got because he certainly had operated on his own way of doing things.

Day-to-Day Life in the Social Security Administration

- Joan* Have you any comments about your working conditions?
- Elizabeth* Well, the building was an old one. It had no air conditioning, of course, and Baltimore in the summer is not always very desirable. One of the absurd nuisances was the enormous amount of paper that we had to accumulate. Everything was done in triplicate, or even more than triplicate. Each office sent out three or four copies to other files and then each had, of course, to maintain its own file cabinet for convenience in rapid review. At one point, we decided to clear out our office files and then we discovered there was a regulation that you could not throw away any paper without getting permission from Archives. So, my secretary wrote to get permission to throw away some of this old paper. We finally got back word, yes, we could throw away all the files older than a certain year provided that before we threw it away, we made copies of it.
- Joan* You know, Anne Draper told me that you had to make 12 to 15 copies of things, carbon copies.
- Elizabeth* (laughter) Probably did.
- Joan* Did you have a lot of staff to take care of all that? - because of all the paper that you were working with, did you have a fair number of people?
- Elizabeth* Well, my particular branch, I think, had eight people in it besides my secretary, but then of course, the whole division of Old Age and Survivors Insurance had about five branches like mine that were dealing with other aspects of the Social Security. Above me, in the Bureau of Old Age and Survivors Insurance, was a man who directed the five branches, such as mine, and above him was a man who had still a larger administrative overlook. In each of these offices, there was duplication of our files. There were secretaries in each of them and file clerks for the whole bureau and then, of course, in the Social Security

Offices in Washington, there were duplications and file clerks and, finally, the total archives of the government were involved.

Factors in Leaving the Social Security Administration

Joan

We are now at 1951. We have moved up to that point in your chronology, and again in my interview with your friend, she talked about your having been passed over for the next position in the bureau, which is something that you described a little bit earlier in our interview. Could you comment on that as a factor in your leaving the Bureau?

Elizabeth

Well, it definitely gave me a push. My feeling is that, if you are not able to see in your employment situation that you are either near the top, or at the place where you feel you should be, then it is time to think of getting out and doing something else. It happened at that time that the Ford Foundation was being established and I knew someone who was going into the Foundation and gave me an introduction to the people there. I offered my services to the Foundation and was accepted, with a considerable increase in salary, and so I left. I will say that the man who was my superior said he was sorry that I was leaving, and that he felt sure he could get me an advance in salary, although not in grade. He wanted very much to have me stay, but I felt it was better to move on to a position where I could see more new opportunities. I think there were two compelling reasons for moving to a new career opportunity. One is, as you say, if you feel that you are blocked and are not going to be happy because that has happened. The other is if you feel that you are not growing in your position, that it is not pushing you, it is time to move on. That has been a principle that I have followed, I think, in my career. I thought it was important to my own development to be moving ahead and assuming new responsibilities and enjoying my work, and if that was not the situation, I should look into something else.

Joan

It seems to me that is really quite a pattern, that as I looked at your life, we were talking in a larger group meeting about your academic experiences and you moved on from that to something else, so I really think there is a pattern in your life, when things blocked you, or maybe the opportunities weren't as good, or you weren't growing as much, that you did use that...

Elizabeth

Yes, I feel strongly that one should be enjoying his or her employment situation, and if you're not, do something else. You can always find something to do, you know. You're not blocked if you make up your mind that you are not.

On Being a Career Woman in the 1940's and 1950's

Joan Can you tell me the advantages and disadvantages of being a career woman in the 1940's and early 1950's?

Elizabeth One of the advantages, I think, is that it was interesting. It was stimulating and fun. I am not sure that had I been a housewife, I would have enjoyed myself as much as I did in business. The disadvantages, of course, I mentioned that there were relatively few women who were given top positions, although the war made some difference and there were more women in the 1940's and 1950's than earlier. But, for instance, when I was chief of the program planning branch, I was the only woman in a comparable position. All of the other branches had men as heads.

Joan So you were the highest ranking woman?

Elizabeth Yes, in Old Age and Survivors Insurance, although there were other women of higher rank in other parts of the government.

Joan And that was both an advantage and a disadvantage?

Elizabeth Yes, yes. It was an advantage that it gave me access to interesting activities that I wouldn't have had otherwise, and as I say, it was a disadvantage because I was not likely to get any higher.

McCarthyism

Joan Are there any other topics related to this period of your life that you think we should discuss or review? Other vignettes or stories that you would encapsulate this period from 1942 to 1951?

Elizabeth It was a difficult time in one way because of the war and then the McCarthy period when within every part of the government there was the feeling that the push that Roosevelt had given us in the earlier 1930's was being lost. A lot of people felt that we were moving backwards; that while within our bureau things were changing in a way that enlarged it, we were blocked all the time on health insurance. Of course, we are still blocked on universal health insurance. Outside of our bureau, a number of the institutions which had been started by Roosevelt were being abolished. The Works Progress Administration, some of the work for children, and the Conservation Corps were dropped, and at the same time, the civil rights movement was being fought against in Congress. Roosevelt had helped, but had not done as much as perhaps he could have to push for civil rights for the black citizens and the idea lost ground in Congress. Although through the

courts, blacks were beginning to get more civil rights, the legislation was not there to back it up.

The courts were the instrument affecting social change during that period, and later in the 1950's, that was even more obvious. During this decade - 1942 to 1951 - you had advancement in some areas but retraction in others. It was not so obvious within our bureau, except in the field of health, because we were expanding the numbers of people brought under Social Security. There was difficulty in adjusting the Act so that it was fair as new groups of people were covered. For each new group being brought in, some changes were made which threw the Social Security off-base a little bit and that's gone on in the years since.

There is something that has nothing to do with my work but which amuses me. I do not know whether you noticed that I answered a letter recently in the Palo Alto Weekly. There was an indignant letter from a man who was very angry at Congresswoman Eshoo for failing to support legislation abolishing the work requirement which reduces your income from Social Security after age 65 if you continue employment. I answered that letter (see Appendix L).

Changes in that provision of the law have occurred several times over the years. It has been made easier and easier to go on working and receive some Social Security benefits. Many people want the restriction abolished, but originally the whole idea was that this benefit is not guaranteed at age 65, but it is to replace the lost income if you stopped working at age 65. It never was intended, as this man who had written the letter said to be, "...my money at age 65." It is only "his" money at age 65 if he has stopped working regularly and is not earning an income which has now gotten to something like \$1,100.00. This figure has been increased over the years. But every time you tinker with the Act, you introduce some irregularity, some thing that is going to seem unfair to some people.

It has happened in the case of wives and widows benefits. Some people feel that it wasn't fair to single people that they paid in just as much as the married man paid in, and why should the married man get back one and one-half times the benefit due on his wage record? On the other hand, some working married women say it isn't fair to them if they don't get benefits on both their own and their husband's account. Many more wives are working today than when the law introduced benefits for wives and widows. The widow can get the higher benefit based on her own or her husband's wages. To pay her both would seriously drain the finances of Social Security. The whole concept of Social Security has been altered in ways that have put us in a precarious financial situation, which need not have been had there been a little more caution about the changes that were made in it.

Joan

I want to thank you very much for your time and for answering these questions. This was really a pleasure having a change to talk with you about this period of your life.

Elizabeth

Thank you.

V 1952 - 1967: FORD FOUNDATION

[Interview 5: June 15 & 27, 1995]

The Transition to the Ford Foundation

Jeanne How did you happen to go to Ford?

Elizabeth I was working at that time for the federal government, in the Old Age and Survivors' Insurance program. I had a friend who was a good friend of the president of the newly established Ford Foundation. You perhaps know that before 1951 there had been a small Ford Foundation, primarily to take care of the private contributions that the Ford family wanted to make, mostly around their home area. After the death of Henry and Edsel Ford the family gave 90 percent of the Ford stock, which at that time had not been on the market, to enlarge the Ford Foundation, and the new organization was being established. There had been several years of planning for what it would accomplish. The first president of the Foundation, Paul Hoffman, was a friend of a friend of mine, who told me about their beginning to hire. I went to interview two men, the president and the vice president of the Fund for the Advancement of Education, which was one of the subsidiary organizations set up by the Ford Foundation to deal in education. I thought working with them would be interesting. They were pleased with my general background and gave me the position.

Jeanne Now, you were trained as an economist by that time, is that right?

Elizabeth I was the chief of the Program Planning branch in the Old Age and Survivors' Insurance program. I had a doctorate in labor economics and had worked for the American Federation of Labor. But I was not working as an economist particularly.

Jeanne You had moved into program planning?

Elizabeth Yes.

Jeanne What made you interested in working in an education environment?

Elizabeth Well, my background had been primarily in education in one sense. I had done some college teaching, and in the American Federation of Labor I was a research person. In the Program Planning branch I was dealing, of course, not particularly with education, but in the general academic field, and I had a liberal arts background, which fitted into the program of the foundation.

Jeanne Did you interview in New York?

Elizabeth Yes, I went to New York. The Foundation was at that time setting up two centers, one in New York and one in Pasadena, and the presidents of the Foundation and of the several funds which it had established were going to work in Pasadena. There was an operating office in New York because, of course, most foundations are in New York. So when I was offered the position, I was given the choice of New York or Pasadena. I chose Pasadena. But within three years, we--everybody--moved to New York. Paul Hoffman was no longer president of the Foundation and there were difficulties in handling the two locations for offices. The business of coordinating what went on in each office was difficult. Sometimes people seeking grants went to both offices, and sometimes there was a difference of opinion between the two offices on whether or not the grant should be made, so the officers decided to move to New York. So at that time in 'fifty-three I went, when everybody moved to New York.

Jeanne Why did you choose Pasadena?

Elizabeth Primarily because my mother was living in Santa Barbara. I had bought a small house there for her, and she was taking care of her older brother and sister. So I was close at hand.

Assistant to the President of the FAE

Jeanne What were your responsibilities initially? When they hired you, what did they want you to do, and what did they call you?

Elizabeth Initially I was called Assistant to the President of the Fund for the Advancement of Education, and primarily what I did was to handle correspondence. I read most of the incoming mail and said "no" more often than anything else to proposals for grants, and I think during that period when I wasn't actively dealing with the board or sitting in on so much program work, correspondence was my main duty, although occasionally I saw people who came to the office for grants, if the program staff was not immediately available. But later I became an associate program director, and still later the secretary and treasurer of

the Fund. At one point the staff of the Fund became also the staff of the Foundation, and in the Foundation I was called an executive associate. The titles were very odd.

Jeanne That was after you moved to New York?

Elizabeth After I moved to New York, yes. And then of course I was dealing primarily with program matters, and my responsibilities included seeing people who came in to ask for grants. I still did a good deal of correspondence; I also did a great deal of traveling. About a third of my time was on the road, visiting institutions, checking up on grants that were in progress, and talking to people who wanted to show what they were doing. The staff was relatively small, but we all did approximately that number of activities.

Jeanne I read in Paul Woodring's book that sometimes people were dissatisfied about job titles and responsibilities. That was sort of loose.

Elizabeth It was loose. I don't think people paid a great deal of attention to the particular titles, but the Foundation was more rigid about that than the Fund was--the Fund for the Advancement of Education, which as I said existed independently first, and then later partially merged into the Foundation. As Fund employees, we were much more free swinging, and not so bothered by titles.

Jeanne And did you enjoy that kind of work?

Elizabeth Very much, I thought the years when the Fund was separate from the Foundation were really the most interesting years. And the Fund board was by far the best board. The Foundation board was more conservative and more hidebound in its attitudes. The Fund board was an excellent board, which liked to stir things up.

Jeanne Do you remember particular board members or particular programs or ideas that characterized them?

Elizabeth Well, the board changed a little from time to time, but some of those who were most active I remember very well. Ralph Bunche, who you know was with the United Nations for many years, was a very good board member, interested always in new experiments. Another was Walter Lippmann, who was of course always interested in seeing us move into new areas, and was supportive of programs, even though they might be stirring up some trouble. Mildred Horton, who was Wellesley's president at one time, was on the board. The president of the board for some time, was Roy Larson, who was president of Time,

Inc. There were many very good people. Clarence Faust, who was president of the Fund, made an effort to talk with every member of the board individually before board meetings and tell them what proposals the staff was going to bring before them. He talked over things that they might be interested in or might have some reservations about, so that usually by the time we got to board meetings the board had already come to a pretty good decision about how they were going to react to the proposals. So far as I can recall, nothing that the staff proposed to the board, which we strongly wanted to try, was ever rejected by the board.

Jeanne So the board and the staff were very compatible and worked well together?

Elizabeth Yes.

Improving the Quality of Teacher Education

Jeanne What kind of trouble did these people stir up?

Elizabeth In 1951, fairly soon after the war, there was an increasing population and an anticipation of a shortage of teachers. One of the first ideas that the Fund had was that there should be an improvement in the quality of teacher education. There were still at that time a good many two-year teachers colleges, which turned out a number of teachers not too well trained. And there was a very heavy concentration on particular courses in how to teach, so that many teachers were lacking in knowledge of their subject matter, and many schools used teachers out of their fields of concentration.

Jeanne So a teacher who had taken only one high school class in math would be asked to teach math?

Elizabeth Yes, and if a teacher left, somebody else might be asked to fill in who had very little training in the subject that he or she was going to teach. So one of the first efforts that the Fund made was to encourage a re-evaluation of what teacher education ought to be, with the intent of reducing the amount of time undergraduate students spent in so called courses in education, which often were so boring that many bright prospective teachers turned away from the profession. Innovators wanted to concentrate on a liberal education plus an internship and professional study of teaching methods before certification as teachers. With that in mind, the Fund, talking with people in Arkansas, found an interest in the state's revising its entire program in teacher education. All of the teacher training institutes in the state agreed to undertake this program of increasing the amount of liberal education

with emphasis on the field in which the teacher would probably be working, and reducing the number of courses in methods of teaching.

This stirred hackles in many professional institutions. Teachers' colleges and schools of education in universities felt that they had not been consulted about this, and it was a threat to those who were teaching courses in method. There was a violent reaction from many areas around the country. The Fund board was perfectly willing to stand up to this objection and support the program for that and later programs in the Master of Arts in Teaching. The Foundation was rather reluctant to have the Fund attract such opposition from professional educators, and there was not enough real effort made by the Arkansas institutions to implement the program. And as a result, the people who were objecting most strenuously succeeded in making it appear that the program was no good at all. And a good deal of the money that had been spent in Arkansas was not used efficiently. Although the idea was a good one, the way of carrying it out was inefficient, I think.

Jeanne But largely, or at least partly, because there was opposition from the education community and the Foundation itself?

Elizabeth Yes. That's right.

Jeanne But it strikes me that the Fund board must have been very powerful group to do what they did in the face of that opposition.

Elizabeth That's right. They were a very good and supportive board and were willing to stand the heat and say go ahead. And the Master of Arts in Teaching program, which had the same kind of ideas behind it--to keep the undergraduate years more for liberal education, being sure that people were well grounded in a subject field, and then to put their professional courses in a fifth year--many such programs got good support from the Fund and are still in existence.

Jeanne It's quite accepted by now, isn't it?

Elizabeth Yes. And so far as I know there are no two-year teachers' colleges in existence now. So the work which the Fund did had the affect in the long run that it intended, which was to improve the quality of teacher education. Even though the Arkansas program broke down; as soon as there was no more money coming from the Fund the state did not carry it through on its own. Still, the push of that program, I think, helped to promote other programs that were carried forward.

Jeanne Did opponents accuse the Fund of standing on the side of those who have more resources, perhaps the elite, rather than supporting teachers who can only afford a couple years of college?

Elizabeth I don't know that that was so much the basis of opposition. I think it was primarily the failure to include in the planning more of the people who were in the teacher education business. But it was very difficult to include them, because they of course were quite pleased with what they were doing, and they didn't have the idea of moving into something else. So it was opposition to change, I think. And that was the kind of difficulty that the Fund was set up to handle. It was supposed to move in to new fields and break ground, and sometimes the ground breaking was rather rough.

Jeanne What kind of an atmosphere did that create from day to day in the office? Were people cynical and pessimistic about fighting opposition or did that enliven them?

Elizabeth I think it enlivened them. I think really the early years of the Fund and the Foundation were very exciting years. The people we were dealing with were those who had ideas, who wanted to see change, who saw the problems in education, curricula, and in teacher education. And so you were always dealing with people who had something new to say. Those were very exciting years.

The Ford Foundation and FAE Move Closer

Jeanne What about the transition to the later years?

Elizabeth The later years, as the Fund got more closely tied to the Foundation, were more restricted, I think. There was less of the real excitement of the new ideas. Although the foundation was still dealing with new programs, it tended to be a little more conservative, a little less venturesome than the Fund had been in the early years. So that within the staff of the Fund, we lost a little of the enthusiasm and the real excitement of what was happening.

Jeanne What if the Fund hadn't been taken over by the Foundation? Do you think the staff and the board would have been able to face the opposition and stand up within the education community, or would that have changed too?

Elizabeth The Arkansas program had the most dramatic opposition from some members of the education community. As time went on, the Fund supported several more successful programs of teacher education until they could continue on their own without such help. There was not

the solid block of opposition that you got from that first group of professional educators. Not all of them, I will say. Because of course people like Frank Kepple, at Harvard, were enthusiastic about the idea of changing teacher education. And they did a great deal to soften the opposition and to involve more of the professional educators, so that in the long run, there was less opposition than there had been early.

Jeanne

What about Robert Hutchins?

Elizabeth

Hutchins was never in the Fund for the Advancement of Education. He was on the Foundation board for awhile. A lot of people objected to him and thought that the Fund was very much under his thumb, but it wasn't so. No, I think the ideas in the Fund were very much those of the president, Clarence Faust, and the vice president, Al Eurich. Clarence had worked in Chicago with Hutchins, and to some extent they had the same ideas, but I would say that Clarence was never under Hutchins's thumb at all, and the objection which people felt to Hutchins' influence, was, I think, a mistake.

Jeanne

So within the staff and the board, he was not a controversial figure?

Elizabeth

No, indeed he never came to our board meetings, and we very seldom saw him on the premises.

Jeanne

Were there any other people who were controversial within the board and the staff?

Elizabeth

No, I think not. It was a very congenial group, and, particularly later when we got into the questions of education for black students, the work of former Justice Roberts, who was board chairman, was very valuable. I think before the Supreme Court decision that schools must be open to black students, he had, on the quiet, given to every member of the court at that time (he was no longer on the court when he was on our board) the research material which had come out of the study financed by the Fund.

Jeanne

So even though the study wasn't released until almost the day of the decision....

Elizabeth

The material had gone to the Supreme Court, in private.

What Made the Fund so Dynamic

Jeanne

What made the Fund so dynamic in the education community?

Elizabeth

I think it was the ideas. Of course, the amount of money behind the Ford Foundation was a tremendous draw. Everybody associated with education knew about that, and there were thousands of applications for all kinds of things. People fairly soon realized that neither the Fund nor the Foundation could support regularly the needs of all educational institutions. Their interest was in the improvement of education, in teacher education, in curriculum, and in the way of handling students, and so forth. And that brought all of the good ideas for change out of the closet, to the Fund and the Foundation, and we were dealing with people who were intelligent, willing to work hard, and interested in useful changes. That, I think, accounts for the successes in the many programs.

Jeanne

What did you like best about working for the Fund?

Elizabeth

It was a stimulating and exciting atmosphere. Of the programs that I dealt with, there were two I enjoyed most. One was a departure from the usual Foundation policy, when the Foundation decided to put some of its stock on the open market. It did that to diversify its capital. Up to that time there had never been any real appraisal of the worth of that stock. When it first went on the market, the price was enormously higher than they had anticipated, and the Foundation found itself with a huge amount of money, which they decided to reduce by making grants for purposes which they had not formerly accepted.

So, they began a series of grants for the general improvement of colleges and universities. The grants amounted to somewhere in the neighborhood of two to three million dollars, for four year colleges, and up to 25 million for universities. The decision within the Foundation was not to accept applications for those grants, but for the staff to visit a number of colleges and universities selected on the basis of the size and the activities of the institutions. The degree to which they were succeeding and had ideas for future development. Then we, the members of the staff visited those institutions, and on the basis of the visits decided on which ones were to be recommended to the board for grants.

I made about three-fourths of the visits to the liberal arts colleges at that time. And that was a very interesting set of visits because you saw the great variety of approaches to education, and the things that the administrations of these institutions thought were important. Generally, when I was making a visit, I would write ahead of time that I wanted to talk with some administrators, some faculty members, and some students. I didn't give any specifications for who those people should be. It seemed to me that the college president or board could decide what they thought was important to let me know and see.

Jeanne Did you tell them why you were coming?

Elizabeth Oh yes. They knew there was a possibility for a general grant. Also, we asked every institution that we were considering to submit a five-year plan for what they wanted to do and where they planned to go. And this was a shock to many of them. It had never occurred to them to plan ahead, to see where they were going and what their sources of income might be over that period of time. I ran into some odd priorities. For instance, at one of the colleges, I was walking around the campus with the president of the college. We were passing the library and I said perhaps we might go in. He said, "I don't think we have time, because I want to show you our new field house."

Jeanne Did they get a grant?

Elizabeth Well, I think you can decide that.

"It was a Man's World"

There was another thing that I found very interesting. Very seldom did I meet with any women faculty members. Usually I met with the department heads, and there were almost no women heads except in colleges for women. And the president or the board thought it was unnecessary for me to see any women faculty members.

Jeanne Were there women on the faculty?

Elizabeth There were a few, but not in important positions. And this I mentioned a time or two. I didn't ask to meet the women, but I said, "It occurs to me that I haven't met any women on this campus." And I think that had a little effect.

Jeanne What about women's colleges like Wellesley?

Elizabeth Oh yes, women's colleges of course were entirely different, although they had a number of men as well as women in professional rank.

Jeanne There you would see lots of women?

Elizabeth Yes. But in the co-educational colleges, I practically never was introduced to any woman member of the faculty.

Jeanne Nowadays, people talk about women's colleges because they see the value of young women having women role models, and so on. Now,

at that time, was that also the case, or did women go to women's colleges for different reasons?

- Elizabeth* Well, women simply didn't get advanced in almost any university or coeducational college. I was not usually visiting the universities, although a time or two I did. But most of the places I visited were four-year coeducational colleges. And there were very few women in professorial positions in those colleges. That was in the early 'fifties, and women did not get fair treatment in that period, and often, the men didn't even notice. It hadn't occurred to some presidents that there were no women heading departments and few women professors. English department were more likely to have some women; sciences and economics, very seldom.
- Jeanne* My impression is that that was generally the case throughout the education world. It was a man's world.
- Elizabeth* That was the case. It was a man's world. When I was working for the Foundation I suppose 95 percent of my associations were with men. Because, except at women's colleges, you seldom ran into women in important positions.
- Jeanne* What did you think about that?
- Elizabeth* I didn't dwell on it, I would say. Occasionally I mentioned it, because I thought it was something administrators ought to think about. But it wasn't something that surprised me, because that was the way it was in those days. There weren't very many women in important positions in any line of work.
- Jeanne* Even in the Foundation and the Fund itself?
- Elizabeth* Yes. I was the only woman on the staff of the Fund who was of executive position. The Foundation had perhaps one or two women executives. But there was no one at my level in the other sections of the Foundation, except in the Fund for Adult Education, which went out of existence before the Fund for the Advancement of Education did. And there was no woman on the Foundation board. The Fund board had one woman.
- Jeanne* Were you treated respectfully, and were you considered part of the team?
- Elizabeth* Not altogether. I was more within the Fund staff than within the Foundation. Actually, the various sections of the Foundation didn't

mix very much. There was a fairly rigid line between the various parts. But even within the Fund staff there were times when I had to work to find out what was going on. The "old boys" kind of got together, and I wasn't part of it. It was not that they objected to me or made me feel unhappy; they just didn't include me in many things that they did as a group. So, it had its disadvantages, to be working in a man's field, or in a field where practically all the other people were men. But on the other hand I never felt insulted. I wasn't harassed. It was simply that I was sometimes ignored.

Jeanne But your status and your pay was equal to theirs?

Elizabeth Yes. The matter of pay was one that I insisted on. After I had been there one year, I found that everyone else was getting a raise, but they hadn't mentioned any for me. I wrote out my resignation, and when Clarence Faust asked why I wanted to resign, I said obviously they weren't satisfied with my work if other people were getting an increase in pay and I wasn't. He said they hadn't meant to exclude me from any increase, they just hadn't decided on all the pay increases yet. They had decided for everyone else but just not for me. They said they didn't want me to resign. They intended for me to have a pay raise, and so they gave me the same raise that they were giving other staff members at my level.

Jeanne That was just another instance where they sort of unintentionally forgot about you?

Elizabeth Yes. You know, it just hadn't occurred to them that I would expect a pay raise. And so, when I wrote the resignation, they said no, of course I was doing satisfactory work and mustn't leave.

The Mandates of Liberal Arts Colleges

Jeanne I want to go back to your visits to liberal arts colleges and see if you recall any other of these anecdotes that showed differences in the way colleges thought of their mandate.

Elizabeth Well, some of them took the opportunity to do this five-year plan with real interest. They jumped on it enthusiastically and it became a useful tool for them. To some it was a challenge, but they did use the grant money to broaden their base of support and to build closer contacts with their alumnae. Some of them felt that it was kind of a foolish thing, to have to think about five years ahead.

Jeanne This was financial planning?

- Elizabeth* Yes. Financial planning and planning also for curriculum and educational goals. So that it wasn't difficult to pick out the institutions that would make the best use of the grant. It wasn't difficult at all. You could tell fairly easily from the way in which they approached this problem of defining themselves over a period of time whether they were going to be really successful in using substantial new funds.
- Jeanne* Was the purpose of the funds to help them broaden their financial base?
- Elizabeth* It was to improve the institution generally, however it needed improvement.
- Jeanne* So they could spend it on whatever they wanted?
- Elizabeth* Yes. It wasn't defined what they had to do with it. But it was to improve the institution. And the way they went about that was of course indicative to us of whether they were likely to succeed. There was an institution, I remember, which was desperate for money. They had hounded us before for general assistance and they wanted to get included in this program. I remember their president called one time and said, "We have to have money within two weeks or we'll have to close our doors." We turned them down, because we were not, aside from this special program, giving money for general operating purposes. Then, about six months later the president called again, and the man at the Foundation listened to him say, "We're not going to be able to make it. If we don't get money within a month we're not going to be able to continue." And--this was really mean--the man to whom he was talking to said, "Well I congratulate you on your improvement! It was two weeks last time!"
- Jeanne* I'm curious as to whether the colleges that you saw at the time as being strong and viable are the ones that have survived? Have others not survived?
- Elizabeth* I don't know of any that haven't survived. But I think the Fund's support has definitely improved many colleges. For instance, I do happen to know Wellesley particularly, although I had disqualified myself from visiting Wellesley, since I'm a graduate of that institution. Wellesley adopted a program for better long-term planning for changes in their curriculum and financial efforts. I think some of that was definitely the result of the grant the college received and the work they did to qualify for it. And Stanford University received one of the large grants, which was a catalyst for their considerable growth in academic quality and financial stability.

Jeanne In what way?

Elizabeth Well, Stanford was, at that time, not one of the top institutions in the country. But now it frequently gets rated top or in the top group in various academic departments. The grant was a major factor in broadening their financial goals and their access to the community and to alumnae and also in getting some changes in curriculum and in faculty members. For all grantees, it was a tremendous boost, a stimulus, to have been picked out as universities or colleges with superior prospects at that time, and, since the grant required three to one matching, each institution was spurred to new efforts to enlarge its donor base.

Jeanne Were there problems from some that didn't get grants, other than these people who harassed you on the telephone?

Elizabeth No. Of course there was a lot of disappointment from losers, but as far as the Foundation was concerned, there was no problem.

Visiting Members of the United Negro College Fund

Jeanne You said there were two activities that you were involved in that were particularly memorable, and this was one of them. What was the other one?

Elizabeth The other one was a series of visits I made to the Negro colleges, members of the United Negro College Fund. There was not, at that time, even one Negro college, which could qualify for the grants under the conditions that applied to the other colleges that received grants in this large program.

Jeanne Conditions such as...?

Elizabeth The ability to make plans for the next five years and count on financing those plans, the quality of their faculty, and innovative ideas.

Jeanne So you were visiting the Negro colleges as well as the others with the same criteria at first?

Elizabeth Well, to start with, we had the same general idea. But we realized that no Negro college was going to get a grant under that program. And that they needed some stimulus and help. So we instituted other programs to try to help the stronger institutions among the Negro colleges and to help good students get into good colleges. I visited somewhere between

forty and fifty of the Negro colleges. I made several sweeps through the South. And that was very enlightening. There were a few of these colleges that were reasonably good, but most of them were very poor institutions. The conditions under which they were trying to work were appalling. Many had been established by churches, and many of them had presidents who were retired ministers or people of good will, but without much real capacity to lead the institution as it should be led. And, in the deep South, there was a tremendous amount of discrimination against the Negro colleges. I remember one whose president was a retired, white minister. He told me that people in the post office scratched off the word Mr. or Mrs. on every letter that came to him or his wife. In the town, people wouldn't call them Mr. or Mrs. because they worked for the Negro college. They were called by their first names--in the bank, in the stores, everywhere, people called them by their first names.

Jeanne Was this out of spite?

Elizabeth It was because that was the way they treated black people in that community, and the president and his wife, because they were working at the black college, were treated as blacks. And I remember visiting one college which had a program the Fund had financed to help the college and high schools work together more closely for the benefit of their students. I was talking with the black woman who was directing that program. The county superintendent, who was white, came to talk with us. He suggested that we go to another building. We came to a door, which he opened, and she hung back. I took her by the arm and walked her through with me. She turned around and said to him, "I'm sorry, I didn't mean to go through the door ahead of you."

Jeanne Goodness. And what did he say?

Elizabeth He just accepted it. It was expected. But many of the Negro colleges had students who were very poorly educated, and they had to do a great deal of remedial work, and so obviously they couldn't do the quality work that a college should be doing. There were exceptions. Atlanta University, Morehouse, Spellman, Fiske, Howard, and Dillard, I remember, among the Negro colleges were pretty good institutions. They suffered from the poor background that their students had.

Jeanne So they had students with inadequate background, and also what about the faculty and the facilities?

Elizabeth The facilities were mostly bad, and the faculties were mostly not very well educated. Now and again you had somebody on the faculty who was very capable, very good, and working tremendously hard. At

Atlanta University and a few other places some of the faculty had doctorates. They did a good job trying to bring their students along and to send them on to advanced work, but it was a very difficult job for the black colleges at that time. Some of them probably should not have been called colleges. They offered so much remedial work they were hardly more than high schools.

Jeanne What did the graduates of those schools do?

Elizabeth Well, often they taught, some in high schools. I think those who went all the way through college were, for the most part, teachers. They were better trained than most of the blacks could be at that period of time.

Jeanne How did the Civil Rights movement of the 'sixties figure in what you were doing?

Elizabeth Well, that first set of visits that I made was in the middle 'fifties, and the court decision hadn't had much affect yet. But later, in the 'sixties, I visited some of the Negro colleges again. I happened to be on the Fisk campus the night Martin Luther King was assassinated. And there was a tremendous outburst. I was staying alone in the college guest house. I happened to be having dinner with a faculty member when we got the news of the assassination. He said, "I'd better take you back to the guest house, and you'd better lock all the doors and not be very conspicuous because there may be trouble tonight." He took me back and he carried a gun, but we didn't have any trouble going through the campus to the guest house. After I was there, I heard cars being overturned in the streets, and fires were set some places. The next day, I was well received by faculty on the campus, and I went ahead with the business I was there to do. But I was accosted by a member of the student organization, SNCC, who was rather insulting. He felt that perhaps it was condescending of the Fund to send a white woman down to their campus, and that maybe they should have sent a black woman, if a woman at all. He didn't really see why a woman should come to their campus. It was a co-educational college, but he was angry that a white institution had come to look at their campus.

Jeanne Did he object to your being a woman? Would he have accepted a white man, or did he object to you being white?

Elizabeth Being white, chiefly, I think.

Jeanne But you didn't get that attitude at all in the 'fifties, is that right?

Elizabeth No, I didn't get that at all.

- Jeanne* In the 'fifties, people were accepting the way things were?
- Elizabeth* That's right. Much more. I think probably there was some feeling in the 'fifties, but it was certainly not expressed to me. But in the 'sixties it was expressed.
- Jeanne* Going back to your visits to Negro colleges in the 'fifties, did you change the criteria then that you used to award grants?
- Elizabeth* Well, the grants were for a different level of needs than those in the general program. They were more oriented to helping them get a start in their reach to the community and to the alumnae, for funds without the matching requirements the broader program had. It also helped them plan their program ahead so they could realistically anticipate where they could be at the end of a period, looking five or ten years into the future. Also, grants were given particularly for improving their faculty by giving them additional study and providing the opportunity for able students to attend good colleges and graduate schools.

Memorable Experiences

- Jeanne* Are there any other particular experiences or phases of your work that are the most memorable?
- Elizabeth* Well, I think looking back on it, the thing that I appreciate and enjoyed the most, was the large number of people, really interesting and stimulating people, I could learn from. I felt it was a period of my life when I was growing and developing.
- Jeanne* Whom do you remember in particular that you learned from?
- Elizabeth* Well, Lester Nelson, for instance. He was on our staff. He had been superintendent of schools in Scarsdale. He was a Quaker, a very able man and one who was well known around the country for his work. He was a wise man, whose ideas I appreciated. We held conferences around the country. For several years the staff met with a group of educators at the Center for Behavioral Sciences at Stanford. The Foundation had given money for that center.
- Jeanne* Was that part of the grant to Stanford?
- Elizabeth* No, it was a separate grant to establish the center there. During the summer, when the facilities weren't used as much, we held

conferences that brought people together from around the country to discuss ideas. Part of the teacher education program was developed at that center. And there were people like Harold Howe, who worked for the Foundation after I had left it, and Harold Gores, superintendent of schools in Newton, Massachusetts. And a number of other people that I remember with pleasure.

Clarence Faust, our president, was a very good man to work with. Although, as I said before, I was not entirely a part of the staff in one sense, he did insist that I be brought in on events whenever he thought of it. For instance, once a group of educators were having an evening meeting at either the University Club or the Harvard Club, I don't remember, but it was one of those. He asked me if I'd like to go, and I said yes. I was a little late getting there, and when I went into the club--I had been told where the room was in which we were going to meet--I just walked past the man at the desk without saying anything and went down the hall to the meeting room. The desk man followed me to the room. He said, "You can't go in. This room is only for men." And I said, "I've contaminated the atmosphere at this point you might as well let me stay!" But he said no, he wouldn't. We were just inside the door, and Clarence saw that I was discussing this with him, so he came over and he said, "If she can't be in this room, find another room and we'll move." And they moved about forty men into another room so I could attend this meeting.

Jeanne

What else do you remember of these conferences in Palo Alto? Do you remember in particular what they discussed?

Elizabeth

Various ideas that were projected for the future. We had supported a number of programs for most able students. This is one of those ideas that come in and out of favor, I think, whether you should have different tracks for students of different aptitudes or whether you should put everyone in the same room--whether you should do anything particular to help those who are most able move ahead at their own pace. At that time, the push was to help the most able students move ahead as rapidly as they might.

Jeanne

And that was a new idea?

Elizabeth

It was a new idea, yes. The passage from high school to college at that time was often a problem. In the better high schools, students were frequently doing work, which, in the less good colleges, would serve as college work. So many students got bored in their early years of college, because they were asked to do over again what they had done in high school. Or the high school students suffered from a lack of stimulation if the school wasn't pushing better students ahead. So the Fund

supported efforts to bridge that gap between high school and college. And it was done in two ways, one which was called "early admission to college," and the other "advanced placement." They both had the same purpose, but with a different approach. Early admission to college undertook to send the best students, at the end of their sophomore or junior year, directly into college. Advanced placement undertook to provide advanced courses for the better students while they were in high school. They might, then, accelerate their college work, having been given college credit for the advanced courses they had taken in high school, or if they didn't choose to graduate earlier, they had the opportunity to take additional advanced courses in college. So both of those programs were supported with an idea of trying to find the best way of bridging that gap. The early admission to college was limitedly successful but it didn't carry forward after the funds ran out, for several reasons. It was more successful for women than it was for men, partly because women mature at that age a little faster than men do. They're a little more adult in their behavior and their thinking. And partly because, and this was particularly true in the men's colleges, if the boy had come to college a year or two younger than his classmates, he had a harder time adjusting to upperclassmen, and he had a harder time dating girls. The women, of course, didn't have that trouble, so that was not a problem. But also, the high schools and the parents often didn't want to let the younger students go off to college. Especially parents of girls wanted to keep them home longer, and the high schools didn't want to lose their best students. So there was some opposition from the schools, some opposition from the parents, and the failure of some students to really adjust to the program. As a result, while it ran on for a few years in a few places, and an occasional student may even now enter college early, early admission really didn't last as a program after the Foundation funds were exhausted. But advanced placement not only has lasted but has spread and is quite generally used throughout the country.

Jeanne Without being financed by Ford any longer?

Elizabeth Without being financed any longer, yes. So it is an illustration of a program goal achieved. It also showed the advantage of being able to try different approaches to reach a goal.

Jeanne You wrote a book about this didn't you?

Elizabeth Yes, I wrote *Encouraging the Excellent*, citing several of the Fund-financed programs. Some people were very insistent that the excellent students should remain with their peers and not be separated out to advance, believing that it's better to keep the students on a level, that the more able students can help the slower students, and that socially, it's better for them to be kept all together. There were a number of

different ways of trying to do this, but I think the programs that the Foundation supported were generally trying to give an advantage to the student who was more able to move ahead with his own program.

This was partially supported by the efforts for better use of faculty. Finding ways for faculty members to be helped by team teaching, by having assistants, by keeping the class as a group but dividing it into small sections where a student could move faster in some subjects but perhaps not in others. The student might remain as a second grader or third grader or tenth grader in mathematics, but be moving ahead in English, or art, or whatever. All of these approaches were tried in various programs. I can't put my finger on any one method and say it has moved ahead of all the others. From what I hear, there is a desire today to keep the bright students in with the slower ones, grouping them altogether.

These ideas go in waves. Really, I think if you wanted to sum up what there is to say about any of these programs, you can say change is desirable. It doesn't always have to be the same kind of change, but change itself, stimulates the people who are working in a new program, or teaching, or designing a curriculum, or whatever. The fact that there is something new to do, and they're trying something out is likely to be useful.

Jeanne So in that sense something like the Fund is very good because it stimulates change, and it insists on change.

Elizabeth Yes, and that you are challenged to try something new and make the best advancement that you can produces results that are good in themselves.

Jeanne No matter whether it's one trend or another.

Elizabeth Yes. That's right.

Personal Aspects

Jeanne I want to move for a while--not to leave all of this, but for just a while--to some more personal aspects of these years. One of them came to my mind when you told me about your experience on the night that Martin Luther King was killed. What you were doing when John F. Kennedy was killed?

Elizabeth I remember it very well. I was in the office in New York, and went into the library, where we had a television set. The news came over the set

just as I went in. Perhaps more dramatically than that I remember the night we were having a board meeting in a hotel in New York, when the news came about the missiles placed by the Russians in Cuba, and the president was announcing that he had told Russia that, if they were not removed, he was going to blockade Cuba. Walter Lippmann was there, and, of course, he got up and went out immediately. Ralph Bunch went right away to the United Nations, and Ralph McGill of the *Atlanta Constitution* talked a little about the crisis and the possibilities. We discussed it for awhile. Of course, we couldn't go on with the board meeting. That was a very dramatic occasion, when we were hovering on the brink of war.

Jeanne

Now tell me about your life in Pasadena and then in New York. How did you enjoy Pasadena and how did you enjoy New York?

Elizabeth

Well, I enjoyed Pasadena much more than I enjoyed New York. I don't think I could have stood New York if I hadn't been out of it so much. I might give you an illustration of the kind of attitude I felt pervaded New York. I was in the Grand Central Station, at the information desk one day, and a woman ahead of me asked the man who was serving us what time the next train went to Washington. He answered her, and she asked if the train was nonstop. And he said, "How the hell do you suppose we could make any money if we didn't stop the trains?" Well, it was an information desk, and it wasn't an unreasonable question. But that was the way New Yorkers behaved.

Jeanne

So that happened almost every day?

Elizabeth

All the time. I remember also being on a bus one time in which the back door would open only when you stepped down on the inside step. A man was standing at the door but not on the lower step, and the bus started to pull away from the stop. He called out, "Please, I want to get off." The bus driver said, "Well why didn't you step down? Are you blind?" And the man said, "As a matter of fact I am." He was carrying a white cane. It was the "chip on the shoulder" sort of attitude in New York that I didn't like. But of course there's a great deal to do in New York. There was the opera, and the ballet, and plays and galleries. I lived alone in a small apartment.

Jeanne

Did you live near the office?

Elizabeth

It took me about twenty minutes to get there by subway. I wasn't afraid. I used to take the subway at night and walk a couple of blocks from the subway to my apartment. In those days it was quite safe to walk on the street.

Jeanne When did you move to New York?

Elizabeth In 1953.

Jeanne So you had ten years there?

Elizabeth Yes. But I just didn't like the city atmosphere.

Jeanne What about Pasadena? What did you like about that?

Elizabeth Pasadena had a very nice climate, and there was an interesting little theater called the Turnabout Theater. You sat for the first half of the program facing the front stage, and then you turned your chair around to face the rear stage for the other half. So if you were in the back row the first half, you got to be in the front row the other half. I remember seeing Ella Fitzgerald on that stage, and various other people who were fun. The Fund office was in a very elegant private home that the Fund bought, with a nice big yard around it. My office was what had been the living room, a very pleasant atmosphere to be in. The Foundation offices were at the Huntington Hotel, and, of course, there were many pleasant things to do around there. Since my mother was living in Santa Barbara, I often drove there weekends.

Jeanne So you weren't keen on the move to New York.

Elizabeth No. I would rather it hadn't had to happen, but it was reasonable that it should. From a professional point of view it was much more efficient than being in Pasadena. In 1964, my mother became ill and the retirement home in which she was living then told me they couldn't keep her much longer. Since I was within three years or so of retirement age, I resigned and came out to take care of her. We moved to Palo Alto when I bought this house. After her death, the Foundation asked me if I would like to return, but I didn't want to move back to New York at that time, and so I made an arrangement to work part time for them. They let me know when they needed me and I would take maybe two or three weeks at a time to make visits, go into New York to make my reports and catch up on office news. So I worked another three years for the Foundation, part-time, after my mother died.

Jeanne Visiting colleges and college programs still?

Elizabeth Yes. I think it was in that period that I made the visit to Fisk when Martin Luther King died.

Jeanne So what considerations did you have in retiring? It was mainly to be with you mother?

Elizabeth To take care of mother, yes.

Jeanne And why did you decide to move to Palo Alto?

Elizabeth I had been here, as I said, for many meetings and I knew this area. I knew some people at Stanford and some people at the Stanford Research Institution, and I thought that I might be able to work part time, but it wasn't feasible. I found mother needed more help than I had expected, so I didn't work outside as long as she lived.

Jeanne How long a period was that?

Elizabeth About a year. So it was because I knew this area and had already decided that this was where I wanted to retire that I brought mother up here. We would have had to find other quarters if we had stayed in Santa Barbara. And this just seemed a more feasible place to live.

Jeanne So you were able to get a pension and all, even though you retired early?

Elizabeth Oh yes. And because I was already 62, I could also begin receiving social security.

Controversies

Jeanne Could you comment on two controversies mentioned by Woodring: One of them was the teaching of reading. The Fund got quite involved in a big debate about how to teach reading.

Elizabeth Yes. It was a question of whether you should teach reading by the look-say method or by phonics. But I don't really know much about that. I wasn't in on that much.

Jeanne The other controversy: Educational Television. Were you in on that?

Elizabeth Oh yes. That was kind of funny in a way. Clarence asked me to start working on this educational TV while we were in Pasadena. Al asked John Weiss, who later was killed in an airplane accident, to work on it. When he found that I was covering his field, he was very upset and I got squeezed out. So I wasn't really involved, but I knew something about it. And then after John Weiss was killed, Phil Coombs took it up.

He was the one that got primarily interested in broadcasting from a plane. And they did that over six Midwestern states.

Jeanne Did they broadcast from satellites?

Elizabeth No, planes--an airplane flying around and broadcasting elementary and secondary school class programs. But it didn't work very well because of signal interference. The purpose was to provide rural schools with superior instruction, especially in science and math, for which many rural teachers were not well prepared. But as I said, it didn't work very well because they had a lot of trouble with static, and many schools weren't ready to take the class at the time that it came on. So they tried it for a couple of years, and finally that just sort of petered out. But the educational television did go ahead, of course. The Fund financed a number of experiments with both closed-circuit and broadcast TV, and since then educational TV has had both commercial and government financing. In some areas of the country, many high schools and colleges profited from special classes offered by well-known professors, particularly in math. It was a good start, and what was developed then has since expanded. A lot of schools use television, though not exactly in the way they originally thought it would be used. Now, particularly in universities, there are facilities for teaching several classes at one time, not all in the same room. The development of television has come so many ways, but the idea of using television for class work was promoted by what the Fund did.

Jeanne Do you think of anything else that we haven't talked about that you'd like mentioned and recorded?

Elizabeth No, I don't think so.

Jeanne Well, then thank you very much.

Elizabeth This has been an interesting time for me to remember some of these occasions. They were very good years. I look at that as a time in my life when I was very happy in my job and really felt that some things were being accomplished that wouldn't have been done without the efforts made by the Fund and Foundation.

Jeanne Thank you.

VI 1967 - Present: RETIREMENT

[Interview 6: December 2, 1995]

Retiring from the Ford Foundation and Settling in Palo Alto

- Sandra* I thought your retirement began in 1967, but I understand that it's a little more complicated than that...
- Elizabeth* Yes, I retired first in 1964, which was three years before regular retirement age at 65. I had had a letter from the retirement home where my mother was living saying that she was not able to pass her fire test.
- Sandra* She couldn't do the fire drill?
- Elizabeth* (laughter) She couldn't do the fire drill.
- Sandra* Where was she living?
- Elizabeth* She was living in Santa Barbara in the kind of retirement home which didn't have permanent care. Under state law, such homes that didn't have enough nurses to take care of people who were not able to get out in an emergency must require all residents to walk to a specified place in a limited time, and she was too slow. She'd had a very bad case of shingles which had gone down the sciatic nerve and although she had learned to walk again, contrary to what the doctor expected, she couldn't do it fast. So the home said they wouldn't be able to keep her much longer.
- I decided to take early retirement and come take care of her, and that's what I did. I planned to leave when I was sixty-two and then I asked a friend of many years standing, Dorothy Roberts, if she would like to come and help me take care of mother. I didn't realize that mother was as seriously ill as she was at that time and I thought that I could do part-time work if we came to Palo Alto because I knew a number of people at Stanford and at Stanford Research Institute who might help me pick up some work. Mother was fond of Dorothy and Dorothy liked her and Dorothy was getting tired of her life in Mamaroneck. She was, I think you know, a successful novelist, one of the relatively

few novelists who live exclusively on their income from writing, but she was tired of it, having some fights with her publisher, and was ready for a change. So we packed up and drove across the country. When we reached Salt Lake City, I had word from the retirement home that mother was ill and that I should get there as fast as I could. After we arranged for her temporary care, Dorothy and I stayed with a friend in San Francisco for two or three days while I house-hunted and bought this house.

Sandra In two or three days?

Elizabeth Yes, (laughter) and after our furniture arrived, we three moved in. I realized that I wasn't going to be able to do part time work but it was a great help to have Dorothy here because, of course, I could go out and do marketing and various other things. Dorothy had had a serious fall shortly before we came and so she couldn't drive at that time. It was very helpful to have her, and because she got along so well with Mother, we made a very comfortable household, the three of us.

Sandra When did Dorothy start leading her writing groups?

Elizabeth After Mother's death. She volunteered to take people on to help them with their writing problems.

Sandra It's always kept this household active.

Elizabeth Yes. After Mother's death, the Foundation asked me if I would like to return and fill out the three years that I hadn't had, but since I owned a house and liked it here, I didn't want to move back to New York. I agreed to work part-time and they would let me know when they wanted visits made to various colleges and I would go off on a swing around the country for a couple of weeks and go into the New York office for a few days for conferences. I did that for three years then I began to feel that I was doing a lot of work but wasn't really able to do all I should to keep up with what was going on in the office and what I was doing at home.

You know in part-time work, it's hard not really to put in full time if you're going to do the job properly. Even though I was visiting only part time, I needed to know more about what was going on in the office and what future plans were, and things of that sort which I felt I wasn't able to handle satisfactorily. I decided that that was enough, and I retired altogether.

Sandra So then, that was 1967, when you were fully retired?

Elizabeth '67 or '68, I don't remember exactly.

Sandra You mentioned that you had chosen Palo Alto earlier. What went into your decision making? You mentioned SRI and Stanford...

Elizabeth Yes. I was looking for a place where living would be comfortable and this was it. Not too hot and not too cold and near enough a large city that you have the advantage of a city for music and art and ballet and things of that sort and yet, not in the city. I lived in New York City while I was working there and I was very tired of that and I also like the general environment out here. You're close to the mountains and close to the shore. I'd traveled over the country very extensively and had decided this was the place I was going to retire.

Planning for Financial Security

Sandra All right, well, Elizabeth often we hear about people having such a struggle to live comfortably after retirement. I look around this lovely house in a lovely neighborhood and I can tell that you are very comfortably situated. Are you someone who usually makes very careful financial decisions? And, had you thought ahead?

Elizabeth Yes. Since I had supported my mother most of my working years, I knew that nobody was going to take care of me when I retired, and I had planned considerably for my retirement. Of course, I had Social Security benefits and I also had retirement income from Civil Service, since I worked ten years for the Federal Government. The Ford Foundation chose TIAA (Teacher's Insurance and Annuity) as its retirement plan and I had begun to pay into that program when I was teaching, so that I had many years of credit there. Finally, with my very first income, I had begun investing in stocks and bonds and have maintained that policy.

Sandra A good economist.

Elizabeth Not always successfully (laughter), but more successfully than not, and I think that's important. I think everybody needs to begin early to think about their own years at the end. And I remember very clearly the relief I felt at one point, when I calculated that, if I should go down with a plane on one of my excursions, that there was enough capital to take of Mother the rest of her life. And, at a later date, I knew that I had enough to feel comfortable myself for my lifetime.

Sandra That's confidence and control. Well, it sounds very thoughtful. Is there anything you would have done differently about your retirement planning if you were looking at it again?

Elizabeth No, I think not. I'm satisfied with what I've done and I've enjoyed living here. I've lived here longer than I've lived any other place in my life, and I like it very much.

Continuing Education

Sandra All right, I want to shift to what I call quality of life and living after a full, and I'll call it stimulating, career. For some people it's difficult, but your life seems to be very full and active. You pursue intellectual interests, you're active in organizations, you travel extensively and you even do line dancing, and that's impressive. Could you describe what you read and study?

Elizabeth I'm rather an eclectic reader, I think. Since I've come here, I have gotten interested in science, particularly modern physics. I didn't take physics anytime during my academic career, but it seemed to me that with so many new discoveries in the field of science, and particularly in physics—although also in biology, it was really a disgrace not to know something about what was going on and to be able to read moderately intelligently in the field. So I began to try to find out something about physics. Of course, without laboratory experiences and without having taken courses, I can't say that I know much about physics. Nevertheless, I have read a number of books by some of the eminent physicists of this day, and particularly by some people who have written expositions of physics for the lay man. Now if I read something new in the paper, or hear about some discovery, I feel comfortable that I can at least begin to understand a little of what's being said. Other than that, I like biography and to some extent, history. I read a lot of detective stories.

Sandra Do you? Who are your favorite mystery writers?

Elizabeth I like Ngiao Marsh and Agatha Christie, the old ones better than the new ones, although I also like Tony Hillerman, and I'm very fond of Brother Cadfael, but I saw that he is no more. His author Ellis Peters has died fairly recently.

Sandra Can you cite any specific books or writers, like one or two, about physics that you'd recommend for someone beginning to do what you've done?

Elizabeth Let me think. Kip Thorne, *Black Holes and Time Warps*. Kip Thorne is a very good writer. *Hyperspace* by Michio Kaku. And Stephen Hawkings, *A Brief History in Time*.

English in Action

Sandra Another area in which you've been active is the volunteer organizations, particularly the Partners in Conversation at Stanford. Can you tell us how you began that?

Elizabeth

Yes, I began a few years after Mother died. A friend of mine was participating in the program and told me about it. It's called English in Action and it's designed to help foreign students at Stanford University learn to be more comfortable with the English language. Of course, they have to know enough about English to handle their subjects in class, but they're uncomfortable with conversational English and they like to talk with someone about customs and various activities in this country. So, I volunteered, and at the entrance interview, the person with whom I was speaking, asked me if I would be afraid to take a graduate student. She said a good many of the volunteers were women who were willing to talk with the wives of graduate students but didn't feel that they wanted to talk with a graduate student. I said that I didn't believe that a graduate student would intimidate me unduly (laughter).

My very first graduate student was working for a Ph.D. and he stayed four years, so we became good friends. I've had students for more than twenty years, and I have even had two graduate students who had studied under partners I had when I began this project. I now have several very good friends abroad. At the time of the Loma Prieta earthquake, 1989, I had three phone calls from Japan asking if I was in trouble (laughter). It's interesting work. If they stay more than a year, you can get very well acquainted with them. In later years I had more families, more of the men brought their wives and children. When Dorothy and I were living together, she often took the wife of the man that I had as a student. We had them come to the house for their regular time with us and we would often have them here for meals, particularly at holiday times. It's a pleasant, stimulating thing to do.

Sandra

And are you still doing this?

Elizabeth

No, about two years ago I resigned as a volunteer. I thought that they would do better to have someone younger than I to talk with, because now that I don't do a great deal of entertaining and don't feel like having people in for dinner so frequently, foreigners would get more of a feel of American life if they had volunteers who would do more of the things that I used to do for them. I said if the program didn't have enough volunteers, I would continue, but if they had a fair number I thought they would do better with a younger helper.

Foreign Travel

Sandra

Let's shift to travel. You sent me a most impressive list of about thirty trips averaging one per year since retirement. We talked about some of them that were most memorable and then thought we'd focus on this list: Ethiopia, South America including the Falkland Islands, Russia, East Asia and you had two trips to Japan and one to China and then finally Spain and Andorra. That would represent a good variety and

most of the world, if not all the continents. You've really been an ambitious traveler.

Elizabeth

I enjoy travel very much. I had traveled in this country a great deal while I was working for the Ford Foundation, but only occasionally went abroad for the Foundation, because they had a foreign branch. But, these trips that I've done on my own since retirement I've enjoyed particularly.

The first one you mentioned was Ethiopia. That country was impressive for the temples carved from stone, not built block by block. Often the ground had been dug away from a great block of stone underground and the temple had been cut out of the living stone. The religion is Christian, their priests wore long white robes, and their temples were quite elaborately decorated inside with beautiful carvings. Some of these temples would have been completely underground except for the fact that the ground had been dug out around them. And the countryside is interesting, it's rugged. I enjoyed particularly going to the lake where the Blue Nile starts and seeing the enormous waterfall down from the lake at the beginning of the Nile. Their airplanes were put together mostly with chewing gum and rubber bands I think (laughter). One didn't feel particularly safe in them, but we got there and went around.

At that time, I went on to Kenya and Tanzania on a safari. I had meant to go on that same trip down to Rhodesia, but, just before I started, two women had been shot by the warring tribes down there, so my travel agent had canceled that part of my trip. But it was an interesting trip in that part of Africa.

Sandra

Sounds like it. And then you mentioned you even went to the Falklands when you visited South America.

Elizabeth

Yes. That was a trip planned by a conservation group and we were interested particularly in animals and birds. We went down through Argentina and took the flight over to the Falklands. We stayed on the main island only a few days and then went over to an island which was owned by just two people who were primarily interested in birds, and we spent about a week there. A small group, about eight people, were studying the birds on the island there. I think one of our most memorable occasions then was getting onto the little plane which took just three people at a time across from the mainland to this other little island. You had to walk out a very narrow plank to get from the airport station to the sea plane. At one point the plank tipped over and several people were dipped into the water! The pilot and an assistant got out and put it back and the rest of us went on out and got into the plane (laughter).

- Sandra* That, one wouldn't forget. Now, I remember seeing slides you took of your last trip of Russia, but you went to Russia more than once.
- Elizabeth* Yes, the first time was on a Baltic cruise and the only part of Russia that I saw then was Leningrad. And then, on my last trip, I took the river, canal, and lake trip from Moscow to Leningrad and that was very interesting. The canals were built for military purposes at the time when there was no tourist travel in that part of Russia. We stopped daytimes at several small towns that earlier were not accessible to outsiders. We talked to some of the people, particularly some of the young people who wanted to practice their English on the tourists as they came through. It was interesting to see the countryside and to see the small towns that normally one doesn't see if you go only to Moscow and Leningrad.
- Sandra* You mentioned something about observing who did the work.
- Elizabeth* Yes, there were many more women than men working, and working at hard construction jobs. I was also impressed that along this route there were many places where there were lumber yards which presumably should have been loading freighters. Also, ports for grain and material for construction. Apparently two thirds of those places weren't working, although it was a normal working week, but they were just idle. So that at that time you could see that the economy of Russia was not good. The first time that I was there, of course, was under communism. The second time was after communism had fallen.
- Sandra* Did you see anything that surprised you in the differences? Or were you prepared?
- Elizabeth* I think the main thing was the extreme rigidity of people in the first trip. We lived on the boat for the time we were in port. There was a soldier stationed at the dock and he looked at our passports every morning when we went out and when we came back again, he examined our passports as scrupulously as if he had not seen us before. He never smiled or made the least sign of friendliness. But the second time, the people that one would meet on the street were much friendlier. Of course, they did not speak much English and I don't speak Russian so we could not really say anything, but at least you could get a friendly smile.
- Sandra* Now let us shift to the East Asian trips. You went to Japan twice and to China. Were these trips close in time?
- Elizabeth* No, not particularly. The first time I went to Japan was fairly soon after I retired and I had not started the English in Action Program so I did not know anyone in Japan except a classmate, Yuki Domoto Maki, who

has been very famous. She was awarded the order of Living Treasure for her international work. And, of course, she was one of Wellesley's Alumnae Achievement Award winners. I did see her when I was there, and she took me to a meeting of the women's club that she had helped to start after the war. She started it as an interchange between the American women who were there with their husbands and Japanese women of similar education and background.

At that time, the exchange rate was very favorable to the dollar. The friend who was traveling with me then, Dorothy's older sister, and I rented a car and a driver to take us all around to various places in Japan. It was very comfortable traveling, and we saw beautiful places in Tokyo, Kyoto, and Nara.

The second time that I went, I saw a number of former partners in the English in Action program. Four of them met me in Tokyo and took me to dinner and showed me around some, and I stayed for a week in Kyoto with the very first partner that I had had and his wife. That was about twelve or thirteen years ago, in the early eighties.

Sandra

And China?

Elizabeth

I went in the second year that China was open to tourists. We had a very interesting guide who had been chosen by the Chinese government to study for a year and a half in the United States on how to please tourists. He was with us all the time and was giving reports to the central government on the local guides. Perhaps I told you about our trip down the Yangtze River. Our particular group had all the first class space on the boat that went down the Yangtze River. About half of our group liked to have tea for breakfast. When we went into the dining room the first morning, they gave us coffee and we said that we would like tea. And the waiter said, "No tea, no tea, coffee." So when our guide showed up we said, "Other people in the room seemed to drinking tea, why can't we?" He said, "I will go and ask." So he went out into the galley. He came back and said, "Oh, the bureaucracy of this place! They were told 'first class gets coffee.' (Laughter) So you get coffee and not tea!"

Sandra

Shall we switch to Spain and Andorra? That was one of your more unusual trips to the Continent.

Elizabeth

Yes. A friend and I had rented a car in Barcelona and drove up across Southern France and to Northern Spain and in doing that, we went through this little country of Andorra which lives mostly on smuggling. Most goods traveling directly between France into Spain were taxed, but Andorra had treaties which permitted them to receive goods from both countries for their own use without tax. The Andorrans would get duty free goods from one country and smuggle

them into the other. They said very cheerfully that this was the chief source of their income, that and tourism.

They were very pleasant people and very, very honest. I had gone into a bank to change money and inadvertently left my wallet with all my new money and all my cards and travelers checks on the counter, and walked off. After awhile, I realized that I didn't have this billfold with me anymore. So I went back to the bank thinking that there was very little chance that I would ever see it again. The bank manager said, "Oh, yes, somebody turned this in," and he handed it over very cheerfully. So they may be smugglers but they are honest people!
(Laughter)

The interesting feature of architecture there is the enormous stone bell towers for the churches. Sometimes the bell tower was so large that the church looked like a little doll house beside it. But most churches had these towers. And of course, they served a purpose in early days as is the case in Switzerland even today, that the community will assemble quickly when the bells in the church tower are rung.

Social Life as a Retired Career Woman

Sandra

I know that we could talk forever about all these interesting trips but let's come back to this country again and your life here. Now something that I recall from the speech which you gave at Wellesley's Regional Forum in San Francisco in October of 1994, you said that in your working life you worked with men and, as an economist you were in a field dominated by men at that time, but when you retired, men were largely absent. And then you had some comments on that.

Elizabeth

Yes. Of course, when you go out of any job into retirement, your general milieu changes. But for a woman such as myself, it changes that way particularly because if your new friends are single or widowed women, you do not meet very many men. Not many couples have room for a single woman socially. You may get acquainted with a wife in some group, but her social life is chiefly with her husband and other couples. That is normal enough, but it is a limitation for the single retired woman to miss the kind of broader interest that many men have and that many widows of my age do not have.

I think that it is probably different in the younger group now because so many working women have working husbands and they both have professional interests that carry them outside their concentration on the home. Women my age either were working women all of their lives or they were home keepers most of their lives and have relatively little interest outside their families. It is a different kind of conversation and a different set of interests one encounters in a largely

one-sex group, and lacks a breadth of view you find in dealing with people who have professional interests.

Sandra Another area that I think that you have touched on is how does one maintain friendships and make new friends in retirement?

Elizabeth I suppose my initial friendships were made through the Wellesley Club here because I joined that fairly soon after I came and some of the people that I became acquainted with then have remained friends through the time I have been here. Then through the English in Action program, I did have the contacts with students that remained through my life.

I have joined two senior centers, one in Menlo Park and one in Palo Alto and I have made a few friends there - through taking Tai Chi and some other classes. And then the Colloquium that Dorothy and I started has included some very interesting women, with a variety of backgrounds and a number of different experiences. Some of them have died and some have moved away. When we have an opening, someone suggests a new person, and we get acquainted with other people that way.

Sandra So organizations provide renewal.

Elizabeth Yes.

Health

Sandra Another topic which I want to cover is health. Your health seems to be remarkably good. Have you always enjoyed good health?

Elizabeth I have had several critical periods of illness, including cancer and several bad spells of pneumonia, and the 1917 flu (covered earlier), but in between times, I have been in very good health. At one time, when I was having an operation, the doctor told me that my internal organs were about 15 years younger than my chronological age so I think that us why I am healthy between times. I am either seriously ill or very well. (laughter)

Sandra Could you tell us the story about your cancer?

Elizabeth I had gone to my fiftieth (Wellesley) reunion in 1974 and stopped to see one of my very good friends in Philadelphia who was dying of cancer. At that time, there were a quite a few prominent people in the country, including Mrs. Ford and Mrs. Rockefeller, who had gone public with their experiences and so there was quite a bit in the paper about cancer. When I got home, I gave myself the recommended examination and discovered a lump. I went to the doctor who said that it was almost

certainly cancer and I was operated on within a few days. It had not spread and so was not life threatening, although at the time, of course, one was not sure. That was twenty-one years ago. I wrote to one of my friends and said that I did not realize how much I, a life long Democrat, was being influenced by the notable Republican women. The Republican women had done me a good turn! (laughter)

Sandra

Can you tell us about any regimen you follow to stay so healthy and fit? I know that you have said that you think that genetics and your inheritance are very important.

Elizabeth

I think that inheritance is a big part of it. I was amused the other day, I had a call from John Contiguglia. Do you remember my classmate Jean Wilder? She taught John and Richard Contiguglia, who are twins and duo-pianists, now of some repute, when they were very little boys. John was in Monterey last week and came to see me. He was asking me why I stayed so well. I remembered that when I was a child, I had had malaria over several years and I was much underweight. The family tried to fatten me up, and the doctor had said that the best thing to do was to feed me lots of olive oil. I was fed olive oil by the tablespoonful until I developed a violent hatred for it. John said that now, not only the Italians, but the medical profession generally, believe that olive oil is very, very good for you, so maybe that all that olive oil, which I consumed in my youth, made me healthy. (laughter)

I have read a number of books and journals on vitamins. I decided on my own what seemed a good mix of vitamins for me, and I have kept taking those for a number of years, in spite of the fact that many critics say it is a waste of time and a waste of money. I have at least some confidence that the regime is not doing me any harm and it may be doing me some good.

Sandra

Like the olive oil. (laughter)

Adapting to Change

Sandra

Everyone who knows you always remarks on how up to date and current you are. I would like to talk about how you keep up with changing times? Sometimes people become more conservative and more religious as time goes on and find change and adapting to change very difficult. I would like your comments on the role of religion and of spirituality in modern life. And the pros and cons, if you have some observations, especially with respect to change.

Elizabeth

I think that it is enormously important to keep your mind active and one of the best ways to do that is to learn something new all the time. And that, I think, is what makes you amenable to change. You see that a lot of the changes that come are good, some of them are not, but

you want to stay flexible. You want to stay at least open in your mind to the possibility of change, I think. Continually thinking about new things and learning something new is tremendously important to me.

Sandra

And that would be your belief system?

Elizabeth

Yes. I am not a religious person. I grew up, of course, as practically everybody my age did, in a religious family with regular church going and Sunday School and so forth. It has been a good many years since I belonged to a church but it seems to me that religion and science, in separate ways, are after the same thing, they are seeking to learn what it is all about, knowing what the universe is and what we are doing here. And I think science has the better approach because it does not start with a dogma, it doesn't have a "given" which cannot accept change and that is why I find it more reasonable. I suppose that I am an agnostic. I don't say that there is not a god, and maybe I think that there is, but my god is a principle, a force, a law of the universe, and a totality that we are in, a part that cannot be excluded. You live with it and you are a part of everything and everything is a part of you. And if change comes, you change with it.

Sandra

You have been able to learn to use a computer, speaking of adapting to change. How did you start and for what purposes do you use your computer?

Elizabeth

The computer was a gift to Dorothy from her group of students in writing. They thought it would be easier for her to keep up with the work that she did all of her life on her own studies. She was more of a real scholar than I am and she worked very hard at a single line for a long time. Some of the books she had written were based on ancient myths. She spent about ten years studying mythology after we retired, and when she got to the place that she was satisfied with what she had done on that, she spent all the rest of her years studying Shakespeare. And she felt that it was important to do - to concentrate on one field of study at a time.

She was tired of writing and she said that she wasn't going to write any more after we came out here, but she found that as she learned, she had to write. She wasn't writing for publication, but she wrote a number of papers on mythology and then she wrote on Shakespeare.

But she really didn't really like the computer. She was so used to her typewriter that she didn't want to bother to learn to use a different machine. But there was the computer, and I decided to learn how to use it. I got a couple of manuals and practiced. I do not use it a great deal. I use it mostly for business correspondence and for writing up my reports for Colloquium.

- Sandra* I thought that it was wonderful that when I asked you for the speech that you gave at the Wellesley Forum, that you could just print out a copy for me. So I think that you put it to good use. Did you take a computer workshop at the College before Reunion?
- Elizabeth* No, it was really more of a lecture and a demonstration that told us what was going on in the College and how they were using computers on the campus now for many classes other than computer science.
- Sandra* Well, here is the story which Professor Coleman loves to tell about you and computers. Part way through the lecture, another alumna exclaimed that it was simply too confusing and you responded, "Oh, no. It really is easy. Let me show you!" (laughter) And he loves to tell that story.
- Sandra* I'm interested in which media you rely on for news and information because you are so well informed?
- Elizabeth* I've read *The New York Times* for years and years, and I particularly like the Times Science Section, that is *Science on Tuesdays*, and usually I get a local and world news report on television in the evening. Also, I like *The Nightly Business Report* and *Wall Street Week* with Louis Rukeyser. That's chiefly what I use, I think.
- Sandra* Are there any periodicals which you read regularly?
- Elizabeth* Not anymore. I used to take a lot of magazines and some of the weekly summaries and so forth. But I don't find them particularly valuable anymore because I do keep up more on a day to day basis and the news summaries are not especially helpful. Oh, I also go to a class at the Senior Center every other week, given by professors from Stanford, on their fields of interest. I find that very useful.
- Sandra* You drive yourself to all of your appointments?
- Elizabeth* Yes.
- Sandra* And how many books do read each month?
- Elizabeth* I should say between eight and ten.
- Sandra* This is a chicken and egg question. Which do think comes first, your interest in current events or your vitality?
- Elizabeth* Well, I suppose, vitality does, because if you are not feeling vigorous then you don't have much interest in anything. You could keep up your interest in current events if you weren't feeling like it, but when you are feeling like it, you go out and look for things to interest you.

Coping with Loss

Sandra

This is a more difficult topic. It has to do with losses of loved ones and friends. It is a constant for all of us as time goes on. Your mother and your brother have already gone and then Dorothy died a few years ago. How have you coped with the loss of loved ones and where do you find the strength to continue with such a very positive outlook?

Elizabeth

As you get older, you know that you are going to lose people. Dorothy and I talked about it as we got older. It was pretty obvious that I was going to out live her because she was not in good health for a number of years and I was, in a sense, prepared when she died, although her final death was very sudden. She was sick less than a month after we discovered that she had inoperable cancer. The doctor thought that she would live six months or maybe a year, and she was dead within a month. So it was a shock in a way, but in another way I was prepared for it, and the older you get the more you are prepared for the death of friends or yourself. It doesn't seem to me a shocking thought although it's lonely.

My very oldest friend, a girl, a woman, (laughter) whom I first knew when I was three and she was two and one-half died just recently. The odd thing was that I had had a letter from her that ended by saying, "I have to go now because I'm going to look at the International Tennis Championships on TV." And a week later I received word that she had died sitting in front of the television with a kitten on her knee and a smile on her face looking at The International Tennis Championships. That's the thing, I think, one doesn't mind thinking about dying if you can die with your mind active and without a long spell of debilitating illness.

Longevity and Fun

Sandra

We are almost at the end of this [oral history project], but when we started this project, you were heard to say, somewhat jokingly, and in keeping with your modesty and unassuming manner, that perhaps we were interested in you because of your age. How do you feel about being asked about your longevity? (much laughter)

Elizabeth

Well, it doesn't bother me. I suppose, again, as you get older you begin to wonder how long it will go on, you know, and you have a sort of pleasurable feeling, "Well, I am still here!" So if, I live to be 100, which I do not really anticipate, that it will be a matter of some distinction. (laughter)

Sandra

Independence is thought to be a factor in longevity. What do you think?

Elizabeth Yes, I suppose, independence, if you are having fun. I think really having fun and enjoying your life is what keeps you going. Perhaps if you have independence, you are more likely to be enjoying yourself because otherwise, you would not have chosen that course. But I do think it is important if you are not having fun, if you are bored, that you get yourself out of whatever handicaps you and find something that you will enjoy. Because if you are not enjoying life, what's the point of it?

Sandra "Fun" sounds like a good description for a satisfactory life.

Elizabeth Yes, I think so.

Changing Roles for Career Women: Then and Now

Sandra This is an inevitable question. What might you have done differently if you had been born in 1962 instead of in 1902?

Elizabeth I suppose I might have been one of the people who combine marriage and a career. I think that I would have wanted a career out of home, in any case. I am more prone to want to run things myself than to be subordinated to somebody else's determination on life as it was in my day. If you got married, your career was your home and your children, and you were very unlikely to be able to say where you were going to live or what you wanted to do. If your husband had changes in his career, you went along with it. That was the characteristic pattern for a married woman who was educated in my day.

Now it is different and I suppose I might have combined marriage and a career. Maybe I would have been unsuccessful at marriage. (laughter) I think that I am basically a career type person rather than a homemaker. When I look at some of these young girls on television now and again, married and in business positions, heading up corporations and going off to China (for the International Women's Conference) or going into the Senate or Ambassador to the United Nations as our Wellesley alumna, Madeleine Albright, I think that I might have done something ambitious like that but I think that, I feel sure, I would have been in a paid career somehow.

Your Turn: The Future of Social Security, Organized Labor, Health Care, and Education

Sandra This section I call, "Your Turn." You were an emerging economist during the Great Depression and you worked in Washington during the New Deal. Times have changed, but some of the same major concerns are still with us. I am especially interested in what you think about several of these things. Let's start with the future of Social

Security, a topic about which you have a great deal of expertise. I know you recently wrote a letter to the Palo Alto Weekly (see Appendix L).

Elizabeth

I think that Social Security is going to have to change in a number of ways because it no longer fits our demographic and economic pattern of life. Over the years, the amount taken out of a working person's salary has grown so large, that a young person who has an entire working career ahead could get better security through using that money for private insurance and investment. It was an excellent investment for people like myself and older, because what we paid in taxes was small compared to the return that we receive. But if you had forty or fifty years of working life and paid taxes at rates that are continually going up, the amount of income insurance you have while you are working plus the expectation of what you will get when you retire is below what you could do with that money if you bought private insurance to protect your family during your working life and built up capital investments for retirement.

Furthermore, the present system of financing Social Security payments from current taxes on workers will not work as the population shifts to a much higher percent of old people. We need a revised system for the future, but people are also going to have to learn to provide for themselves more than they are doing at the present time.

I was shocked to hear recently the newly released statistics on how little people are saving. Something like 27 or 28 percent of young people are not saving anything, and another 25 percent were saving only ten dollars a month. That simply is not going to meet their needs. And Social Security, even if they continue to raise the benefits, will not furnish the total income for retired workers. People are going to have to take more responsibility for themselves.

Sandra

Another topic that I'd really like your insight on is the current state and the future of the organized labor movement. That's something you know a lot about.

Elizabeth

I've been very much interested in the recent election of the new president of the AFL-CIO, John J. Sweeney. He's dedicated himself, so he says, to reinvigorating the labor movement and trying to get back the numbers they had at one time. Membership had been going down steadily in the last twenty years or so.

We need real changes in the relationship of labor and capital in this country. The antagonism between those two which has sparked the labor movement over years can't work under the present economic conditions which include a decline in skilled industrial work and world-wide trade. There's going to have to be more of a cooperative effort on the part of workers and managers in this business of

increasing productivity so that the companies can succeed in this globally competitive world.

It's going to require changes in attitude on both sides, on the managerial side and on the labor side. I think we can't, over long periods of time, continue to be as indifferent as management is now to dumping workers out with very little consideration after years of work. Now, whenever they're talking about increasing productivity or the consolidation of companies, management says that this will mean X number of workers out of a job, but in the long run they'll be able to find something else. But management isn't concerning itself about what they're going to do or how they can find those new jobs at decent wages.

We're going to have to get to the place where workers and management are more cooperative in the productivity of the company, but with more consideration given to how to provide for the workers during that interim period if change requires a smaller number of people. And I think the labor movement has to address itself to that problem, increase its membership with that in mind, and make its case to management for, not only the skilled workers who have more chance of being considered, but labor as a whole.

Originally, unions in the AFL were composed of skilled workers. The CIO brought in unions for the unskilled workers to a larger extent. Now we are, as a nation, moving away from the predominance of those unskilled jobs, in heavy industry, and into a heavy concentration of unskilled workers in the service industries. You also have growing numbers of people in the communications industry that need special skills. When workers are displaced, they usually need new training. Organized labor needs to consider seriously the way industry is and can be organized, and then take their proposals to management and do a selling job. They can help management be both productive and innovative in its use of labor.

Sandra

I'm thinking of the plant closing laws. Do you think it would require similar legal protection or legal structure so that management and labor would be required to listen to each other?

Elizabeth

Yes. I think something of that sort will be needed. At one time, you see, organized labor did make its move largely through changes in the law. They enlisted enough members so that they were important. And when Roosevelt was president, more laws favored labor, they were moving in that direction. Then, there was the period of time when labor was not successfully organizing and they had lost their clout with congress. Now, the laws are not favoring labor, and management is paying very little attention to labor.

This country has the broadest spread between wages of the workers in any kind of industry and the wages of top management. That spread is enormous in this country compared with most countries and that, I think, is not reasonable. It's something that ought to be addressed and it's not going to start with management. The labor organization ought to make that its next priority, to think through what has to be done and then to make the case to congress and to management and come out with a more cooperative effort and less antagonism.

Sandra

That's a good prescription. How to handle health care? That's on the front pages of every paper almost every day. I'm sure you've thought about that.

Elizabeth

I think there are going to be more universal health services because people can't provide for the emergencies. The cost of even a relatively short stay in a hospital now is so enormous that few people are going to be able to meet it out of their own regular income. Something approaching universal health care is going to come sooner or later and I hope relatively soon. On the other hand, I think we must recognize that there are categories of care that can't be met universally, that you're going to have to say extreme medical efforts aren't worthwhile for some people. I think the experimental efforts of physicians to save lives in the most extreme cases, because they want to know if they can do it, are not always justifiable. We're going to have to say: there is a point at which it's not worthwhile to spend enormous amounts of money to preserve a particular life when that life is at huge risk and the money has more chance of producing good results elsewhere.

Sandra

Are you familiar with the Oregon points system?

Elizabeth

Yes, and I think that's something that's going to have to be done, and done on a wider scale. I think that doctors like to experiment on things and the science has carried this further than the economy will let us go. And I think that some of the work that's done is not worth doing.

Sandra

Would you see some of it staying in research, or this experimental work being confined to research?

Elizabeth

I think you might have research to see what can be done. To find out, to learn more about life. But I think there's too much emphasis on life as merely existence. The quality of life is sometimes forgotten. I don't think it's worthwhile to try to save a life that's not going to be very useful after it's saved. If people could realize that death can be just as important as life, it would help in making these decisions.

Sandra

So the future of health care really, in your view, requires a shift in understanding the place of death in the life cycle.

Elizabeth

Yes.

Sandra

Well, let's finish up with education. You know a lot about education and I'm particularly interested in your views on public education. Not only at the college level, but really at the kindergarten through twelfth grade level. I'm sure you have some worthwhile views on this big topic.

Elizabeth

One thing I think is that there's too much administration and not enough good teaching. Our financial structure of education is skewed in the direction of giving orders and not enough of direct, skillful teaching with children. I know this is not currently popular, but I happen to believe that there are enough differences in the capacity of children that it's worthwhile to adjust our educational system to take that into account. Attempting to teach all children in the same way in fairly large classes, which is the economic way of doing it, is not the best way to get the most capable children moved ahead as rapidly and as efficiently as they ought to be. I know that there's an argument that you ought to treat everybody alike and that the poorer students gain by being in the class with the good students, but you don't follow that procedure in sports. You don't say that everybody must be on the first team, and I don't know why you do it for intellectual achievement. Some people are deprived by being held back. Our society and our economy need to make the most efficient use of everyone's ability and the ones that have the capacity to move ahead should be helped to do it.

Sandra

How do you see a neighborhood public school—let's bring it right down to the local level—how would you see a neighborhood public school being organized differently? Would an elementary school be organized to do that or would it happen at a higher grade level?

Elizabeth

No, I think you start with the elementary school. You have more flexibility within the classroom. You have more teacher's assistants for one thing, who can take groups of children in small groups to do what they can do and let them move ahead as rapidly as they can with any particular subject that they're dealing with. So that you may have a child in the third grade of reading and in the second grade of mathematics and in the first grade of social studies. It seems to me that we need more flexibility in our educational system than we have. Not going through grade by grade, not everybody doing the same lesson at the same time. And it takes a master teacher with some assistants and more flexibility in what you let the teachers do to achieve the results that you want to get. Then, of course, it means good training for the teachers and a system of training assistant teachers who would be taking instructions from the teachers.

Sandra

Do you know of any schools that operate this way?

- Elizabeth* You have a few experimental ones, that have worked on plans of this sort. It isn't done on any very large level partly because a lot of people want to keep everybody on the same level, and partly because it needs imaginative leadership from educational management.
- Sandra* Because of political agendas?
- Elizabeth* Political agendas, yes. The feeling that my child is just as good as the next child and they mustn't do anything that makes my child feel inferior. But I think you can make, in the intellectual environment, the same kind of differentiations that you make in any kind of sport or any kind of creative work, such as painting or music. You don't expect every child to be a top musician and you don't expect every child to be a first class artist. Why should you expect every child to have the same kind of intellectual interest? You can do for the child in that field what you do in sports. We say to some children, "You're very good at this, we'll let you play on the first team." Somebody else can practice, can play out in the field but he knows he isn't good at this. He knows he isn't going to be a top tennis champion. So why do we spend our time and energy trying to make all children move at the same intellectual lock-step?
- Sandra* Are you saying the basic level of requirements should remain or should be steady but there should be more highs, more opportunity for higher achievement?
- Elizabeth* Yes, I think our educational system has downgraded the learning process. It said everybody is the same intellectually, it's alright for everybody to come down to the level of the lower capacity children. And what we need say is: everybody should get to his best level, and never mind if that is not the same as somebody else's best level. It seems to me that our individualism in this country has resulted in some very peculiar breaks in use. We encourage people to be individualistic, to go after what they want to do in certain lines, but we have also tried to maintain a fictional equality. Not the equality of opportunity which gives people the same chance to do what they can do at their peak, but the unreal equality which insists that each must proceed to learn at the same pace. That downgrades the mind.
- Sandra* Do you see a role for computer aided instruction in this individualized instruction?
- Elizabeth* Yes, definitely.
- Sandra* And, continuing to focus our discussion on the neighborhood school model, which is what most of us can relate to, would computers be used there?

- Elizabeth* Yes.
- Sandra* Would you see children staying in the same classroom or being separated out?
- Elizabeth* I think they could stay in the same classroom, but the classroom is a different sort of thing. It doesn't function at a given level. It has little units functioning all around at different levels.
- Sandra* Now, that, I think, would be a new model. That might overcome some political objections to lots of egalitarianism, if it were happening in the same classroom. But the distinction you draw about the overemphasis on rules and administration and uniformity is just what keeps that from happening, isn't it?
- Elizabeth* Yes, yes.
- Sandra* There are some really interesting ideas that are not so radical but would take a change of outlook and a change of basic assumptions about what's good for the country in its public education system.
- Elizabeth* Yes, I think the proposal to give people money to move their children into private schools is very bad for the country. It would downgrade the public schools. What you'll have left then are public schools with people of the lowest capacity that are not accepted by private schools. Also, you're going to have all sorts of small schools built up, just as you had as a result of the GI bill after the war, when any number of technical schools were established that were no good at all but were started just to get that money. It is better to use the available money in more creative ways to improve public schools.
- Sandra* Like some technical and professional schools which use government loan money now?
- Elizabeth* Yes, and I think that it will ruin the public schools if that goes through.
- Sandra* What do you think the political will for that is? The voucher system has failed once in California.
- Elizabeth* It has, but there's still a big push for it in some places.
- Sandra* That's a real blot on the horizon isn't it?
- Elizabeth* Yes it is.
- Sandra* What do you think about the state of college education? That covers an enormously wide spectrum.

- Elizabeth* Yes. Well you do have more chance at least of people going to a college that can give them what they particularly want. You don't have that chance very much in the public school system, but there are some first class public universities as well as private universities. You see, you have more competitive opportunity in college than you do in the elementary and secondary levels.
- Sandra* And we need to wind up, but have we asked you to tell your experience with the community college system?
- Elizabeth* No. (laughter) Well, I was taking a course in Tai-Chi and it's a slow process to learn Tai-Chi, so I kept on taking it year after year for about three or four years. Then I got a notice from the community college that I had nine credits toward an AA degree, but that I would not be able to get that degree if I kept on a single course, and that I should come in and confer with somebody about getting more variety in my program (laughter).
- Sandra* And how old were you when you got this letter?
- Elizabeth* I was in my nineties. They said also that I should consider what the prospective use of my education was going to be. So, I called the number that I was given on this notice to make an appointment for a conference, and I said, "Since I'm now in my 90's and will not have many more years to use this education, and since in the past I have accumulated a BA, an MA, and a Ph.D., I think that I can safely say that I do not need to acquire the AA degree even if I'm not going to be allowed to have it by taking Tai-chi." (laughter)
- Sandra* Well, I think that's a wonderful story. (laughter) Oh, Elizabeth, this wraps up the interviewing section of this oral history process and we will be editing and reviewing transcriptions for some weeks. Are there any comments about the experience that you've had up to now?
- Elizabeth* It's been very interesting to me. I've remembered things that I had forgotten long since and I just hope that it's useful to somebody else. As I've read over some of these conversations, I was appalled at the number of times I'd used "well" in answering questions and somewhat garbled recollections on some things, but it's been fun to review it, trying to get together some ideas.
- Sandra* Well, it's been fascinating reading so far, too. I want to thank you for the tremendous amount of time and effort and goodwill you have put into this. Those of us on this side of the machine have enjoyed it enormously and I'm glad to hear that it's been of interest to you, too. So, thank you.

Elizabeth

Well, thank you!

Postscript
by Elizabeth Paschal

At a meeting of the West Bay Wellesley Club, I was asked what the experience of having given this oral history meant to me. My recorded reply to the question is included elsewhere, but to summarize, I said that I felt a profound obligation to the people who thought my life worth recording, and to all who had worked at interviewing and preparing the copy, because the process of responding to questions recalling my personal and professional activities over nine decades had disclosed to me more continuity of purpose, more total meaning, than I had been aware of.

Since that time, I have read a recent book, *White Gloves* by John Kotre, a professor of psychology at the University of Michigan-Dearborn. As his sub-title indicates, he is concerned in this book with "how we create ourselves through memory." In it he cites many studies indicating that autobiographical memory does not function like a computer. The data originally entered cannot be retrieved in unaltered form, but are inevitably and unconsciously reshaped to make meaning according to the age and experience of the narrator. Emotional content adds to the extent of the reshaping. Numerous examples are cited of memories, sworn to by the narrators, which differ in significant respect from the facts originally recorded in writing, and from what the narrators had, at an earlier date, described as their memories of the events in question. Autobiographical memory, Kotre says, is not about the past, but the present. We use it to create ourselves at each stage of our development.

I do not know to what extent my memories, prompted as they were by questions from sympathetic and interested questioners, involved the distortions and the "myth making" which most psychologists now believe characterize all autobiographical memory, but I am satisfied to see the completed oral history as an accurate portrayal of the person I now am, with insights on how I got to be that person. I recognize that the sense of continuity and meaning, which I mentioned above, is a generalization more appropriate to my present age than to those years in which I was boring my way into professional markets inhospitable to women. The memories, however unconsciously reshaped, are good ones and well worth recovering by this oral history. I recommend the process to all and sundry, even, if possible, more than once, at different periods of one's life.

From the perspective of the tenth decade, life seems to me far more good than bad, worth the effort it takes to keep on learning as science and technology advance by major steps, and worth keeping involved in the slower but important changes in social and political science. Reviewing my own life through the oral history, I see that I had good counselling at home and from teachers and friends; an excellent education; gumption to try new paths; and a zest for life. I have tried to pass on to others some of the help that was given to me. Above all, enjoy one's life.

APPENDICES--Elizabeth Paschal

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Biographical Data

ELIZABETH PASCHAL**DATE OF BIRTH**

- November 11, 1902, Spring Hill, Kansas

EDUCATION

- Central High School, St. Joseph Missouri
- Wellesley College - 1924 (B.A.)
 - Double major in Sociology and English
 - Honors Program
 - Durant Scholar
 - Phi Beta Kappa
 - President of Debate
 - Agora society
 - Archery team
- Wellesley College - 1927 (M.A.)
 - Economics
- University of Wisconsin - 1933 (Ph.D.)
 - Labor Economics with a minor in Law
 - Thesis ("The Worker's Equity in His Job") published serially in the *Journal of the American Federation of Labor*

WORK EXPERIENCE

- 1924-25 - Department of Rural Economics, University of Nebraska
 - Research Assistant**
 - Directed the work of five graduate students on a statistical study of the farm economy. Professor Rankin, a rural economist, headed the study.
- 1927-31 - Marietta College, Ohio
 - Assistant Professor of Economics and Sociology**
- 1933-35 - Eureka College, Illinois
 - Professor of Economics**
- 1936 - Consumers' Purchases Survey, sponsored jointly by the U.S. Bureau of Labor Statistics and the Department of Home Economics
 - Supervisor, Rocky Mountain Region**
 - Responsible for selecting local supervisors in a number of cities in each of five states, training them to collect income and consumption data, keeping the survey on schedule, dealing with the Works Progress Administration, when necessary. The study was published by the Bureau of Labor Statistics.

1937-38 - New Jersey College for Women, New Jersey
Lecturer, Economics

1939-41 - American Federation of Labor

Researcher

Worked under the direction of Florence Thorne, a powerful force in the labor movement. Performed research, wrote internal papers, met with members of Congress on behalf of the Federation, handled communication with government departments.

1942-51 - Bureau of Old Age and Survivors Insurance, U.S. Social Security Administration

Chief, Program Planning Branch

Directed the work of a staff which analyzed the existing Social Security program, detected inequalities or other flaws in legislation or administration, and made recommendations for improvement. Worked with congressional staff members and legal department personnel on prospective changes in the law. Handled correspondence with critics of the program.

1952-67 - Fund for the Advancement of Education (FAE)

When the Ford Foundation inherited the bulk of the Ford Motor Company stock from the estates of Henry and Edsel Ford and began transforming the relatively local philanthropy to a national and international one, it first decided to place the actual work of approving grants in the hands of several Funds, and to have the Funds apply annually to the Foundation to carry on their work. The Fund for the Advancement of Education (FAE) was established to improve formal education in schools and colleges.

1952-60 Executive Assistant to the President

1961-62 Corporate Secretary

1963-67 Treasurer and Corporate Secretary

- Ford Foundation

Because many inquiries were directed to the Foundation, and the Foundation board became interested in dealing directly with grants for education, a Foundation staff was set up to handle requests from educational institutions. Later, because of sometimes conflicting responses to a given institution resulting from its inquiries to both the Foundation and the FAE, the staff of the FAE was made the staff of the Foundation as well. As such, the staff reported to the boards of both institutions.

Executive Associate

Associate Program Director

In these various official positions, received and responded to mail concerning grants, interviewed office visitors, attended conferences as a representative of the Ford Foundation, visited colleges to discuss their programs, participated in staff plans for grant recommendations and attended board meetings when these recommendations were presented for action.

When the Foundation instituted a special program of large, general purpose grants to be matched by the colleges and universities chosen to receive them, made three-quarters of all the college visit. Put together a special series of visits to members of the United Negro Colleges (because these institutions were not generally of the quality to be considered for the matching grant program), which led to the development of provisions for special grants to Negro colleges.

HONORS

- *The Two Thousand Women of Achievement*. Diploma 1971, London.
- *The World's Who's Who of Women*, first and second editions. Diploma May, 1973, Cambridge, England.
- *Who's Who of American Women*, volumes 1, 3, 4, 5, and 6.
- *Who's Who in America*, volumes 32 through 35

CIVIC AFFILIATIONS

- Member, West Bay Wellesley Club
- Co-founder, Colloquium, an ongoing study group for women of curiosity in Palo Alto
- Partner, English in Action, Stanford University
- Chair for Foundations, Wellesley College National Development Fund Committee, 1974-77
- Board Member, Neighbors Abroad
- Board Member, Women's Club of New York City
- President, Marietta chapter of the A.A.U.W.

PUBLICATIONS

- "Organizing for Better Instruction." 1969. A chapter in *Campus 1980*, edited by Alvin C. Eurich.
- *Encouraging the Excellent*. 1960. A report on special programs for gifted children supported by Ford Foundation grants.
- "The Worker's Equity in His Job." Ph.D thesis. Published serially in the *Journal of the American Federation of Labor*, 12/1933 - 11/1935

Elizabeth double-majored in English and Sociology while at Wellesley and in her senior year, took a graduate level seminar in Jacobean Drama (English Literature 323). The seminar was offered by Katharine Lee Bates, an accomplished poet, author of "America the Beautiful," and a professor at Wellesley from 1885 to 1925. Patricia Ann Palmieri, author of *In Adamless Eden, The Community of Women Faculty at Wellesley*, writes of Bates:

"Kitty" Lee Bates was at her best in small seminars that she conducted in her home.... Bates made English literature come alive for many of her students.... [S]he is best remembered for her Elizabethan seminar; in that class students willingly stayed four or five hours instead of the required three. There was no chance for note taking, because she showered her students with Socratic questions. At her best when roused by class discussions, she was "unmatched in repartee." With one sudden, piercing comment she could illuminate a text.

Bates's professional distinction came from her poetry, the most famous of which is "America the Beautiful." She wrote in the Longfellow tradition, and her style was eclipsed in the early twentieth-century by modernists like Amy Lowell, whose work Bates knew and sponsored. Today, Bates ranks with Louise Imogen Guiney as a minor lyricist, but in her prime she was extraordinarily well received. Her poetic humanitarianism inspired college youth of her day: "The Ideal" was a clarion call to the young, summoning them to "rise and follow thy dream."

(Patricia Ann Palmieri, *In Adamless Eden, The Community of Women Faculty at Wellesley*, Yale University Press, New Haven and London, 1995.)

As a member of the Honors Program at Wellesley, Elizabeth was permitted to select, without regard for prerequisites, courses that would contribute to her central interest. That interest was expressed at the conclusion of the program by a paper or minor thesis. Elizabeth expressed her interest in the form of a long poem in blank verse on the life of a 17th century society woman. Katharine Lee approved this work.

A Lady's Monologue

(Lady seated at dressing table)
 This is the only life I can abide,
 How coarse, how mean the time in the country seems:
 The dull day lags, no gentle servant comes
 To dally with his mistress, taste her lips,
 And make a song upon her finger nail.
 There all one's talk is with old sloven wives,

Poor silly creatures, who for lack of those
 Most excellent receipts to keep their youth
 Grow old before their time with many births.
 Betsy, this paint pot needs new red again,
 'Tis stupid of you to forget so often!
 What common things amused us in those days,
 As when three fiddlers upon holidays,
 With aid of bagpipes, called in al the country
 To dance and plough the hall up with their hobnails
 To make us merry. Then too we set a table
 For the tenants, and called the poor to dine.
 Our kitchen reeked of beef and home-brewed ale,--
 All this I have endured. But now, by skill,
 With long entreaty, many tears and pouts,
 I have my will. Here all is well; my tastes
 Find kindred ones in this society.
 To dress in satins---What, the painter come?
 Betsy, my rings. Where's Fluff, the little dear?
 Come pet, we shall be painted; 'tis the mode,
 As Lady Bornwell said, "It does conclude
 A lady's morning work. We rise, make fine,
 Sit for our picture, and 'tis time to dine."¹

(Lady and painter in another room)
 You're welcome, Sir,-nay you may have my lips;
 I would not have you think I am too proud
 To give a fair salute to one whose art
 Has been commended highly, as yours has.
 Does this room suit your needs? I shall sit here
 With Fluff upon my lap; is all arranged
 As when my Lady Highborn sat for you?
 I must lack nothing that shows fashion now.
 This portrait maker has a skillful hand
 And will, I think, show me a lovely face.
 Though his salute lacked something of the warmth
 I would he felt, to paint me perfectly.
 I'll have the picture hung there, on that wall.
 How dull those hangings look, I must have new
 And richer, more plate too, a coach and four,
 Then whether guests come here or I go out
 I hold my place in good society.
 How excellent well bred are ladies here,
 Each skillful on the lute and in the dance;
 They speak such graceful French,--ce n'est rien,

¹ Shirley, *Lady of Pleasure*, Act 1, Scene 1

I, too, shall have the languages ere long.
Betsy, come here,--the gown I wore last week
When Nantolet was here to teach me French,
The blue one with lace collar, you may take.
I blush to think I might have been disgraced
By wearing that in company sometime
Which he, so lately come from France declared
To be of old design. How fortunate
To have a tutor from abroad, who knows
All proper forms in manners and in dress
As well as polite speech fine ladies learn.
The gentlemen must match us in French too,
Or be put out of favor; ladies do
But laugh to scorn the scholar's Latin prate.
Only last week at Madame Biddy's house
Her nephew, fresh from college, would have made
A classic declamation against gaming
But that she sent him out. 'Twas that same day
I lost ten pounds by great bad luck in cards.
I must have money to make up the sum,
A debt of honor cannot stand unpaid.
Sir, do not miss this ring, take care to show
The rich red color of the stone, for he
From whom I had it swore it was a pledge
Of his life blood devoted unto me.
You noted it? It is a gem worth praise?
A plague upon him who would take me thus
And praise the ring above the hand that wears it!
My husband's late in coming up today
'Tis not his habit to delay so long
What does he do that takes his mind from me?
But better that he should be slow at times
Than ever fretful when I am away,
As some, who think their wives should still be ruled
And never have a thought outside their homes.
Some wives I know are never truly merry
But when their husbands are the farthest off;
And these I would take as example, not
Those fearful creatures who submit to wrong
From jealous husbands, and will neither learn
To cheat their jailors by escaping bonds,
Nor yet oppose their masters, voice their wills,
And take the breeches for themselves at home.
Some of my friends, whose husbands are of soft
And pliant nature, are such shrews at home
They scarce allow their husbands any will;

As Madame Firm, whose husband dares not speak
 But by correction. These are mannish women.
 One does not need to follow them to find
 How to be happy in the marriage yoke.
 A woman need but to be gay, well dressed,
 Possessed of flashing wit and grace of form,
 And she will have her fun with gentlemen.
 In faith "our sex does hold it no dishonour
 To become mistress to a noble servant
 In the new court Platonic way."² A man
 Should not expect his wife to be content
 With only his society. If she
 Permits his company at times, devotes
 Some hours to pleasing him, and lets him seem
 To others master in his house, he has
 Good cause to count himself most fortunate;
 For now among my friend are few who give
 Their husbands any deference at all.
 If the man takes his pleasure, slighting her,
 Should not his wife at home, who winks at him,
 Relieve the time with company of beaux
 Who court her favor, bring her gifts,
 And praise her for all beauty, wit, and charm.
 A marriage match is made for gold, not love.
 My father had a name, my husband wealth;
 Alliance of those parts was made through me.
 They bargained well, my will was scarcely asked;
 And so, at seventeen, I found myself
 The mistress of a household in the country.

Look up with sprightlier air? Your sight is keen;
 You surely have a gentle heart to know
 I was distressed.-- -Fie! to his work again
 Without a word! He is too cold a man,
 With Nantolet his manners might improve.
 I'll mark that thought gave me the pensive air
 He noted but ungallantly declined
 To follow. Some, I know, are not all ice.
 But let it go. Those stupid days that galled
 And vexed me so, are passed. Here I have friends,
 (Hush Fluff, lie still, the painter is not done)
 Whose marriages, affaires de convenance,
 Like mine, have brought them no great joy. But they
 Still find their pleasures in their social life;

² Shirley, *Lady of Pleasure*, Act 5 Scene 1

Their cards, and French, and service paid by those
 Devoted courtiers ever in their trains.
 We do but keep our sex from being disgraced
 By that submission offered by some wives.
 If men could always give commands, 'Stay here,'
 Or, 'Keep your room' or, 'Kiss when I allow,
 And whom I shall permit, not otherwise,'
 The name of woman would mean only slave;
 But we who teach our husbands proper ways,
 To give us money, jewels, silks, and lace,
 To furnish out our persons, then deny
 To them the sole possession of our smiles,
 Advance our sex in men's opinions.
 For single men, who ever love a jest
 At husbands' cost, admire our subtle skill,
 And husbands are perplexed, and court again,
 And try to hold by pleasing them those wives
 Who would have been forgot had they been humble.
 You spoke to me? Not so? Perhaps a sigh
 Escaped you as your thought strayed to some one
 Whose beauty took you prisoner while you
 Essayed with brush to catch th'elusive charm?
 This painter is a dullard, will not praise
 Or even breath one courtly word of love
 Though this half hour I have invited him
 With looks that have won finer men than he.
 Why has no company come to me today?
 I have been up an hour and still no one.
 It must be the new beauty draws them all.
 She is not so much handsomer than I
 That they should throng her chambers, laugh at mine,
 As they must do if once she takes the lead.
 She will be spiteful too, the jealous chit;
 She knows my hand is fair and soft as hers,
 My foot as small, my figure shaplier too
 To catch the eye, nor can she pass my skill
 In woman's art of using white and red.
 Why is it then, the courtiers follow her?
 She is a widow, all the story's there.
 Her wealth is all her own, and is fair prize
 For any who can win her from her state.
 I shall be such a widow----

(enter husband)

--why, good faith,

You took me unawares. How do you like
 This gown, my pearls, and Fluff,-is he not fine?

Keep off a little, he is cross today.
 Indeed I can not keep him quiet now,
 He has been good so long, the little love,
 Betsy, come take him off and give him cream,
 We must not make him tired. We'll sit again
 Tomorrow at this time, you'll be here, Sir?

(exit painter)

Husband, you said the painter was from court;
 His manners would not give him credit there,
 He scarcely said a civil word to me.
 'Tis only in the hope mine might surpass
 My Lady Highborn's picture I endured him.
 You might have found me one less tedious, -
 But then you never care for what I feel.
 Yes, it is true you did come into town,
 But what have you done since to gain a place?
 You must be knighted, nothing else will serve
 To make me happy. I must see your name
 Gazetted for the knighthood, hear myself
 Called 'Lady Dowell', 'Madam' is too low.
 You know no way to gain this honour? Fie!
 'Tis easy, I will manage it. I'll see
 My friends who have some influence at court,
 Already I know some would plead your cause
 To win a smile from me. You must expect
 To see me lavish favors generously.
 Now you're pleasant, but though I may take
 That way to honour, which is shut to you,
 You have another that will win as far, --
 You must spend money with more graceful air,
 Not watch so closely every piece that goes.
 A jewel here, a few pounds tossed away
 In sight of men of noble blood, whose purses
 Are richly worked without but thinly lined,
 Would gain you credit for a noble spirit,
 And one with means, which they'd be glad to know.
 Stay, hear me now; you take it all too hard.
 What end is gained by keeping close your store?
 That careful country thrift does not serve here
 T'advance one's fortune among men of rank.
 But let them see you have a generous hand,
 Invite as guests the best who will attend,
 Then entertain with handsome disregard
 Of cost, and for your money spent you'll reap
 A title; other men before have found
 This way. Do you but lay the golden road,

And see that those who tread it by your means
 Are gentlemen who'll make you one of them.
 Oh, have no fear to that, they will do so,
 For they'll not lose you, once they find you out.
 We shall live well, it is my plan to lose
 No opportunity to court the great.
 I need more money too, you'll not be cross?
 All my display will help you to your end.
 So come now, play your hand with cunning skill,
 And let your money speak your name at court;
 (There are coffers there will recognize your worth)
 You'll be a knight before the year runs out.
 Nay now, I'll not hear anything against
 The plan. Others on slighter grounds than wealth
 Like yours have been so honoured. I am vexed
 To find myself at table put beneath
 Some saucy matron with not half my charm,
 Who cannot show a tenth the finery
 I wear. I must be given a place! There is
 No other way to gain it but for you
 To use your gold--- A message come? For me?
 Oh, husband, fortune smiles! The young Lord Gay,
 One I am sure of better birth than purse,
 Will wait upon me here. Leave us alone.
 I'll work upon him first; do not forget
 Your part must ever be to use your gold
 As I direct. Farewell.--- I must succeed.

(exit husband)

My husband cannot live so long but I
 Shall still be young and fair when I am left,
 And when I come into society
 A widow, I intend to know in full
 The pleasures of that state; the freedom that
 Belongs to our sex only at that time.
 No man can check my will in anything,
 And courtiers shall attend me every hour.
 I'll be the target for all amorous darts.
 I'll be a wayward mistress, and a proud.
 But to that end I must be so adorned
 That none will dare forsake me, lest he lose
 A precious prize. Wealth I will have; all's mine
 The day my husband dies; but to complete
 My satisfaction in my widowed state
 I must be called 'my lady', have my house
 Frequented by the finer gentlemen.
 My husband must be knighted,----

(enter Lord Gay)

--Why, my Lord,

You're happily come, who charmed my thoughts but now.
You have been with the widow Flirt? Well, yes,
Some call her fair. I grant her face seems so,
I'm sure, my Lord, your eye for beauty's good.
She makes a show indeed, yet I protest
Her eager nets spread out to snare all birds,
Her banquets and her rich attire, her gowns
Embroidered thick with flowers of gold and pearl,
Show too much haste to yoke herself again
To judge her a fair wife. She might have borne
Her widowhood less joyously at first.
And though she is a charming creature, (I
Will still acclaim her such, although I think
Your pretty sister Belle surpasses her,)
I fear she is a bloodless mistress too;
Would care for any who would give her wealth
And ease, for her estate's less fair than she
Would have men think. But let that pass. In faith,
I'm sure it's naught to you. But come, my Lord,
You must pass judgement here. 'Tis incomplete,--
But with what skill think you, has th'artist caught
My look and manner? Fie, my Lord, you still
Will flatter me;-- but, is't your thought in truth?

**Notes from a telephone interview with Anne Draper
July 27, 1995**

by Joan Merdinger

Anne Draper was a colleague of Elizabeth Paschal's from 1946 to 1948 at the Social Security Administration. These notes were taken during a telephone interview on July 27, 1995.

Anne Draper explained that she had worked for Elizabeth Paschal during the period 1946 to 1948 in the Program Planning section of the Bureau of Old Age and Survivors Insurance. Still in its infancy, the Program Planning section worked on legislative amendments to expand Social Security coverage, dealing with many technical questions as well as answering letters and complaints. During the time that she and Elizabeth worked for the Bureau, an applicant for Social Security needed to work for only six quarters in order to qualify for benefits. The single benefit available was for old age, until 1939 when amendments added survivors and dependents.

Anne described the Bureau's offices as having the equipment of the times: no air conditioning, fans that blew work everywhere, no computers, no calculators, statistical clerks running machines, and 12-15 carbons of every document. Though the pace was much slower back then, she described the organization as "always restructuring, combining, and making bigger units."

Annual reports were required of the Social Security Administration by the Ways and Means Committee. Anne recalled that the 1948 election was rather critical with Truman headed for defeat and preparation of the annual report underway. When Truman won, a complete revision of the report was required.

The Murray-Wagner bills provided for universal health coverage, but these did not pass. The 1950 amendments to the Social Security Act applied coverage to farm workers, domestic workers, and those who were self-employed. The work clause in the Social Security Act stated that you had to be retired in order to get benefits. Anne described this as "a constant pain in the neck and a continuing issue with the 1950 amendments."

Anne remembers Elizabeth as "a crackerjack person: lucid, decisive, and tough but fair." Elizabeth believed that employees should not work overtime, that they should accomplish their work during the day and then leave. Other administrators judged their employees by how late they were willing to work, but Elizabeth was not like that.

She recalled that Elizabeth was passed over for the next upward position, describing the Social Security Administration as an "old line agency, pre-women's lib." Anne said of Elizabeth, "She would have been heading something or other, probably the Council on Economic Advisors, if women hadn't been held back as they were."

There were some traumatic events that occurred in relation to Senator McCarthy and the loyalty oaths required of all federal employees. Anne said that this reached into their section and actually helped to cement loyalty within the group.

**Career panel speech given by Elizabeth Paschal
Wellesley College Alumnae Association Regional Forum
San Francisco, October 27, 1994**

I am the oldest member of this panel and its only unmarried one. In my generation, unlike today, few well-educated married women worked outside their own homes for pay, and the professional opportunities open to them were sharply limited. While I was in college, majoring in sociology and english, I became interested in the field of family law, and began to think of going to law school. Law and medicine were both professions in which a few women, some even married, had succeeded. Entering graduate school would defer, but not signal, a final choice between marriage and a career.

But circumstances beyond my control intervened and I was set on quite a different course. At the start of my senior year, my father was unable to finance my return. All scholarship money for the year was, of course, assigned by then. But President Pendleton found an individual who was willing to lend me the necessary funds. So I graduated \$1100 in debt and in urgent need of a job, not law school. \$1100 may seem a trifle today, but it paid room, board, tuition, and incidentals for a year, roughly the equivalent of \$25,000 today.

Where in the labor market was I to find some niche for a liberal arts B.A. without experience? By great good fortune, I met a woman who ran an employment office and who was genuinely interested in my situation. She taught me shorthand and got me a temporary office post, but within a few weeks, sent me to interview a professor of rural sociology at the University of Nebraska. He was looking for an assistant to direct the work of a crew of six students who would be putting together a statistical report on rural life. The professor did not ask, and I did not volunteer that I had no knowledge of statistics. With confidence in my Wellesley education and with desperation for the \$1200 per anum offered for the work, I accepted, to begin on the following Monday. Then I sought out the professor who taught statistics and found him both amused and helpful. Over the weekend, he took me through the highlights of a year's course, and I was able to keep ahead of my crew of six and to complete the report to the satisfaction of my professor.

By the end of the year, I had reduced my debt by nearly one-third, but it was clear that I still needed to work and that ultimately, I would have the support of my mother as well as myself to consider. I decided that I could most easily prepare myself for teaching in a college. Wellesley came to the rescue again. President Pendleton offered me a place in her office, with time off to take courses leading to the Master's degree, an essential first step to college teaching. Within two years, I completed that degree with a major in economics and got my first post as Assistant Professor of Economics and Sociology.

After several years of college teaching, broken by a couple of years during which I earned a Ph.D with a major in labor economics and a minor in law, I seemed to be settled in a career path which was secure and gave scope for interesting study, but with which I was not entirely satisfied. I was in a so-called "man's field," economics, and in those days, the opportunity for women to reach top positions in that field were miniscule outside of colleges for women. Then I was offered, and accepted, a one-year appointment as Regional Supervisor in the study of income and expenditures being undertaken jointly by the federal Bureau of Labor Statistics and Bureau of Home Economics. I had five states in my region and was responsible for setting up offices and hiring personnel in nine cities, supervising the collection and verification of data, and coordinating our work with that of state welfare offices. This was in the depths of the Great Depression and many of our workers were taken from relief rolls. It was a challenging and varied experience, and one which helped me decide between marriage and career.

For during that year, the question was put to me bluntly by a man with whom I had a relationship that had seemed to me satisfactory. It had also been so to him earlier, but he had reached a point in his career when he was ready for marriage and a family. Indeed, the absence of marriage was beginning to cause unpleasant comment and could slow his advancement. Although the advanced career track for women was occupied almost entirely by unmarried women, the reverse was true for men. It is interesting that a recent study indicates that, even today, married men earn more and receive promotions earlier than do single men of equal skill and age. So, a man I loved wanted a wife who would stay home and rear children. I protested truly that I had my mother to support. He countered that of course he would give her the support I had been giving. Perhaps my college experience of someone else influenced me, but certainly the fun I was having in the responsible position I held was a major factor in my choice. I was unwilling to give up my freedom to decide whether or not I would work after marriage. His masculinity was affronted by the possibility that he, unlike the great majority of his colleagues, might have a wife in the labor market. Neither of us would give in; the choice was made and I was on the fast track for a career.

Today, this scenario seems absurd, but it affected many women of my generation. I do not regret the choice I made then, but I am happy for many younger women for whom no choice is necessary. I went on to progressively more interesting and more responsible positions, in each of which something from my previous experience helped me. I did research for the American Federation of Labor, headed a program planning branch for the newly established social security administration, and, best of all, was an executive - a token woman executive - in the educational division of the Ford Foundation during its experimental early years.

Finally came the challenge which nearly every individual or family must face at some time - that of retirement. I have known men to become physically ill when their regular employment ended. The lack of familiar responsibilities, the loss of status, the absence of a secretary, the feeling of not being needed, all take their toll. For a successful career woman of my day, there was the additional factor of dramatic change in human contacts. My business associates, for example, were overwhelmingly men, but as a retired single woman, my associates have been chiefly women. I enjoy the company of women, but I miss the masculine mind too.

I cope with retirement by arranging a variety of activities. I volunteered to talk with foreign graduate students in Stanford University's English in Action program. I have had a succession of Japanese partners, some of whom have kept in touch over the years. When the Loma Prieta earthquake struck, I had three phone calls from Japan asking about my safety. And frequently, one or another of my former partners, revisiting Stanford, calls on me. I take some classes at the Senior Center and on my own, I have been learning something about modern physics because it seems a shame not to keep up with new discoveries. I helped form a group of women with diverse backgrounds and interests into a colloquium which meets monthly. Each of us is responsible once a year for giving an hour's presentation on a topic she chooses. We all agree that the value of this colloquium is that each presentation is a source of new interests. Wellesley Club activities keep me in touch with friends and I have participated in development work for the college. I have done a great deal of travelling here and abroad. For me, the formula for successful retirement is like that for success earlier: "keep your mind flexible and active, and enjoy your life."



April Edition, 1995

Dianna DiSabatino '83, President

Wellesley Club Newsletter



Oral History Project

Elizabeth Paschal '24

Many of us in the West Bay Wellesley Club who know Elizabeth Paschal have admired her professional accomplishments and her outstanding personal qualities including her lively intellect. Those of you who heard Elizabeth speak at the Region 9 Forum in San Francisco last October already have some sense of how interesting her life has been.

We now have the opportunity to document her life with the assistance and support of another Wellesley alumna, Lee Swent '49, who is a professional Oral Historian at U. C. Berkeley's Bancroft

Library. The director of Oral History at Bancroft has already told us that they would like to have Elizabeth's history in their collection. The nucleus of a committee has formed but we would like to offer others the opportunity to find out more about this project. It should be very rewarding to interview Elizabeth and to work with Lee.

Joan Merdinger, Suzanne Gunther, and Sandy Eakins are already signed up to work together and we would like to hear from others who might be interested. Please call Sandy at (415) 494-7493 or (415) 961-2064.

**Excerpts from an interview with Elizabeth Paschal at the
West Bay Wellesley Club's annual meeting,
May 14, 1996**

Participants: *Marcia Adams, Sandra Eakins, Joan Merdinger, Elizabeth Paschal, Mary Elizabeth Schmidt*

Sandra:

We have been asked to report on the progress of West Bay's oral history project of our distinguished member Elizabeth Paschal, class of 1924. Today, we would like to talk a little bit about the 'story of the story' and about the field of oral history as well. Mostly, we will attempt to provide you with some exposure to the process and let you experience listening to Elizabeth describe and interpret experiences and events in her life.

Why Elizabeth? Well, if you know her and you listen to her respond to a few questions, the answer is obvious and the question becomes merely rhetorical. To paraphrase one of our members, Barbara Smith, who once told me, "When I moved to Palo Alto and first went to an Arts & Letters luncheon meeting, the group was celebrating the eightieth birthday of a woman who appeared to be no more than sixty. I observed this person and soon decided that even though I couldn't tell exactly what it was that made her so special to all, I just knew that I wanted to be around her and see what might rub off on me." Being drawn to Elizabeth is a normal experience for us in West Bay - her extraordinary mind, curiosity, lively manner, friendliness, energy, and her active serenity.

The interviews got started in May, a year ago. Mary Elizabeth prepared her questions and had hers done in just a few weeks. She was the first to go through the process of transcribing the taped interview, getting a draft to Elizabeth for editing, and then applying the edits to produce a polished interview. And it turns out that Elizabeth is just the best editor: she corrects spelling, she fixes grammar, and it's all just done in a day or two!

Each one of us chose a different way to get our interviews transcribed. My daughter is doing mine; Joan contracted hers out to a professional transcriber; and Mary Elizabeth, Stacia, and Marcia did their own.

Marcia: It was really fun because I had the opportunity to listen to it all over again and just enjoy the interview.

Sandra: Mary Elizabeth decided that she was going to do even more. She decided she would make her own transcribing device! She brought it to our last meeting and showed us what parts she'd bought from the hardware store and what parts she bought from Radio Shack...

Mary Elizabeth: I think I'm going to patent it!

Sandra: And it works!

What I thought we would do today, because you've certainly listened to me for plenty long enough, is to demonstrate part of the oral history process. Elizabeth and I are going to re-enact what some of the interview process was like.

But before we do that, I want to say that there will be ways - for anybody that wants to get involved - to contribute to this project. Walter Haas, whose family owns the Levi Straus company, decided several years back that he wanted to have his life recorded. So, for his birthday, his children gave ROHO the funds to have this done. Our committee decided that because we have talent and because we were a very cooperative group, we would just do it on our own. We are Willa's first volunteer group, her first *group* group, and the first video taped oral history!

Now, back to a demonstration of the process. Here's the first question...

Sandra: You're such an unassuming and modest person. What were your first reactions to having your life documented, even exposed?

Elizabeth: I think you've already said it. I really couldn't see why anybody wanted to bother to do it! (laughing) A number of my friends have been working up their own histories for their children or grandchildren and since I don't have any, I couldn't see any good reason why my history should be done at all!

Sandra: What was the actual experience like for you? - the difficult parts and the best parts?

Elizabeth: I suppose that the most difficult parts were those that aroused deep emotional feelings. It was very interesting to discover that I had new ideas about things that I hadn't thought about for many, many years. I suppose the best part is that it gave me a chance to go back and think over a lot of things that have been very pleasant, even fun, in my life that I haven't thought of for many years. That, I would say, was what I enjoyed most.

Sandra: I wanted to go a little further on the topic of memory and memories. Do you recall an internal process or did you experience some kind of internal process of recalling, maybe even re-experiencing...?

Elizabeth: Yes, when an interviewer asked particular questions, quite often I had a sudden recollection. I suppose, in a way, my memory is visual and I could see certain occasions when things were going on. Also, if one subject is raised and it splinters off into other subjects. Ideas would pop up - things that had happened many years ago and people I had known - and that was a very interesting part of it: to realize that there were memories there that you haven't paid any attention to for 80 years or more! (laughter)

Sandra: I know you told Mary Elizabeth some really interesting stories about World War I and you said that you had some new reflections.

Elizabeth: I think the most surprising thing to me was to discover that there has been sort of a pattern to my life. I've not stayed with any one job through my life and I would have said that I'd moved around kind of miscellaneously. But when I really got to looking at all of these different interviews, I think I've had a reasonably good progression from one thing to another. Although I've moved from one kind of job to another, usually my new job has had occasion to use what I learned before and it seems to be a fair progression that has added up to something.

It seems to me that you shouldn't ever let yourself get stale. If you feel that you're inevitably blocked in one thing or that you have done something long enough that you are just doing it mechanically, then it's time to move on, do something different.

Sandra: There were some favorite stories that Mary Elizabeth told the whole group about, for example, the one about the green knicker sui. Can you tell us that story?

Elizabeth: Well, you know I went to college in 1920. After the war, there were some changes in customs and dress and so forth. In my sophomore year, the knicker suit came out. (I brought a little picture of myself in my knicker suit... Here, you can pass that around.) (laughter) You can see from the modern period that there have *really* been changes.

Mine was a pale green knicker suit. A group of us had gone up to Rockport, in Maine, for spring vacation and we were all wearing our knicker suits. We were parading down the street with a bunch of children following us because we had some candy and were giving it away. There was a little boy walking along on the other side of the street. We said, "Come on over. We'll give you some candy." He said, "I can't," and we said, "Why not?" He said, "My momma told me to stay away from those college women that wear pants!" (laughter)

Sandra: There is a story that you told Barbara as well as the group. It's about statistics and how you got one of your early teaching jobs.

Elizabeth: Yes, when I got out of college, I was \$1100 in debt. That may not seem like very much money, but it was in those days. \$1100 saw me through my senior year in college and paid for my transportation back home. So you can think somewhere in the neighborhood of \$25,000, as a comparable debt today.

I had to get a job right away and a very nice woman - somebody that I hadn't thought of for a good many years - who worked in an employment office told me that a professor at the University of Nebraska was looking for a research assistant. I went to interview with him and discovered he wanted someone to manage a small statistical study that he was carrying on with some of his students, to see through the collection of data as well as writing up the reports. About 6 students were involved.

He never asked me what experience I'd had with statistics. I'd never taken any courses in statistics, but I wanted the

job very badly, and I thought, I could learn something about it before I went to work. So I said that I'd like to take the job. Then he said that I should start the next Monday. I hunted up the professor of statistics at the university and told him my tale. He was amused but very helpful, and he and I went through the first course in statistics over the weekend! (laughter)

It isn't too difficult to keep learning ahead of a small group of students, so I got through the year very credibly and I don't think my boss ever knew that I didn't know anything about statistics when he hired me! After that, I took a proper course. (laughter)

Sandra: That's wonderful; thank you!

Elizabeth: Well, you can see that it wasn't terribly scandalous. (laughter)

Sandra: Let me go to a Social Security Administration story. In fact, this one is cited in the newspaper story that's being passed around. It is about a man named Defurz...

Elizabeth: When the Old Age system began operating, many of the first claimants had no good documentation of their births. You were going back several decades into the 19th century and many people - and particularly many of the black people in the South - had never had an official birth record. So the office force tried all sorts of ways to get proof. If the claimant didn't have a birth certificate, sometimes he had a church record or a relative who could remember when the person was born. They were rather liberal in taking whatever documentation they could get.

In one claims office, they were dealing with an old black man and they were pretty sure he was over 65, but he couldn't come up with anything that could prove his age. In the course of the interview, they had found out that his name was Defurz Johnson. Thinking that maybe they could trace a connection, they said, "Is Defurz a family name?" And he said, "Oh no, my momma called me that 'cause when I was born, it was de furz day we wasn't slaves no more!"

Sandra: I think I don't have to comment, but I will. That's the human face of history. That story epitomizes the 'human

face of history' and shows that good stories like that should be in the history books.

On a more serious note, a story that I found very provocative is about your offer to resign from the Foundation when you were the only woman executive.

Elizabeth:

The Ford Foundation was a very complicated organization at that time. It had started out with a number of Funds, which were wholly owned subsidiaries. To begin with, I was in the Fund for the Advancement of Education (FAE), which dealt with formal education in the schools and colleges. Later, the FAE became the Education division of the Ford Foundation and from then on, we all wore two hats: the Fund's and the Foundation's.

I was the only woman in the executive staff of the FAE and the only woman of my rank in the Foundation. Let me comment on something that pleases me very much. The new president of the Foundation is a woman, a very great change from my day.

In practically every job in those days - and a good many even today - women were not paid as much as men for comparable work. You couldn't just not take a job because you weren't going to be paid as much as other people were. Still and all, when I went to the FAE, I had had a good deal of experience behind me, and I asked for what sounded like an outrageous salary and I got it.

But after about a year, when I was in a meeting, someone raised the question of salaries for the next year. It became obvious that all the men had received a raise and I hadn't. So I wrote out a resignation and the president said, "Why are you resigning?" I said, "Obviously, I'm not doing a satisfactory job." He said, "Of course you are. What makes you think that? We don't want you to resign." And I said, "Well, everyone else got a raise and I didn't." And he said, "We really hadn't made up our minds about what everyone was going to receive yet. Of course you're going to get a raise!" (laughter) So I got an extra \$1000 added to my salary.

Sandra: In my interview with you, there was a question you answered so completely and thoughtfully that I'd like you to do it for this group too, and that is about social security.

Elizabeth: I think it's going to have to change drastically because obviously it's not going to meet the needs in the future, for the recipients of benefits or business or the people who are paying taxes for it. When the program started, benefits were relatively modest in relation to salaries. They were never expected to cover a person's entire living after retirement. Coverage was intended only for people who had been working, making a reasonable living wage, and who had some other resources to supplement social insurance when they retired. The number of people who retired was small compared with the number of wage earners paying into the pool from which benefits were drawn.

Successive amendments to the Act have made it more expensive. It's outrageously expensive now in terms of the amount a person has to pay in if he's going to be in the system over a long period of years. He could have done much better if he'd saved that money and invested it himself or put it into private insurance. Over the years, those alternatives would have produced more than he would receive from social security after a lifetime of work.

That wasn't true in the early years because in order to make it possible for the number of workers approaching retirement age to receive adequate benefits, the amount that you received in benefits was very large compared to the amount you paid in. For people of my generation and earlier, it has been a very good deal. But it's not possible to sustain the present system when the number of retirees is so large compared with the number of working tax payers. I should think most people would be entirely unwilling to go on paying into a system in which the return is so small compared to the taxes they had paid over a working lifetime.

Furthermore, at the time they were added, benefits for wives and widows were not unreasonable in view of the fact that most women were not working outside their homes full-time. Now, when most women are working outside their homes for salaries which would give them a benefit somewhat comparable or greater than they could

get based on their husband's work, it looks unfair from both points of view. It's unfair to the single woman who is supporting herself completely and doesn't have an opportunity to choose between the benefit on her own salary and that of a husband, and it doesn't look fair to the working woman who says, "But I've paid money into the system and I ought to get a benefit from that in addition to that from my husband's account because my next door neighbor, who hasn't worked and paid in anything, is drawing on her husband's account so why can't I draw on my husband's too?"

So the present social insurance system is no longer appropriate for people who are going to be in over a number of years. And I think it's going to have to be *drastically* changed before it will serve the purpose for which it was established.

Sandra: Well, that brings me to the end of the questions that I've prepared for the day, but I'd like to ask you if you have any other comments?

Elizabeth: I've just been reading a small book by Malcolm Cowlick called *The View from 80* which was based on an article he wrote many years ago when he achieved his 80th birthday. I was interested particularly that he said that when you have retired, you need to do something. You must have new ideas in your life to keep going, to keep your mind and body active. Something that appealed to him, which he was going to go into, was a review of his life. I thought that he had something there, and I think this review that you people have pushed me into (laughter) has been a very good addition to my retirement activities!

Sandra: Thank you. I'd like to close by saying that I think that the process has been very rewarding to all of us. Each of us made unique contributions. Marcia is our lawyer; she drew up the release forms. Joan found Elizabeth's dissertation on microfiche at San Jose State copied it for inclusion into the book. Stacia used her considerable computer skills to scan photos and to format the content professionally.

Thank *you* very much.

Audience member: Would Elizabeth mind if the rest of the group asked some questions?

Sandra: Not at all. Elizabeth is center-stage.

Audience member: What about Wellesley? What was it about Wellesley that you felt helped you?

Elizabeth: I suppose it was not only a good education, which it certainly was, but also a number of the faculty that I got to know well and the president - President Pendleton - were women who had good experience in a day when it was not usual for women to have jobs. *The Adamless Eden*, a book about Wellesley faculty in the early days, I recommend highly because that group of faculty women were very good role models for young women. Although many of the faculty named in that book were gone before I entered Wellesley, some, such as Katherine Lee Bates, with whom I had a seminar, were still there. And I relish the experience of knowing and talking with that group of women and many equally good successors.

Audience member: Were there many of your classmates who worked fulltime?

Elizabeth: Not nearly as many as got married. In my day, of course, it was *very* uncommon for a woman to get married *and* pursue a career, if her husband could afford her support. A few of my classmates who were doctors were able to run a home and also keep a doctor's office going, particularly in family practice, and a very few married women went into law. Those were the two professions in which it was, perhaps, easier for a woman to be married and also have a career. But mostly, it was choice: either you married or you pursued a career and not many women of my generation chose the career path.

Audience member: Did you plan from the beginning of college for a career?

Elizabeth: I don't think so. I think I was more or less pushed into it by need, and stayed in partly by need, and then later, as I got better and more interesting jobs, because that's what I found I enjoyed. That was something that was fun.

Audience member: Did you keep a diary or have a lot of old pictures to use in your interviews?

Elizabeth: I do have some old pictures - I just don't think I have very much in the way of written information.

Marcia: What Elizabeth has is an incredible ability to remember an amazing amount of things. The oral history process also seems to stimulate the recollection of memories, ideas, and so on.

Audience member: What is the market for oral history books?

Elizabeth: If I understand it, they sell mostly to libraries. These oral histories are not something that appear in a bookstore. There are about 700 libraries, I think they said, across the country that get the catalog from Berkeley, of what is available in oral histories. And then they can order a book. I don't think Berkeley publishes books - that is, they don't make any large number of books - but they have the basis for producing one if a library wants it. They send out a list to the libraries across the country identifying what oral histories are available. It's mostly research libraries that are interested.

Audience member: What was the hardest part of the project?

Joan: The hardest part of this has not been the interviews; it's been the mechanics, the transcription. And then the transcription isn't the finished product. It had to go back to Elizabeth again. Elizabeth has been the fastest part of the whole process. The slowest part has been working with the computer and incorporating editing changes.

Audience member: Why does it cost so much (\$20,000) on average to produce an oral history?

Joan: The \$20,000 for putting together an oral history has a lot to do with the time it takes to produce the book. Interviewers spend a lot of time doing research, preparing for interviews, and then after each interview, doing the transcribing, editing the hardcopy, incorporating the changes back into the electronic copy, etc. We saved a large amount of money by doing the transcription ourselves. The oral history training indicated that for each hour of interview, it takes eight hours of transcription.

Elizabeth: They did the work, I had all the fun of remembering and so little work to do! (laughter)

Joan: I want to share something that was just so exciting for me. I had volunteered to find Elizabeth's dissertation and I had a lot of trouble figuring out where I could track it down. Well, I finally was able to find it at San Jose State. I put the microfilm into the machine and there appeared Elizabeth's dissertation. It was so exciting!!.... When people work on a dissertation, it's very important to have at least a piece of it published, but Elizabeth's entire dissertation was published serially in *twelve* print articles in *The American Federationist*.

Audience member: What was it about?

Elizabeth: The Workers Equity in the Job.

At first, you [Joan] weren't even sure there was such a journal as *The American Federationist*. I said I know there was because I had copies of it at one time and then not too long ago, I threw them all away!

Joan: Didn't you say to me "Oh! I threw them out! Oh no!" (laughter) You had said, "Who would want those?" and it turned out that *we* did. Elizabeth's dissertation will be one of the appendices; in fact, all of Elizabeth's publications will appear as appendices.

Doing this oral history was such a valuable experience. I really felt - I'm in my forties and I don't know where the rest of my life is going to take me - that it was wonderful. There's something about the pattern of Elizabeth's life. It was just wonderful to talk with her about issues and situations. For me, it was a revelation. It was really wonderful, just a wonderful experience.

I think also we were talking about the Social Security Administration and Elizabeth had written a letter to the editor of the Palo Alto Weekly because there had been a question raised about something that she had dealt with in the 1940's. It wasn't as though this was *just* history; we dealt with very current issues.

Audience member: What do you see as some of the important changes in careers for women?

Elizabeth: This century has been full of change. But some of the problems are still there only in a different form. Take what I just said, that in my day it was unusual for a woman to work outside her home if she was financially able not to. Of course, there were a lot of women who *did* work outside their homes when they were married, but that was because they needed the money and were not supported by their husbands. Many of these people had little education and very low-paying jobs.

Now, you have a lot of well-educated women working outside their homes. They have a different kind of problem from that which confronted their class of women before. Now they have to balance their choices. If you're going to raise children and also have a full-time job, you have the problem of how much time do you give to your family and how to manage child care in a way which does not damage the child. Is the additional family income worth the sacrifices made to get it? Does the woman who is a full-time homemaker lose something in her personal independence and satisfaction? How does a woman's career affect the marriage relationship?

I believe that it would have been impossible for me to have had a family with small children and variety of things that I did because in some of my work, I did a great deal of travelling. When I was working for the Foundation, I was on the road about a third of my time. I don't know how I could possibly have been away that much and given proper care to small children.

The thing is, if a woman is to have a satisfying career outside her home, she now has to balance that responsibility with what she's doing in her home and that's a new wrinkle on an old problem. And it's true of many things.

Women are not paid what men are for equivalent work. To some extent, that's reasonable because even today, if a child gets sick, it's more likely to be the woman that stays home with the child and misses time from her job and therefore, her employer probably thinks, "Well, women are not quite as reliable."

A woman may drop out of the labor market for awhile. She may think, "I'm going to start my career right after I'm out of college and then I'm going to stop and get married and have children, and then I'm going back to work. But what she doesn't realize is that it's not the same experience. You can't go back into a career which you left completely for a year or more and expect to be on the same level with people who have been working at that career all along. So some of the differences in pay between men and women today, I think, are actually reasonable. What we need are greater changes in the whole social structure with more total equality between men and women both in the labor market and in the work at home.

Audience member: Perhaps social security needs to be changed to fit the new situation of so many more married women working.

Elizabeth That's right. That's right, and you have the same thing now with this question of whether the term 'marriage' should include single-sex marriages. Because if you're going to have two men or two women married, should one of them get social security on the other one's account? That would certainly come up under the law as it's written at the present time. And I don't really see why social security should be written *today* as it was written about sixty years ago. Because the number of women who depend totally on their husbands' salaries is very much less today, we really ought to make the law meet the circumstances of the present economy.

Audience member: Wages seem to be going down generally and two incomes are needed in many homes just to make ends meet.

Elizabeth I think that's a serious situation and part of the reason is that there has been a decline of trade unions. Trade unions were much, much stronger in the New Deal period than they are today. There were many more members and they had much more influence with Congress. I don't know whether they can recover that with the present sentiment strongly against them. They are making an effort to recruit new members under the new president of AFL-CIO. They may be well advised in the present situation to look more toward cooperation and less toward confrontation.

Audience member: Is stock ownership by employees a good substitute for higher wages?

Elizabeth: Stocks are a help, but it doesn't make up for inadequate wages and working conditions. Stock ownership is one thing, but it's also risky. Everybody ought to have some investments, but it shouldn't substitute for a fair wage income as a direct return for work time.

Wages, I think, are much more important to the average worker because they are directly related to and they don't depend on the stock market shifts. If you're into investments, you have to be prepared to lose as well as gain, and the main thing to the average worker is to be able to count on what he will receive. On the stock payments, you can't be sure you get away without any losses! Stock ownership is, therefore, more appropriate compensation for those at high wage levels.

Audience member: Is this oral history what you would have done if you had written it without the interview method?

Elizabeth: I think if I had set out to write my own life history, it would not have come out quite the way it does with the interviews because some things I wasn't asked about would probably have been included. But I'm very sure of one thing, and that is that I never would have set out to write an autobiography! (laughter) So it would have been different, yes, if I had written it entirely myself compared with answering questions, but it would never have been done.

THE WORKER'S EQUITY IN HIS JOB

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Chapter I

Introduction

A CONCERN over security of work is nothing new in American trade unionism. The working rules developed by the effectively organized unions, such as the International Typographical Union, the United Brotherhood of Carpenters & Joiners of America, and the Railroad Brotherhoods, have invariably included provisions for security of tenure. Within the last fifteen years a number of individual plants recognizing the value of lessened turnover have taken steps to render employment more regular and more secure to the individual jobholder. The business depression of the last four years has brought the problem of job security acutely to public attention. With the number of unemployed soaring, variously estimated to have reached fifteen to seventeen millions, the question of the worker's relation to the job he once called "his" takes on new significance. Has the worker any "right" to his job, any equity in it? If so, what is the nature of the right? On what is it based? What tendencies can we see toward a wider legal and social recognition of such an equity? And what sacrifices must the worker or organized labor expect to make in the process of attaining the greater job security they desire? It is to the examination of these questions that this study is addressed.

William Green in a number of editorials in the AMERICAN FEDERATIONIST has declared that labor has a "right," a right despite the fact that employers accord it small recognition.

Workers employed in a business undertaking make an investment in the undertaking that is just as essential as the capital invested. Labor and management are the partners of those who supply the capital.

Acceptance of this fact entails the recognition of the equities of these partners and provisions to secure their rights. For the wage-earner the major equity is job security—the obligation of the establishment to continue to provide employment or to make an adjustment with the worker based upon the recognition of his equities.

The right to work implies a legal right to income from the industrial undertaking that has enrolled the worker as a member of its producing staff.¹

Workmen create the products upon which the firm's goodwill is built up. Their personal capacities go into the job. Their work is their investment. While it represents intangibles, it is an indispensable element in our economic structure. These investments of wage-earners give them a stake in the industry and entitle them to recognition as an associate in the industry. This recognition can take the form only of job security with reserves to take care of emergencies.

¹ AMERICAN FEDERATIONIST, XXXVIII, 1325, Nov., 1931.

Property can not continue to enjoy social sanction for its rights without mutual recognition of rights of others who are partners in the same undertaking and whose services are necessary to its success.²

Characteristically the wage-earner in this country is employed "at will." The freedom to take or quit a job has been balanced by the employer's freedom to hire or fire. As against his employer the employee at will has no common law property right in his job. The reciprocal rights in the master-servant relationship will be discussed more fully later. Let it suffice here to note that the most usual employment relationship has been a "liberty-exposure" relationship, the employee having no claim on the employer for his job, the employer not able to take action against an employee who chooses to leave his work.

Organized labor has hoped to show that the worker has a property right in his job, a right accruing from his investment of time and skill. If the concept of property could be stretched to cover a man's job, his right to it not only as against a third party but as against his employer, the courts would protect his property as they have protected such intangibles as goodwill and access to the markets. The concept of property is not inflexible. It changed from use value to exchange value, from tangibles to intangibles, between the Supreme Court's decisions of the Slaughter House Cases (16 Wall. 36, 1872) and the Minnesota Rate Case (134 U. S. 418, 1800).³ This change in

² *Ibid.*, 675, June, 1931.

³ See discussion in J. R. Commons: "Legal Foundations of Capitalism," ch II.

the meaning of property has tremendously increased the protection extended to the going concern. Under the fifth and fourteenth amendments of the Constitution it is protected against Federal or state attacks on its property without "due process of law." Under equity practice its property is protected by the injunction against threatened "irreparable injury." It is these protections of a "property" including the employers' right to commodity and labor markets which have so frequently blocked the efforts of organized labor to extend its organization or gain its ends.

It is questionable whether, even if the courts recognized in the man employed at will an absolute property right in his job, organized labor would gain as much as business did with the recognition of property in intangibles. Legislation aimed at correcting the economic inequality of bargaining strength which hampered labor in spite of its legal equality with its employer, has been nullified by the court's interpretation of the property protected under the fifth and fourteenth amendments.⁴ Legislation checking the economic strength of organized labor in order to equalize its bargaining power with that of employers is improbable in view of the tremendous concentration of power in the corporations, the major employers at present. Labor does not need to argue a property right in order to defeat such legislation.

Against individual encroachments on the property in the job, if such were established, labor would have

⁴ *Coppage v. Kansas*, 236 U. S. 1 (1915); *Adair v. U. S.*, 208 U. S. 161 (1908); *Truax v. Corrigan*, 257 U. S. 312 (1921).

recourse to the equitable relief of the injunction. However, it is not necessary to wait for an absolute property right in the job to command this relief. The injunction, although most frequently invoked to protect property, has been extended at least to the protection of liberty. Mr. Justice Hughes in *Truax v. Raich*⁷ said,

Equitable jurisdiction exists to restrain criminal prosecutions under constitutional enactments when the prevention of such prosecution is essential to the safeguarding of rights of property. The right to earn a livelihood and to continue in employment unmolested by efforts to enforce void enactments should similarly be entitled to protection in the absence of adequate remedy at law. . . . The right to work for a living in the common occupations of the community is the very essence of the personal freedom and opportunity that it was the purpose of the amendment to secure.

In *Texas and New Orleans Railway Company v. Brotherhood of Railway and Steamship Clerks*,⁸ Hughes, then Chief Justice, said,

If it could be said that it was necessary in the present instance to show a property interest in the employees in order to justify the court in granting an injunction, we are of the opinion that there was such an interest, with respect to the selection of representatives to confer with the employer in relation to contracts of service, as satisfied the statutory requirement.

This is a blow to the injunction as a device to protect property, but it indi-

cates a willingness to construe property freely or to admit the extension of this protection to a right personal in nature.

Property and liberty as interpreted by the Supreme Court since *Allgeyer v. Louisiana* (165 U. S. 587, 1897) have been closely associated.⁹ A reasonable protection of liberty of access to markets is essential to the intangible property of exchange value. Mr. Justice Brandeis in his dissent to *Truax v. Corrigan* treats the two terms as interchangeable for practical purposes.¹⁰ "The right to carry on business—be it called liberty or property—has value." The right to work, although not the right to a particular job in the absence of contract, has been called property.¹¹ It is a right which courts will recognize, and in defence of which action will lie against a third party interfering without the justification of a right equal to or greater than that being infringed.¹² It might equally well have been called liberty, inasmuch as Mr. Justice Brandeis gave the right to carry on business the alternate terminology. If we consider the employment relation in its common law state we may say the liberty is present in a negative sense. As defined in *Corpus Juris*,¹³ drawing on *Fitzsimmons v. New York State Athletic Commission* (146 N. Y. Supp. 117), liberty in the positive

⁷ *Commons, op. cit.*

⁸ 257 U. S. 312 (1921).

⁹ "L. R. A. Digest," II: "Constitutional Law," No. 461.

¹⁰ *Minasian v. Osborne*, 210 Mass. 250, 96 N. E. 1037 (1911); *Pickett v. Walsh*, 192 Mass. 572, 78 N. E. 753 (1906); *Kemp v. Div. No. 241, Amalgamated Association of Steel and Electric Railway Employees of America*, 255 Ill. 213, 99 N. E. 389 (1912).

¹¹ "Corpus Juris," XXXVII, "Liberty."

sense "secures freedom by imposition of restraint," negatively it means "freedom from restraint." Restraint is used in a legal, not an economic, sense. Courts have upheld the "freedom of contract" evidenced in making "yellow-dog" contracts,¹⁴ a negative liberty. The worker, economically weaker in bargaining, gains more true freedom by the imposition of a restraint upon his capacity to enter into such a contract. Negative liberty arises in a liberty-exposure relationship; positive liberty in right-duty. If we can get at a protectable right of the worker in his job, it matters not whether it be called property or positive liberty.

A. T. Mason thinks the implications of the court's argument in *Texas and New Orleans Railway Co. v. Brotherhood of Railway and Steamship Clerks*¹⁵ lead to a conclusion that a labor union might get an injunction against the continuance of a company union even in the absence of the sanction of legislation such as that which protected the railway clerks in their rights to collective bargaining with representatives of their own choosing.¹⁶ He qualifies his statement, however, with the admission that it is not likely that the Supreme Court would sustain such an implication in the absence of legislation. It seems to the writer that the implications of the case do not lead so far. Even though the right of the union men to the jobs were a property right fully

¹⁴ *Hitchman Coal and Coke Co. v. Mitchell*, 245 U. S. 229 (1917).

¹⁵ See note 6.

¹⁶ Mason, A. T., "Organized Labor as Party Plaintiff in Injunction Cases," 30 Col. Law Rev. 466 (1930).

recognized, it does not follow that there might not be found an equal right in the company union men to compete for the jobs, a competition which might result in *damnum absque injuria*. In the absence of legislation, contract, or a collective agreement which might be sustained as a contract, the Supreme Court would not hold superior to that of the competing group the right of one group of workers, union or nonunion, to the intangible property in jobs. It would have the duty of determining what was fair and reasonable competition, just as in business competition for the intangible property of access to consumers' markets, but it is highly unlikely that it would approve a trade-union monopoly of property in jobs.

The problem as presented in the railway clerks' case was of group rather than individual rights. Both problems are of concern to the worker. It was with the latter that Mr. Green was concerned when he wrote,¹⁷

In presenting their claim to security, labor points out it is actually a contributing partner in the industry. Workers invest time, creative ability, experience, judgment, cooperation. . . . Management has been adding stability to employment but not assuring security of income for the individual worker.

In examining the indications of an equity in the job we shall consider it from both union and individual views, but with the greater emphasis on the latter.

¹⁷ AMERICAN FEDERATIONIST, XXXVIII, 147, Feb., 1931.

Chapter II

Positive Liberty in the Employment Relation

Section I

There was a period in which employment was secure and a man's right to work was unquestioned and protected. Indeed, if he were of the working class, he had no right not to work. The government took steps to see that he had the means to a livelihood and that he availed himself of this means.

The dominant industrial policy of the sixteenth century was the establishing of some regulating authority to perform, for the trade of the time, the services formerly rendered by the Craft Guilds. . . . To the Parliament of these days it seemed right and natural that the oppressed wage-earners should turn to the legislature to protect them against the cutting down of their earnings by the competing capitalists. . . . In 1563, indeed, Parliament expressly charged itself with securing all wage-earners a "convenient" livelihood. . . . By the celebrated "Statute of Apprentices" the statesmen of the time contrived arrangements which would, as they hoped, "yield unto the hired person, both in the time of scarcity and in the time of plenty, a convenient proportion of wages." . . . The typical ordinances of the medieval guild were, in fact, enacted in minute detail in a comprehensive general statute applying to the greater part of the industry of the period.¹

The government took seriously its obligation to maintain a steady in-

come for the workers. The sixteenth century industrialists were accustomed to government regulation. In 1586 the Privy Council investigated the state of business during a depression and ordered the clothiers to resume their trade and again employ their helpers. It insisted upon the principle "that those who in prosperous periods gained by their trade were not at liberty to leave it in times of stress."² A similar order was promulgated in 1622. However, new trades, unregulated by the old Statute of Apprentices, were springing up rapidly; economic opportunities were expanding, and sentiment was swinging away from such close regulation.

The Civil War brought to an end the system under which employers were required by the state to keep their men at work in times of industrial depression. The attempt to secure continuity of employment was abandoned. The right of the employer to expand or contract his business freely according to the market for his goods, to take on men when trade was brisk and to dismiss them when trade was dull, was no longer questioned by the state.³

The agitation for protection of work and earnings was not silenced, however, in the seventeenth century. The Webbs note that for the first half of the eighteenth century "the governing classes continued to act on the assumption that the industrious mechanic had a right to the customary earnings of his trade."⁴ There are petitions of workers to the King and

¹ E. Lipson, "Economic History of England," III, 304 ff.

² *Ibid.*, 318.

³ *Op. cit.*, 49 ff.

to the House of Commons against harshness and tyranny of employers. In 1756 an act (29 Geo. II c. 33) was passed providing for fixing of piece rates. This was practically the last achievement of the protagonists of regulation, however. A year later the act was repealed, and because of the workers' inferiority of bargaining power the risk of wages too meager for a living was added to the risk of loss of employment in bad times.

From time to time the workers brought complaints and new demands for apprenticeship regulations which Parliament refused. The legislative body was motivated not by the doctrine of the freedom of contract, according to the Webbs, but by a realization that the medieval regulations were outgrown and an inability to devise a more successful technique for handling the problem. Even as late as 1765 and 1773 the riots of the Spitalfields silkweavers led Parliament to enact laws empowering the fixing of wages by justices.

Clearly the Parliaments which passed the Spitalfields Acts of 1765 and 1773 had no conception of the political philosophy of Adam Smith, whose "Wealth of Nations," afterwards to be accepted as the English gospel of freedom of contract and "natural liberty," was published in 1776. At the same time, so exceptional had such acts become, that when Adam Smith's masterpiece came into the hands of the statesmen of the time, it must have seemed not so much a novel view of industrial economics as the explicit generalization of practical conclusions to which experience had already repeatedly driven them.⁵

⁵ *Ibid.*, 55.

By the beginning of the nineteenth century even the workers fairly clearly understood that the old regulations were no longer available for their protection. In 1814 the greater part of the Elizabethan Statute of Apprentices was repealed taking "practically the last remnant of that legislative protection of the Standard of Life which survived from the Middle Ages."⁶

The concept that the workers by their labor at a trade acquire a property right or vested interest in it was discussed by the Webbs in their *Industrial Democracy*.⁷ They saw the belief in a "right to a trade," a belief which the skilled artisan holds with as much conviction as the middle-class person holds a belief in property rights, derived in part from the long history of guild restrictions of crafts and in part from social expediency.

To men dependent for daily existence on continuous employment, the protection of their means of livelihood from confiscation or encroachment appears as fundamental a basis of social order as it does to the owners of land. . . . We shall recognize the same argument in the agitation long and successfully carried on by Irish and English farmers for a law which should secure them in their tenant rights.⁸

The worker wishes the protection other forms of investment have. However, the *laissez faire* of the nineteenth century was all against such protection. The old monopoly of trades sanctioned by guilds or Par-

⁶ *Ibid.*, 61.

⁷ 565 ff.

⁸ *Ibid.*, 566-567.

¹ S. and B. Webb, *History of Trade Unionism*, 48-49.

liament was forced to give way, not only at the instance of excluded outsiders, but because, with the advance of technology, the restrictions which secured employment became impossible and no real safeguard to the worker under them. Restrictions could not stem the tide of innovation. Mobility, not status, was exalted. Gradually the worker shook off the legal restrictions against combination which had hampered him while he was aided by the security of restrictions on his employers. The theory of free contract grew, a theory which, by its interpretation, has often worked to the detriment of the employee facing a corporate employer.

According to the Webbs, the doctrine of vested interest can not be invoked in defence of security of employment for the worker.

It is still cherished by many workmen, and its ethical validity is, in disputes between different trade unions, unhesitatingly assumed by both sides. But we no longer find it dominating the mind of trade-union leaders, or figuring in their negotiations with employers, and appeals for public support. Whatever fate may be in store for other forms of vested interests, the modern passion for progress, demanding the quickest possible adaptation of social structure to social needs, has effectually undermined the assumption that any person can have a vested interest in an occupation.⁹

The worker's concern in discovering a case for an equity in his job is perhaps a revival of an attachment to the doctrine of vested interest. The "modern passion for progress" is at

this present date more receptive to the regulation and control of the process of adapting the social structure to the social needs. Business itself has seen advantages in a steady working force and small turnover. And the appeals business has been forced to make to government for protection against its own tendency to destructive competition have opened the way for some sort of regulation, regulation which at the behest of public interest might well include some recognition of labor's investment and risk-taking.

Here and there we have a growing custom of security of tenure in work. It is partly on the possibility of court recognition of such custom that labor's hope of an equity in the job rests. There is more support for such security now than there was in 1912 when R. H. Tawney wrote:¹⁰

Suppose that at the present day the courts were to begin to protect the "tenant right" of workmen who have given their lives to a trade by ruling that any man dismissed after fifteen years continuous service should either be reinstated or receive compensation? The change would be greater—but would it be much greater?—than the momentous departure that was made by the judges who for the first time decided that a man impleaded for a villein tenement should have an action in Chancery.

Custom is slow in the building. Legislation and contract by way of collective agreement may help toward the desired equity. We shall examine these channels. The security of gild

¹⁰ R. H. Tawney, "The Agrarian Problem in the Sixteenth Century," 291-292.

sharing of opportunity and Elizabethan regulation for steady work are gone. The restrictions against mobility of labor and against combination which accompanied the earlier regulation is also gone. The period of *laissez faire* with its emphasis on individualism and absence of monopoly is outmoded. In a world of huge combinations as employers and of tre-

mendous insecurity, labor seeks to establish the existence of an equity in the job. Unquestionably, steps in this direction will entail the acceptance by labor of some restrictions, not so many nor of such a rigid character as those of the sixteenth century but not to be forgotten in weighing the gains to be had in security.

(To be continued)

FRANCISCAN BROTHERS

A chimney's smoke in swift confusion spins
Like wounded serpents squirming in a wreath
Of cloud. Against a brick-walled roof it thins,
Dissolving in the little airs we breathe.
There on the roof twelve darkening figures move;
Their jet-black garments offset by the lean
White pallor of their faces, in a groove
They walk, each with a testament, their keen

Eyes buried in the pages of the Word.
Each eve, with eyes upon their books, they come,
As from stone cells where silently they stirred;
The roaring streets are hushed to them, the hum
Of this dark world forgotten, while the Host
Walks on the quiet waters like a ghost.

JOHN LEE HIGGINS

⁹ *Ibid.*, 572.

THE WORKER'S EQUITY IN HIS JOB*

ELIZABETH PASCHAL
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Section II

WHILE the British Parliament was gradually ceasing to extend to labor assurance of work, wage fixing, and apprenticeship limitation as a protection against profit-seeking employers, the workers, in spite of continuing law against combinations, drew together for their own advantage. The Spitalfields silk weavers used their combined strength to insist on enforcement of the Acts their riots had inspired. Other groups of workers attempted by joint action to gain wage concessions the individual worker could not obtain. Labor, thus clinging to the doctrine of regulations, was not as quick as employers to reap the advantage of the new economic philosophy of *laissez faire*, and while it lost its protections it did not for some years gain the corresponding advantage of freedom from combination and conspiracy laws. Lacking effective combination the laborer found the doctrine of freedom of contract, apparently so fair in its recognition of the equality of the bargainers on each side, a disadvantage.

The result was a movement toward unionization. As a means to making unions effective, pressure was brought to bear for the repeal of the Combination Acts and Conspiracy Laws as they related to labor unions. By 1876 unions had attained a position of apparent immunity from the disability

of those laws; an immunity rudely shattered by the Taff Vale case.¹¹ The liberty of unions to make effective their demands and thus serve the purpose for which they were organized, was seriously menaced by this decision. The result was a great increase in union membership and an effective drive to put political pressure on Parliament for the enactment of such legislation as would increase the positive liberty of the organized workers. The trade union bill was enacted under the name of the Trade Disputes Act in 1906.¹²

This act decreased the right of the employer to command the forces of law against trade unions in a broad field of activity. It decreased the power of outside force over the unions. It correspondingly increased their liberty. That increase of their liberty increased their ability to bargain effectively to gain for their members the kind of working rules necessary to give them security and reasonable working conditions.

Specifically that law declared that an act not actionable if done by one person is not actionable when done in combination if it is done "in contemplation or furtherance of a trade dispute." This limited the power of

¹¹ Taff Vale Railway Co. v. Amalgamated Society of Railway Servants, A. C. 426 (1901).

¹² Statutes 6, Edw. VII. 1906. Ch. 47, 2+6: "An Act to provide for the regulation of Trades Unions and Trade Disputes (21st Dec. 1906)."

prosecution for many acts done by unions. The British unions, like the American, have been, for the most part, unincorporated, and have had to act as combinations of individuals. The employers with whom they treat are usually incorporated and hence legally one person. The corporation, therefore, while having the power of its great organization, has had the legal footing of an individual, and has escaped the disability of laws against "combining to conspire." The Trade Disputes Act went far toward correcting the economic inequality sanctioned by the fiction of equality the law recognizes between one employer (the corporation) and one employee in individual bargaining.

Further, the act specifically legalized picketing of residence or place of employment by one or more persons if the pickets "so attend merely for the purpose of peacefully obtaining or communicating information or of peacefully persuading any person to work or abstain from working" and if they are acting for a trade dispute. Acts done in furtherance of a trade dispute are not actionable on the ground that they induce someone to break a contract of employment or because they interfere with trade, business or employment of others, or the right of others of access to markets. Thus boycotts and blacklists were made not actionable. The union may not be sued for tort. Trade disputes were liberally defined to mean any dispute between employers and workmen connected with employment or its terms and conditions, and workmen were "all persons employed in trade or industry, whether or not in the em-

ployment of the employer with whom a trade dispute arises."

Under this act, cases have decided that no action arises against the union for its announcement that its members will not work with non-union men when the announcement caused the manager to dismiss the non-union men;¹³ that the trade union is not liable for causing the discharge of non-union men who refused to join the union by advising the company that they would strike unless the other men joined the union or were discharged, even though they had contracts of employment;¹⁴ and that inducement of the employer not to continue an employment under contract is illegal only if exercised by means of threats, coercion, or other illegal means.¹⁵

The liberty of unions established by the Trade Disputes Act of 1906 and the court interpretation of cases under the Act was not curtailed until 1927. The Webbs¹⁶ had warned the unions that they must not presume too far on their apparent immunity nor imagine that lawyers and judges could not still limit their acts. The basis for such warning was clearly seen in 1927 when, as a result of the General Strike of 1926, some of the unions' liberty was taken from them by legislation increasing the power to prosecute unions for acts now designated as il-

¹³ Hodges v. Webb (1920). 2 Ch. 70. Eng. and Empire Dig. XLIII. Part VII. §1240.

¹⁴ Gaskell v. Lancashire and Cheshire Mines Federation (1912), 28 T. L. R. 518. Eng. and Empire Dig. XLIII. Part VII. §1248.

¹⁵ Wolstenhohme v. Ariss, 89 L. J. Ch. 395 (1920).

¹⁶ History of Trade Unionism, 606, note 3.

* Continued from December AMERICAN FEDERATIONIST.

legal. The new Trade Disputes Act¹⁷ declared those strikes and lockouts illegal which have some object other than the furtherance of a trade dispute "within the trade or industry in which the strikers (or employers locking out) are engaged," a blow at the sympathetic strikes and lockouts which are designed to coerce the Government directly or through causing community hardship. In a strike or lockout illegal by this act the provisions of the Act of 1906 do not apply. Picketing was restricted to numbers not so great as to be intimidating, the interpretation of how many constitute intimidation being left to the courts. Picketing a place of residence is also by this act made illegal. Here is an expansion of exposure of trade unions with a corresponding diminution of their former liberty.

The trade union objection to this act centered most on the restriction of strikes. Mr. Witte commented that although no cases have arisen under this act in which this provision was used against unions, they are afraid of it and want it repealed. He quotes Mr. Bevin, General Secretary of the Transport Workers Union as saying that the act was "more of an insult than an injury."¹⁸ Mr. Witte regards this act as a possible menace

to British trade unionism, but probably of much less practical importance than was thought at the time of its enactment. The British public has accepted trade unionism and does not wish to see it crushed any more than it wishes to challenge the government's supremacy. In spite of this act, the custom, long developed, of small interference by the courts in labor disputes, has left the British unions in a position of considerable liberty in the devices they may use to make their bargaining effective.

How does the liberty accorded American unions by legislation compare with that of the British? The Clayton Act,¹⁹ enacted in 1914, was widely hailed as labor's assurance of freedom, and was looked on as the American counterpart of the British Trade Disputes Act of 1906. Sections 6 and 20 are the parts under most frequent examination. Section 6 lays down the proposition that labor is not a commodity, and declares that no labor organization "instituted for the purposes of mutual help, and not having capital stock or conducted for profit" shall be construed to be an illegal combination or conspiracy in restraint of trade under the anti-trust laws. Section 20 forbids the issuance of an injunction by any federal court in a case involving a trade dispute over conditions or terms of employment "unless necessary to prevent irreparable injury to property or to a property right . . . for which injury there is no adequate remedy at law." It further forbids injunctions against striking and picketing peacefully for the purpose of "recommending, ad-

¹⁷ Sixty-third Congress Sess. II, Ch. 321. Oct. 15, 1914.

vising or persuading others by peaceful means," to strike or abstain from working or to cease from patronizing or employing any party to the dispute. It also forbids injunctions against assembling peacefully and doing any acts which might be done in the absence of a trade dispute. The acts mentioned are not to be deemed violations of any laws of the United States. In cases of dispute over terms of employment it apparently legalizes strikes, lockouts, peaceful picketing, boycotting and inducing boycotts, blacklisting and inducing blacklists.

These provisions would seem to be as extensive as those of the British Act. Judge Amidon in comparing Section 20 of the Clayton Act with the Trade Disputes Act of 1906 said,²⁰ "The form in which they are framed differs, but their legal effect is the same." However the words have been interpreted very differently in this country. After the decision of the Duplex Printing Press case²¹ it was clear that the act did not save a union from injunction suits when it departs from its lawful objects, conducts secondary boycotts, and "engages in an actual combination or conspiracy in restraint of trade." Furthermore the restriction of the use of the injunction is operative only as to the parties directly engaged in the particular industrial controversy. From the Coronado case²² came the further interpretation by way of dicta that unions are subject to suit for the acts of their agents and their funds are liable for

²⁰ Great Northern Ry. Co. v. Brosseau. 236 Fed. 414; 27 A. L. R. 411 (1923).

²¹ Duplex Printing Press Co. v. Deering, 254 U. S. 443 (1917).

²² United Mine Workers v. Coronado Coal Co., 259 U. S. 344 (1922).

damages. This case endorses the doctrine of the Duplex case that union activities may be found to be in restraint of trade. The Clayton Act as interpreted has not materially increased organized labor's liberty. It has declared unions not illegal combinations, but not since Commonwealth v. Hunt²³ had a union been judged as a conspiracy *per se*. The trade dispute is more narrowly interpreted than it was in the Act of 1906, though perhaps not more so than in the 1927 revision. Secondary boycotts are not legal, picketing is with difficulty proved peaceful,²⁴ ordinances against picketing have been sustained,²⁵ and the union is not free from fear of tort suits.

The gain of unions from similarly worded state statutes is no greater than that from the Clayton Act. Arizona enacted a law practically identical in wording with Section 20 of the Clayton Act.²⁶ The Arizona Supreme Court interpreted this act much more liberally than the Federal Supreme Court did the Clayton Act, more nearly in harmony with the British Trade Disputes Act of 1906. This interpretation did not long stand to give American unions the benefit of that liberty enjoyed in England. In *Truax v. Corrigan*²⁷ the statute as interpreted was declared unconstitutional as opposed to the due process insured by the Fourteenth Amendment.

²³ 4 Metcalf, 111 (Mass. 1842).

²⁴ American Steel Founders v. Tri-City Central Trades Council, 257 U. S. 184 (1921); *Truax v. Corrigan*, *op. cit.*

²⁵ *Re Williams*, 158 Cal. 550; 111 Pac. 1035 (1910); *Ex parte Stout*, 82 Tex. Crim. Rep. 183 (1917); 35 A. L. R. 1200 (1925).

²⁶ §1464, Revised Statutes 1913. (Revised Code 1923, §4286.)

²⁷ *Op. cit.*

Even though the statute did not deny all relief, but only that afforded by the injunction, it denied to the employer plaintiff the "equal protection of the laws" to which he was entitled, since for the protection of property in any controversy other than that between employer and employees he could have equitable relief under #1456 Revised Statutes of Arizona, 1913. The Fourteenth Amendment, unlike the Fifth, requires the states to assure to their residents "equal protection of the laws." Hence this statute, similar in wording though not in meaning to Section 20 of the Clayton Act, was invalidated. Similar statutes in other states are constitutional or not according as their interpretation agrees with or differs from the federal act.

The findings of the courts on such legislation have been summarized in an annotation in the American Law Reports as follows:*

"Such legislation, so far as it may attempt to make legal what would otherwise be illegal, is invalid as depriving the injured party of property without due process of law.

"The fact that it assumes only to restrict the remedy does not save it, since the effect of taking away the only adequate remedy against irreparable injury is to take away the right infringed upon.

"The fact that the acts complained of were done in furtherance of an industrial dispute does not constitute a reasonable basis for a classification which deprives the complainant of a remedy otherwise available."

So far there appears little hope of expanding the liberty of the workers

* 27 A. L. R. 411 (1923).

through unions by this type of legislation. The tradition for court interference in labor disputes is strong here, as it is not in England.

In our nearest neighboring country without the English common law background, Mexico, there has been enacted a detailed code governing the relation of employers and laborers. In many respects the liberty gained by labor under this code exceeds that in this country. In the Mexican Constitution of 1917 the rights of strike and lockout are guaranteed under limitations. Strikes are unlawful if the majority of strikers resort to violence against persons or property. Lockouts are lawful only when excess of production renders a plant shut-down necessary to maintain prices reasonably above the cost of production. The employer's determination to close his plant is subject to the approval of the Board of Conciliation and Arbitration. Labor disputes are subject to consideration by this Board which is composed of equal numbers of representatives of employers and employees and one representative of the government. If either party refuses to accept the award rendered by the Board, the existing labor contract is terminated. If the employer is the dissenting party he must pay his workers three months' wages if they leave him as a result of the termination of the contract. If any employer discharges a worker without proper cause or for having joined a union or for having taken part in a lawful strike, he is obliged, at the option of the worker, to reemploy him under the contract or to pay him three months'

wages.³⁰ The security in his job in these last provisions is considerable.

The Federal Labor Law, effective in August of 1931, supplemented the labor provisions of the Mexican Constitution. It adds to the authority of the unions and to the security of the workers in their jobs by its regulation of the making, suspension, rescission, and termination of the labor contract. It requires any employer who hires union members, at the request of their union, to enter a collective agreement with them covering wages, hours and conditions of work. It provides that when such an agreement has been entered into by two-thirds of the employers and unionized workers of any industry in a certain region, the Federal Executive may make the agreement binding on all workers and employers in the same industry in that region. Thus the union agreement is protected from the pressure of competing non-union standards.

In hiring workers, employers are obliged, other things being equal, to prefer workers associated with a lawful syndicate to those who are not. They are forbidden to require workers to withdraw from their unions. Blacklisting is forbidden, and employers are required to give the worker who requests it when he leaves a written statement regarding the service he has rendered. On their side, workers are liable to prosecution if they suspend work without a strike having been duly declared and notified. The law forbids their carrying on any propaganda in their establishments during working hours.

³⁰ Constitution of Mexico, 1917. Title VI. "Of Labor and Social Welfare." Article 123, xvii-xxii.

Labor contracts may be temporarily suspended without rescission upon the authorization of the Board of Conciliation and Arbitration if the employer is unable to conduct his business at a profit or if he temporarily lacks funds for its normal operation. The individual worker's job interest is protected in such a case by the provision that when operations are resumed the employer must rehire for his former position any employee who presents himself for work within thirty days.

Either party may rescind a labor contract for fraud or misrepresentation by the other party of the qualifications of the worker or the nature of the employment, provided he acts within thirty days after the initiation of the contract. After that time rescission may be only for cause, such as bad work or undisciplined conduct on the worker's part, or some offence against the worker or his relatives by the employer.

If a labor contract is terminated because of *force majeure*, a legal cause, and if the employer has carried insurance covering at least in part the damage, "upon collecting the insurance policy he shall be obliged to re-establish the concern in proportion to the insurance collected; and if this is not done, the worker shall be paid the corresponding indemnity."³⁰ If within a year after closing a business the employer establishes a similar concern either in person or through a third party, he is obliged to employ the former workers or, at their option, pay them three months' salary. The

³⁰ Federal Labor Law of the United States of Mexico, 1931. Ch. XIII, Art. 126, xii.

employer may terminate the labor contract when it is necessary to reduce his working force because of the installation of labor-saving devices, but he is obliged to pay the discharged workers the amount of compensation stipulated in their contracts or, if there has been no agreement, three months' wages.

Both workers and employers are authorized to form syndicates but no one may be forced to join. However, the workers' syndicates have the right to request and obtain the dismissal from employment of former members of their groups provided their contracts with the employers contain such expulsion clauses. It is not illegal to contract for a closed shop.

Strikes are treated under the law as temporary suspensions of the working contract, and no rights are lost thereby. If the strike is lawful the Board of Conciliation and Arbitration and the civil authorities must, on the request of the workers, aid them in suspending work in the establishment struck against. Until the strike is legally ended, by agreement or by a decision of the Board of Conciliation and Arbitration, the employer may not conclude any new contracts for doing his work with any of the strikers or any other workers. Suspension of work in concerns which are not controlled by the syndicate to which the strikers belong is not lawful. Strikes are lawful when designed to aid the workers in getting labor contracts, making desired revisions before renewing such contracts, or "harmonizing the rights of labor and those of capital."¹

Legal aid is provided for labor

¹ *Ibid.* Title V, Art. 260.

without cost. The Federal Executive and state governors are charged with the duty of appointing attorneys for labor who shall give legal advice to workers and syndicates in cases of labor disputes.

Here is a code which, with strong unions and a sympathetic or at least fair-minded administration, would go far toward giving the worker a real equity of substantial value. The labor relationship is assumed, by the law, to be one of contract, and where the union wishes it has a very good opportunity to be one of the contracting parties, since union men are to be preferred in hiring, and where union men are employed the collective agreement is optional with the union. Although the contract be a collective one the individual worker has considerable protection. Jobs are not only a union but an individual property. The provisions which limit dismissal and provide indemnities for it all point to a recognition of an equity residing in the worker. Much of the union's advantage would be sacrificed if it did not have a wide-spread membership and if the government, whose representative holds the balance of power in the Board of Conciliation and Arbitration, were not inclined to favor labor. Since a decision rendered terminates the labor contract if not accepted, labor stands to lose much in decisions unfavorable to it. This power of the government in labor disputes would undoubtedly be distasteful to organized labor in this country.

Could advantages of the sort given Mexican labor be enacted into the laws of the United States? There are difficulties in the way. The federal legislation touching labor must be

grounded on some constitutional power of the federal government, such as the tax power, power to regulate interstate commerce, tariff or treaty powers. Its ability to affect labor relations by legislation is, therefore, limited. If legislation comes from the states, to meet the test of constitutionality it must take no one's property or liberty without "due process of law" and must extend to all under its jurisdiction "equal protection of the laws." Much of the Mexican code, if enacted in this country, would certainly run foul of these constitutional safeguards of persons and property. We shall turn our attention next to the equality of rights under the existing laws and court interpretations relating to labor in this country.

(To be Continued)

FOR THESE FEW YEARS

*I hear Death rushing up the stair,
While Life and I wait breathless there!*

WHAT matter if my bread be mold,
My wine-cup drained, my fingers cold;
My house as transient as an hour,
My garden famished for a flower;
My flesh—at home with joy and ease—
A rendezvous for dire disease;
Mind—made for love's festivity—
Now tenanted with misery?

Pain helps us mount from mire to star;
If God is loved, it is not far!

SISTER MIRIAM.

THE WORKER'S EQUITY IN HIS JOB*

ELIZABETH PASCHAL

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Section III

THE employment relation may be entered into by contract for a definite period or "at will" for no specified time. Under the freedom of contract recognized by common law two normal adults have the right to make such mutual promises as they choose provided they are not to do an unlawful act, and the law will sanction these promises. When a contract of employment is made each party voluntarily accepts the restrictions imposed on him by the contract in order to gain the advantages of the promise made him in return. His liberty is contracted in some respects, as for instance if he has agreed to work for one year he is not now free to leave his job whenever he chooses. But his liberty in other respects is enlarged. He now has a right to the job for a period of a year, not only as against a competing worker but as against the possible desire of his employer to replace him with another person. He has exchanged negative for positive liberty. Liberty of contract is not, however, an inviolable right under our Constitution. The federal government and states may deprive a man of this right or a property right provided they act with "due process of law" and, for the states, without denying him equal protection of the laws. The hope of having such state legislation as the Wisconsin anti-"yellow-dog" contract statute sustained rests

on a liberal interpretation of due process.

The employment relation of the majority of wage-earners is at will. Even in this relation there is some slight contract liability. Although the worker may leave when he chooses or the employer discharge him at any time, there is a partial restriction of freedom on each side. The employer is at least bound to pay the agreed rate for work done and the employee is bound to accept the wage agreed on as payment for his work. He may not on leaving claim the "going wage" for the period of his work if that should be higher than that for which he bargained. If the employment relation is entered into without either time of duration or wages agreed on, it is no contract at all and any recovery for work done must be on the basis of *quantum meruit*.

The common law rights of entering the master-servant relation and conducting oneself in it embodied in the Constitution assume an equality between the bargainers. Legally, two individuals are equal. Legally, a corporation is an individual and a trade union is an association or combination of individuals. Therefore, courts have been jealous in preserving the legal equality of bargaining of the corporate employer and its employee, ignoring the hopeless economic inequality sanctioned by this legal fiction. So

firmly entrenched is the notion of the corporation as a single person that it is generally held that a state may not classify corporations as different from natural employers for the purpose of making certain legislation applicable only to corporate employers.³² Some rights of the individual worker may be exercised with impunity in combination with his fellow workers. In other cases, the combination is held not entitled to do what an individual alone is permitted to do.

The employer has the right to hire whom he will and to discharge for any reason or no reason at all an employee employed at will.³³ The employer cannot be compelled by statute to rehire an employee who has participated in a strike.³⁴ This type of

³² *L. R. A. Digest*. II. "Constitutional Law." §397. "Equal protection." *Bullard v. Miss. Cotton Oil Co.*, 81 Miss. 507; 34 So. 533 (1903). *Contra*: *Erie R. Co. v. Williams*, 233 U. S. 685 (1914), in which a statute concerning the time and method of a corporation's payment of wages was upheld on the ground of the state's right to exercise its "reserved power" to regulate corporation charters. The more usual view at present is that expressed in the text above.

³³ *Atkins v. Fletcher Co.*, 65 N. J. Eq. 658; 55 Atl. 1074 (1903).

³⁴ *St. Louis S. W. Ry. Co. v. Griffin*, 106 Tex. 477; 171 S. W. 703 (1914). *L. R. A. Digest*. II. "Constitutional Law." §582. But a recent case, *Texas and New Orleans Ry. Co. v. Brotherhood of Ry. and S. S. Clerks*, 281 U. S. 548 (1930), has upheld an unusual court order to rehire discharged employees. Relying on the provisions of subdivision 3, section 2 of the Railway Labor Act of 1926, which specify that for the settlement of employment disputes each party has a right to choose its own representatives without interference or coercion exercised by the other party, the Brotherhood got an injunction restraining the company from forming a company union and coercing its employees to join it and be represented through it. The company violated the injunction. The contempt proceedings required it to reinstate the Brotherhood as representative of the workers until the latter, un-influenced by the company, should choose other

law has been enacted in the Mexican Federal Labor Law. It offers no opportunity in the United States for the worker to enlarge his job security. Among the statutes relating to the discharge of employees which have been declared unconstitutional because they deny to employees equal protection of the laws or are unreasonably restraining on the employer's liberty of contract are those forbidding discharge on the ground of membership in a labor union,³⁵ and those requiring an employer to furnish a statement of the cause or motive for discharging an employee.³⁶ However, this last type of legislation has more recently been upheld on the ground that it is a justifiable exercise of the police power.³⁷ Some of the blacklisting statutes, such as the one in Missouri, take this form: the requirement that the employer give to the employee on request a letter of dismissal stating reasons for his discharge. This does not avoid discrimination against union men but it at least makes the blacklist an open affair by making it possible to take action against the employer who falsifies the statement. This type of statute is common in European countries.

Corresponding to the employer's right to discharge is the right of the employee at will to quit when he pleases. This is a right which em-

³⁵ *Gillespie v. People*, 183 Ill. 176; 58 N. E. 1007 (1900); *Coppage v. Kansas*, 236 U. S. 1 (1915).

³⁶ 12 *Corpus Juris*. "Contracts of Employment." §465. *In re* opinion of Justices, 220 Mass. 627; 108 N. E. 807.

³⁷ *Cheek v. Prudential Insurance Company of America*, 192 S. W. 387; *Prudential Insurance Company v. Cheek*, 259 U. S. 530.

representatives. The order further required the rehiring of certain employees.

* Continued from January AMERICAN FEDERATIONIST.

employees usually may exercise in combination. "Workmen . . . if not bound by contract, may abandon their employment, either singly or in a body, with, or without cause."⁴³ Strikes are not always lawful. In most states a direct strike for an industrial purpose is lawful. Massachusetts has held strikes for the purpose of enforcing a closed shop unlawful, on a finding that the purpose of such a strike was not to obtain a direct benefit for the employees but to obtain a monopoly of the labor market.⁴⁴ Massachusetts has also held that a strike directed toward compelling an employer to break existing individual contracts and set up collective bargaining is unlawful.⁴⁵ When strikes are found to be unlawful it is usually on the ground that they are for an illegal purpose, as a conspiracy to injure persons or property. In 1894 it was laid down in *Arthur v. Oakes*⁴⁶ that strikes *per se* are legal. In this case the judge held, in reversing *Farmers' Loan and Trust Company v. Northern Pacific Railway Company*⁴⁷ that the fact that a strike causes hardship and inconvenience to the trustees of the company or to the public does not justify an injunction restraining it. It is the right of the workers to strike as truly as it is the right of the receivers to set the new wage schedule regardless of the hardship caused the employees. An injunction against vio-

lence would be proper, but not one against quitting employment.

The employer's right, equivalent to the right to strike, is the lockout. He has the right to dismiss one man or to close his plant against his entire group of employees. If his lockout violates employment contracts he is liable to an action for damages, and in *Schwartz v. Cigar Makers International Union*, Judge Driscoll allowed an injunction to prevent a lockout in violation of contracts of employment. This injunction was blocked, however, by a mandamus to prevent its enforcement issued on the ground that equity could not force the employer into specific performance of a contract for personal service, any more than it could coerce the employee into "involuntary servitude."⁴⁸

During a strike the employer's right to free access to the labor market in an attempt to get his work done is balanced by the employees' rights to persuade other workers not to take their jobs and not to work on the employer's materials.⁴⁹ These rights of picketing and persuasion are seriously hampered by the difficulty of keeping the situation peaceful. Under the interpretation given the Clayton Act picketing is enjoined when violence or threat of violence accompanies it. In a labor dispute, with strike breakers being brought in for the work, it is almost impossible for picketing in numbers sufficient to be effectively heard and to prevent violence to the picketers, to be free from threat of violence to those picketed. For this

⁴⁸ *Schwartz v. Circ. Judge*, 217 Mich. 384 (1922).

⁴⁹ *Iron Molders' Union Number 125 v. Allis-Chalmers Co.*, 166 Fed. 45 (1908).

⁴³ *Carpenters' Union v. Citizens' Committee*, 333 Ill. 225; 164 N. E. 393 (1928).

⁴⁴ *Folsom v. Lewis*, 208 Mass. 336; 95 N. E. 316; *L. R. A. Digest*. VIII. "Strikes." §5b.

⁴⁵ *United Shoe Machinery Corporation v. Fitzgerald*, 237 Mass. 537; 130 N. E. 86 (1921).

⁴⁶ 63 Fed. 310 (1894).

⁴⁷ 60 Fed. 803 (1894).

reason the apparent balance of the employer's right to free access to a labor market and the worker's right to ask other workers not to take the job has been economically weighted in favor of the employer.

If during the strike the employer can persuade other employers with whom he is associated to have his work done in their shops, the employees have a corresponding right to persuade (but not coerce) workers in the other plants not to work on the materials so supplied. The employer may persuade his fellows not to hire his locked-out workers; and the workers may persuade other workers not to take their struck jobs. Neither side may coerce third parties into warfare with its opponent. The employer may not, by threats of loss to themselves, coerce stores and landlords to starve out his men, and the employees have no right to coerce dealers, by secondary boycotts, into starving the employer's business.⁵⁰

These are the reciprocal rights the law recognizes in the conduct of trade disputes. But are they really equivalent? Is the loss to the worker when his employer discharges him the same as that of the employer when the worker quits? Is the employer's property in free access to labor markets balanced by the worker's right to "picket peacefully?" Perhaps some recognition of a discrepancy here, but more a consideration of the maintenance of public peace, led the Massachusetts court to hold that it is not class legislation or denial of equal protection to require employers advertising for help during a strike to men-

⁵⁰ *Ibid.*

tion the existence of the strike.⁵¹ Until the courts give more consideration to economic equality than they have done, these balancings of legal rights must be considered by unions when they are thinking of legislation to protect their rights.

The right to organize is recognized for both employers and workers. The employee's right to organize is in competition with a right of the employer to hire only non-union men if he chooses. The worker has an equal right to refuse to work with non-union men, and this right has often been upheld when it has taken the form of a working rule of the union that its men may work only in union shops. In the defence of this rule unions infringe not only on the right of the employer to free access to the labor market but also the right of the individual worker to freedom from interference of third parties in his employment relation. These conflicting rights are balanced by the courts on their merits in the particular case at hand.

It has generally been held that one who procures the discharge of an employee at will by threatening to end a contract of his own with the employer, which he has a right to terminate, is not liable for damages to the discharged employee.⁵² If he has no right to end his contract his threat is unlawful and he will be liable. If he procures the discharge by threatening a boycott he is subject to an action.⁵³

⁵¹ *Commonwealth v. Libbey*, 216 Mass. 356; *L. R. A. Digest*. II. "Constitutional Law." §397c.

⁵² *L. R. A. Digest*. VI. "Master and Servant." §493a. *Raycroft v. Tayntor*, 68 Vt. 219; 35 Atl. 53.

⁵³ *L. R. A. Digest*. VI. "Master and Servant." §194.

A union is more limited in its right to procure the discharge of a non-union worker than a single worker is. However in *Parkinson Company v. Building Trades Council*¹⁵⁴ it was held that an injunction may not be granted to prevent a labor union from warning the plaintiff that its members would not work for him or handle his material in other shops so long as he employed non-union men. The result of the general warning sent to dealers that the plaintiff was on the "unfair" list was to cause many to cease dealing with him. The court held that the union had done nothing unlawful in not working on "unfair" materials and that it was not only justified but had a duty to the dealers in making them aware of its intention not to work. It was not responsible for the broken contracts that resulted. California's position is much more favorable to labor than that of most of the states on this use of the boycott. Illinois courts have held that boycotting a store for the purpose of compelling the proprietor to employ only union men was not justified by the right of the union to attempt to increase its membership.¹⁵⁵ Massachusetts courts have decided that a labor union is not justified by its desire to strengthen itself in interfering by strike or threat of strike with the contracts of non-union workmen for the purpose of compelling them to join the union.¹⁵⁶ There are decisions to the contrary

¹⁵⁴ 154 Cal. 581; 98 Pac. 1027 (1908).

¹⁵⁵ *Nusbaum v. Retail Clerks' International Protective Association*, 227 Ill. App. 206 (1922).

¹⁵⁶ *Berry v. Donovan*, 188 Mass. 353; 74 N. E. 603.

in other jurisdictions." Even though Massachusetts has held that strikes for enforcement of union shops and collective agreements are not lawful, it has held that a strike directed against the "cross-hand" system of work, which harmed the regular workers without helpers when work was scarce, was justifiable.

"The right of the plaintiffs to work under such terms as they choose is incident to the freedom of the individual. That right could not be taken away by the defendants or interfered with by the defendants unless it came into conflict with an equal or superior right of theirs. The right of one person to dispose of his labor freely is not superior to the same rights of others. . . . A system of giving out work which, under existing conditions operates unjustly is a condition of employment in which all workmen affected by it in a particular shop may have a legal interest. Nor is injury to the employer a reason why a strike to remedy such a condition should be enjoined."¹⁵⁷

Massachusetts has upheld union shop agreements and strikes to increase the opportunity of employment when the court could find that the union did not coerce the employer into discharging his non-union men, but simply offered him the choice of having their services wholly or not at all.¹⁵⁸ The distinction is an extremely fine one.

¹⁵⁷ *Roddy v. U. M. W.*, 41 Okla. 621; 139 Pac. 126. *National Protective Association v. Cummings*, 170 N. Y. 315; 63 N. E. 369. *Jersey City Printing Co. v. Cassidy*, 63 N. J. Eq. 759.

¹⁵⁸ *Minasian v. Osborne*, 210 Mass. 250; 96 N. E. 1037 (1911).

¹⁵⁹ *Pickett v. Walsh*, 192 Mass. 572; 78 N. E. 753 (1906); *Shinsky v. O'Neil*, 232 Mass. 99; 121 N. E. 790 (1919). The employer, whose men have struck and are effectively preventing him from getting a sufficient staff of substitutes, may

It is to the interest of organized labor to have its right to compete against individual non-union laborers for their jobs recognized as equal or superior to the right of the individual in his job. If the individual's right to his job were strengthened by some such legislation as that in Mexico, which gives the worker the right to three months' pay if he is dismissed for other than the legally specified causes, the union in this country, in the absence of additional legislation fostering its growth, would find itself hampered in its unionization campaigns. At present, most jurisdictions favor the union to the extent of holding that it may with impunity persuade, though not coerce by boycott, the employer to discharge or refuse employment to a non-union man when its purpose is to benefit its own members. An early decision in New York, *Curran v. Galen*,¹⁵⁹ was unfavorable to union labor on this score. The court held that the request of the officers, in pursuance of their agreement with the company, for the discharge of an employee who after four weeks refused to join their union, was an unsanctioned act. It declared that a combination which would have been legal had it had as its object the increase of wages was illegal when it aimed at restricting "the liberty of others to pursue their lawful trade

see no "choice" offered him. However the court's language here is no more curious than that used when it upholds a "yellow-dog" contract as the free promise of an employee which he chooses to make to secure employment, or when it objects to minimum wage laws on the ground that they prevent a woman from exercising her right to contract to work for less than the minimum wage set.

¹⁵⁹ 152 N. Y. 33; 46 N. E. 297 (1897).

or calling unhampered by being compelled to join an organization." Although the union-shop agreement with the employer would have helped avoid disputes, that did not justify the compelling of workers to join the union "at the peril of being deprived of their employment and of the means of making a livelihood."

In 1905, under similar circumstances, though distinguished by the court as being less oppressive restrictions than those under examination in *Curran v. Galen*, the New York Court of Appeals held¹⁶⁰ that a contract made between the union and an employer by which the latter binds himself to employ and retain only members in good standing of a single union is consonant with public policy and is enforceable, even though some persons are thereby deprived of an opportunity to get employment from that employer. A similar finding upheld a trade agreement for a union shop in 1910.¹⁶¹

The Supreme Court of Illinois in its decision in *Kemp v. Division No. 241, Amalgamated Association of Street and Electric Railway Employees of America*¹⁶² examined at some length the question of the right of a trade union to procure the discharge of non-union men. They found that the threat to strike if the employees who had withdrawn from the union were not dismissed, although it caused injury to the discharged men, was *damnum absque injuria*. The worker's right to protec-

¹⁶⁰ *Jacobs v. Cohen*, 133 N. Y. 207; 76 N. E. 5 (1905).

¹⁶¹ *Kissam v. U. S. Printing Co.*, 199 N. Y. 76; 92 N. E. 214.

¹⁶² 255 Ill. 213; 99 N. E. 389 (1912).

tion from wrongful and malicious interference of a third party in his employment does not extend to a right to freedom from interference which is the result of a corresponding right of others. A man has a right to decline to work with another person if he is not under contract, and if the employer chooses to hire him and discharge the other there is no action for damages. Combination does not of itself render the act illegal. Although it recognizes that there have been conflicting opinions on this question the Illinois court finds favorably to the union, in harmony with what it believes to be the prevailing state and federal view. An employer has a right to persuade an employee to leave or not join a union on fear of non-employment. Statutes designed to make it a crime for employers to discharge for union membership or to make it a condition of employment that employees do not join a union have been held unconstitutional.⁸⁹ The Illinois court is of the opinion that the right of the labor union to refuse to work with non-union men is an equivalent right.

If the individual's right to his job were stronger would the courts look so favorably upon union interference with that right? Clearly, barring contract, union men could not be given a greater equity in their jobs without a similar security being recognized in non-union men. Any such legislation for union men only would not meet the test of equal protection of the laws. The legal rights of the

non-union employee at will and of the union to compete for the employer's favor are delicately balanced at present. With the scale weighted in favor of the former the union would be handicapped unless it were strong enough to secure agreements which would be held valid contracts, and even then it would face the possibility of having those contracts called so extensive as to be invalid because of monopoly of the labor market. It seems that, as a safeguard to its organizing activities, the union would do well to stress its collective right to compete for jobs for the benefit of its members, and to urge upon the courts a liberal resort to the principle of *damnum absque injuria* in weighing the damages which result to personal or property rights incidentally to the union's efforts to strengthen its position for its members' benefit.

If such intangibles as the employer's access to the labor market and good will had not been interpreted to be property or liberty under the protection of the Constitution, organized labor would have had less hindrance from the courts in establishing union control over jobs. Since these intangibles are property, unions must establish rights of equal importance to avoid the consequences of infringing on such property. When it enters a trade agreement the union has such a right which will be protected in equity. If there is no trade agreement, the union derives its right to infringe on others' individual rights from the combination of the rights of its own members to seek to better their conditions by persuading an employer to accept their demands.

⁸⁹ Gillespie v. People, 138 Ill. 176; 58 N. E. 1007; Coppage v. Kansas, 236 U. S. 1. Goldfield Consolidated Mines Co. v. Goldfield Miners' Union No. 220, 159 Fed. 50 (1908).

The more the collective right is recognized the more efficient can the union be in organizing, in getting the adoption of its working rules by the employer, and in securing jobs for union men if not for particular individuals. It is essential to the life of the union that as job security for the individual increases, trade agreements shall increase in number and scope, or that the social advantages of organization of labor be given such consideration by the courts that the greater individual rights to security of tenure shall not be held to outweigh the union right to seek the interests of its members even though some damage is done to other rights thereby.

Boycotts, when they are the direct refusal to buy and are not extended to coercion of some one by boycott of a second party, constitute a right of the worker in trade disputes. They have their counterpart in the employer's blacklist. The blacklist, like the secondary boycott, has in this country been held illegal in most cases. The difficulty of proving a blacklist has, however, made this device harder to check than the boycott which depends on wide publicity for its effectiveness. Neither device is outlawed under the British Trade Disputes Act. In view of the greater effectiveness of enforcement against the boycott than against the blacklist, it is probable that union labor would gain by having both legalized. Since, however, the secondary boycott is illegal according to the court interpretation of the Clayton Act, unions have an interest in being free of the employers' use of the blacklist. It has already been stated that probably

the most effective statute for this purpose is one which requires the employer to state the cause for dismissal. Although this does not prevent his discharging a union man, as much his right as it is the union man's right to refuse to work in an open shop,⁹⁰ it makes public the reason for discharge, and may thus serve as a check on discharge. It is not unlawful for a combination of employers to agree to hire only non-union men when they conceive their interests to be furthered thereby, but it has been said in dicta⁹¹ that they may not for malice or ill will combine to limit the opportunities of anyone to obtain employment. The same point was made by the Superior Court of North Carolina in *Goins v. Sargent and North Carolina Granite Corporation*⁹² when it upheld the state statute against blacklisting. The employing firm, after discharging Goins because of his trade union membership, had notified all persons and firms in the state with whom it did business that it would supply no stone to anyone who employed Goins. The result was that he was forced to leave the state to obtain employment. The court held the firm guilty of violation of the valid statute. Blacklists were held legal in several cases in the early years of this century, but many states now have statutes against them, and courts commonly find it the employee's right to be free from this interference with his attempts to gain

⁹⁰ Interborough Rapid Transit Co. v. Lavin, 247 N. Y. 65; 159 N. E. 863 (1928). Interborough Rapid Transit Co. v. Green, 227 N. Y. Supp. 253 (1928).

⁹¹ Exchange Bakery and Restaurant v. Rifkin, 245 N. Y. 260; 157 N. E. 130 (1927).

⁹² 196 N. C. 478; 146 S. E. 131 (1929).

employment with one from whom, in the absence of the blacklist, he would have a chance to get it.

Among the reciprocal rights in the employment relation recognized by law are those of determining the conditions under which employment is acceptable and determining the conditions of employment offered to employees. These rights may be exercised individually or in combination provided the means used by the combination to further its ends are not unlawful. Unions may set a minimum wage below which its members will not accept employment. An employers' association is not acting unlawfully in setting a maximum wage which its members agree will not be exceeded in their offers to employees.⁸³ Although the right of the employer and employee to contract with respect to wages is included in the liberty which is protected by the Fourteenth Amendment,⁸⁴ it is not a right which may not be abridged by state legislation under a proper exercise of the police power. Fixing of wages such as the Industrial Court of Kansas engaged in, in the dispute which led to the Wolf Packing Company case, is not justified and is unconstitutional. But many laws relating to wage bargains have been upheld. They must be of such a nature and so drawn that they are within the police power of the state, do not deprive anyone of liberty or property without due process of law, and extend equal protection to all.

⁸³ *Androff v. Building Trades Employers' Association*, 83 Ind. App. 294; 148 N. E. 203 (1923).

⁸⁴ *Wolf Packing Co. v. Kansas*, 262 U. S. 522 (1923).

In order to meet the requirement of equal protection it is necessary that the classification of persons to whom the law applies is a reasonable one and not discriminatory against one class. It is generally conceded that statutes applying to employers as a group are not class legislation. Labor legislation which is effective only on corporate employers has been nullified in several states as being based on an unreasonable and discriminatory classification. This is true even though the corporation is a creation of the state and draws its privileges therefrom. A common method of classification which has been sustained in the Workmen's Compensation laws is that of dividing the employers on the basis of their employing more or less than a specified number of workers (ten in the Wisconsin Unemployment Reserve Law). Since most of the corporations will be found among the employers of larger numbers of workers, this type of classification can be made to place responsibility for its workers' well being in the specified respects on most of the corporations while it does not exclude the individual or partnership employer of a large group of workers. The reasonableness of the classification rests on the greater risks in the large plant with less personal supervision from the employer. Any legislation imposing upon employers the duty of making employment more secure for their workers will probably be based upon such a classification.

There has been legislation in a good many states concerning the frequency and time of wage payments, the method of calculating the amount

due, and the medium of payment. Statutes requiring wage payments at regular specified intervals, as weekly, or within a specified period after the work has been performed, have been declared unconstitutional in some states as being a deprivation of the liberty of contract without due process of law, and not within the police power of the state.⁸⁵ The same question was decided otherwise in *State ex rel. Curtis v. Brown*.⁸⁶ The Supreme Court has upheld such statutes, and when they are carefully drawn they have been upheld in many states.⁸⁷ Several early decisions of state courts held that statutes which required the wages of coal miners to be based on the weight of unscreened coal was unconstitutional, but now, on the basis of a contrary holding by the Supreme Court and numerous state decisions, it is clear that such statutes do not violate the guaranty of due process of law and are a valid exercise of police power.⁸⁸ A similar shift of judicial opinion has taken place in regard to statutes requiring wage payments to be made in lawful money or in scrip which is redeemable at its face value in cash. Several state courts had decided against the constitutionality of such statutes be-

⁸⁵ *Republic Iron and Steel Co. v. State*, 160 Ind. 379; *L. R. A. Digest*, II. "Constitutional Law." §761b.

⁸⁶ 18 R. I. 16; *L. R. A. Digest*, II. "Constitutional Law." §761a, 576a.

⁸⁷ *St. Louis Ry. Co. v. Paul*, 173 U. S. 404 (1899); Rice, W. G., Jr. "The Constitutionality of Labor Legislation in the United States of America." *International Labor Rev.* XIV. 1-46. Nov., 1926.

⁸⁸ 39 *Corpus Juris*. "Master and Servant." §344f. Rice, *op. cit.*: *L. R. A. Digest*, II. "Constitutional Law." §763.

fore the Supreme Court sustained them.⁸⁹ A discriminatory selection of the persons covered by such a statute will make it invalid, but it is not now deemed discriminatory to confine it to specified businesses or industries (such as mining), nor to those who employ a stated number of employees.⁹⁰

These statutes which affect the time, medium and method of determining the wage payment do limit the absolute freedom of contract. They increase the worker's positive liberty by setting minimum standards which neither he nor his employer may disregard in their bargain. The state has recognized that the welfare of its citizens demands a restriction on the bargain which might otherwise be made between a corporation and an employer, legally equal but economically poles apart. The necessary infringement on property and liberty in securing this public good is constitutionally permissible. It is not inconceivable that in the modern business setting public purpose may demand and the law sanction limitations on the right to discharge at will and, to maintain the balance of rights, on the employee's right to leave at will with impunity. Some tendencies in this direction are evident in other countries, and to a slight extent in this country.

⁸⁹ *Knoxville Iron Co. v. Harbison*, 183 U. S. 13 (1902); *Dayton Coal Co. v. Boston*, 183 U. S. 23 (1902).

⁹⁰ *Keokee Consolidated Coke Co. v. Taylor*, 234 U. S. 224; *Commonwealth v. Hillside Coal Co.*, 109 Ky. 47; 58 S. W. 441; 39 *Corpus Juris*. "Master and Servant." §340c.

(To be continued)

THE WORKER'S EQUITY IN HIS JOB*

ELIZABETH PASCHAL

Chapter III. Indications of Some Recognition of a Right to the Job

Section I.

ONE situation in which the worker has felt very strongly that he has a right to a job is a strike. He looks upon the job as his, one which he has not relinquished but the conditions of which he is attempting to improve. "A strike is a stoppage rather than an abandonment of work. There must be an intention to return."¹ "It is not a strike for workmen to quit work either singly or in a body, when they quit without intention to return to work, whatever may be the reason that moves them to do so."² It is their intention to return to work at improved terms, combined with the employer's attempt to get his work done in spite of them by means of hiring other workers for the jobs, which is responsible for the violence which accompanies many strikes. The workers resent the encroachment on "their" jobs, and fight to defend them as well as to gain their ultimate ends.

Is there any recognition that there is such a right as that which the worker feels he has to the job? Certainly there is no such right as the Mexican worker has under the law which forbids his employer to make

new labor contracts during a strike or to discriminate against his employees who have gone on strike after the dispute is settled. In this country the employer cannot be forced by law to take back a striking employee any more than the employee can be prevented from quitting his job if he pleases.³ Even if the act of striking is not a resignation of the job by the worker, the employer has a right to discharge him at will and his not taking the worker on after the strike serves, therefore, as a discharge. If the relation were one of contract for a term, the employee's going on strike would be treated as a breach sufficient to justify the employer on his side in not continuing the contract.

Although there is not any legal recognition of a right which would entitle the worker to return to his position after a strike, there are indications that the strike is being considered by courts at least partially as the worker considers it: namely that though he participates in it, he does not thereby lose all of his former status.

At one time Nevada had on its books a statute which provided that an employer might not include in his labor contract the specification that his employee should not become or continue to be a member of a labor organization. In the early part of the century this statute was declared in-

valid. In the decision with regard to it District Judge Farrington said:⁴

"The mining company has the right to employ non-union men to take the places vacated by those who quit work. The latter have no legal interest or concern in the contract between the company and its new employees. The places which they vacated to strike are no longer theirs, and never again will be theirs unless they are reemployed. It is difficult to see, when a man has voluntarily given up a job, how he can maintain that he has a shadow of claim or right to the vacated place."

Certainly no equity is indicated there, no recognition even of the strike as anything other than a concerted abandoning of the job. The attempt of the workers to save their jobs, or former jobs, from other workers gains small sympathy. This court would restrain all picketing which is intimidating, admitting as intimidating some picketing which is accompanied neither by violence nor by threat of violence.

A decision less hampering to organized labor, more favorable to their feeling toward struck jobs, was that in the *Iron Molders' Union v. Allis-Chalmers Co.* In this, duress but not persuasion was held enjoined, and the relationship between strikers and the employer was regarded, in dictum, as not entirely severed. Circuit Judge Grosscup, specially concurring in the decision, said,⁵ "A relationship exists between employer and employee (in time of strike) that is neither that of the general relation of employer and employee, nor again that of employer

looking among strangers for employees or employees seeking from strangers employment."

The Clayton Act in limiting the use of the injunction for acts done in furtherance of a dispute between "employers and employees" or "persons employed and persons seeking employment" made the question of the status of strikers more openly a problem. In *Tri-City Central Trades Council v. American Steel Foundries*,⁶ the plaintiff contended that men on strike were not his employees and therefore had no right to picket his property and that he was entitled to an injunction on that account. The court ruled that the contention was not well taken. It said:

"It is true a striker is not technically an employee. The relation of employer and employee is temporarily suspended during a strike. . . . Neither strike nor lockout fully terminates during the strike the relationship between the parties."

The Members of the Central Trades Council, representing the strikers, were not, therefore, "merely intermeddling in the affairs of a company in which they had no interest." This is a view removed a considerable distance from that of the court in the *Goldfields* case.

In his opinion in *Truax v. Corrigan*, Chief Justice Taft spoke of men on strike as "ex-employees." The point is not considered, however, in detail. At the same time, courts were usually holding that the striker occupies a middle position between being an employee and being simply one of the general public. Their position gives

* Continued from November AMERICAN FEDERATIONIST.

¹ "What is a Strike?" 31 *Yale Law Jour.* 321. Jan., 1922.

² *Uden v. Schaefer*. 110 *Wash.* 391; 188 *Pac.* 395 (1920).

³ See, however, *ante* p. 35; note 34.

⁴ *Goldfield Consol. Mines Co. v. Goldfield Miners' Union* No. 220. 159 *Fed.* 500 (1908).

⁵ 166 *Fed.* 45 (1908).

⁶ 218 *Fed.* 728 (1917).

them certain rights of interference in the relations between the employer and strike-breakers or the public which a stranger would not have.⁷ A question arises as to how long this anomalous relationship lasts if the strike is not won and the strikers returned to their jobs. An Ohio district court laid down one test. It said⁸ that even if the Clayton Act gave special privileges to labor, which it did not believe, the question would still remain for judicial determination whether at a given time the discrimination was operative. Whether or not a "dispute concerning terms or conditions of employment" was still in existence was to be decided in reference to the circumstances. In the *Overland* case it was held that when a factory had been opened and was operating with more men than it had before the strike, it could not be said that the employer was having a dispute with his employees. The strikers were simply jobless men in whose behalf picketing was not lawful.

The strict view of the strike as an abandonment of work appeared again in the early twenties. There was dictum in *Birmingham Trust and Savings Co. v. Atlanta, B. & A. Railway Co.*⁹ That a strike is "determination by the strikers of the employment so far as they are concerned." This case arose out of an attempt on the part of the strikers to regain their jobs. The receivers of a bankrupt railway company had announced a wage reduction

in violation of the provisions of the Newlands Act. The employees struck in protest and their places were in many cases filled with other workers. The court recognized the fault of the receivers in violating the Newlands Act, but held that the employees could not regard their contracts as broken and so quit, and at the same time regard them as continuing so as to allow them to resume their positions. The court refused to order the receiver to discharge their successors and rehire them. Although there had been a contract relation here which had been broken by the employer, the employees by a strike lost their right to demand that the contract be fulfilled.

In *Canoe Creek Coal Co. v. Christensen*,¹⁰ we have a court again holding that a particular dispute did not come under the Clayton Act's meaning of a dispute between employers and employees because the latter had struck and could no longer be considered employees. In a case in which a contract for a definite term was involved, the court's holding was similar.¹¹ There was an agreement between the Association and the Traction Company which specified certain wages and provided for the arbitration of any controversy which might arise over the wages to be paid after the expiration of this agreement. A disagreement arose over the wages in force for the duration of the contract. The employees struck and sought to have the agreement to arbitrate enforced. The court found that the ar-

bitration agreement applied only to disputes over future, not present wages, but stated that even if it had been so stated as to apply to existing wages it would not have been applicable to this dispute in which the workers had struck.

"It did not undertake to deal with members of the associations, except as they continued in the employment of the traction company. The moment they refused to perform the services the petitioners had agreed should be rendered for a definite period, and severed their relations as employees, the provision for arbitration came to an end; there were no controversies existing between the traction company and its employees, and there was no agreement to arbitrate any other controversy."

*Michaelson v. U. S.*¹² which was affirmed by the Supreme Court took the opposite view. It held that the mere act of going on strike did not destroy the status of employee completely in the meaning of employee in the Clayton Act. This is the opinion most commonly held by courts.¹³ It is implied in the *International Brotherhood of Electrical Workers, Local Union No. 134 v. Western Union Telegraph Co.*¹⁴ in which the court granted an injunction against calling a strike to secure "union shop" conditions on a construction job. The court said that prohibiting the strike was not enforcing involuntary servitude because it did not prevent anyone from quitting the job who wished.

⁷ 291 Fed. 940; 266 U. S. 42 (1924).

⁸ 35 A. L. R. 542-543. Note.

⁹ 6 Fed. (2d) 444 (1927); 46 A. L. R. 1538-1541.

¹⁰ 281 Fed. 559 (1922).

¹¹ *In re* Div. 132, Amalgamated Association of Street and Electric Ry. Employees of America. 188 N. Y. Supp. 353 (1921).

The implication is that a strike is not quitting the job. The same sort of decision with the same implication was that in the case of *Burgess Brothers Co. v. Stewart*.¹⁵

What do these opinions of the worker's position when he is on strike mean to his equity in his job? Very little in the practical sense of his not being displaced permanently when he meant to quit only temporarily. His getting back to his former work depends largely on the success of the strike. Perhaps in the courts' recognition of the mid-position of the striker there is a reflection of a partial public sentiment in favor of the worker's theory that he should not lose his job merely for strike activity. Less tenuous is the right of the striker, recognized by most courts, to try to keep other persons from filling the jobs temporarily vacated, a right which would not reside in a stranger. That is an advantage in union activity and helps make possible union, if not individual control of the jobs. Small as the gain is, it is of some advantage to the worker seeking to gain from others recognition of the right he feels is his to have the courts treat him as not having wholly severed his relationship to his employer when he goes on strike.

Section II

In some trades the principle of an accruing equity in the job from successive years of investment of effort in it is recognized. The recognition has taken the form of incorporation of the union working rule in a collec-

¹⁵ 134 N. Y. Supp. 119 (1920); 46 A. L. R. 1541. Annotation.

⁷ "Status of Employees on Strike." *Monthly Lab. Rev.* XIII. 186-188. Sept., 1921.

⁸ *Dail-Overland Co. v. Willys-Overland*. 263 Fed. 171 (1919).

⁹ 271 Fed. 743 (1921).

tive agreement with the employers, the rule being extended to cover all persons working in the same shop whether union men or not. The law sanctions such agreements and endorses the equity so created.

Among trainmen and enginemen the desire for the seniority rule was very early expressed. The evils of nepotism and lack of the seniority principles were among the grievances discussed at the meeting in 1863 at which the Brotherhood of the Foot-board (later to become the Brotherhood of Locomotive Engineers) was organized.¹⁸ The seniority rule was incorporated in the agreement with the New York Central signed January 26, 1875, and in one with the Central Railroad of New Jersey secured after a strike in 1876.¹⁹ These agreements provided that the oldest engineers in the service of the company were to have the preference of engines and trains if they were competent and worthy, and in case of a surplus of workers, the oldest in service should have the preference of work. These are common provisions of such agreements, it usually being provided that men shall be laid off in the reverse order of their dates of being taken into service, and when needed again reinstated in reverse order of the layoffs. The shop crafts on the railroads have also sought to have the seniority rule recognized. In agreements between the Great Northern Railroad and the blacksmiths and helpers,

signed in 1913, and between the Chicago and Northwestern Railroad and the Federated Shop Crafts in 1916, seniority is made the basis of promotion.²⁰

Under the government administration of the railroads during the war the seniority rule was applied to all railroad employees. The order issued by the Director-General of the Railroads contained the following provisions:²¹

"Article XII

"(a) Promotions shall be based on ability, merit and seniority, ability and merit being sufficient, seniority shall prevail.

"(b) Seniority will be restricted to each classified department of the general and other offices and of each superintendent's or master mechanic's division.

"(c) Seniority rights of employees, referred to herein to:

1. new positions,
2. vacancies, will be governed by paragraphs (a) and (b) of this article.

"(d) Employees declining promotion shall not lose their seniority.

"(e) Employees accepting promotion will be allowed 30 days in which to qualify, and failing, will be returned to former positions without loss of seniority.

"(g) In reducing forces, seniority shall govern. When forces are increased, employees will be returned to the service and positions formerly occupied, in the order of their seniority."

¹⁸ Rudolph Carl. "The Birth of the Brotherhood." *Locomotive Engineers Journal*, 10. Jan., 1933.

¹⁹ Perlman, Jacob. *History of the Brotherhood of Locomotive Engineers to 1903*. Ph.D. Thesis, U. of Wis., 1926. Part III, 1. 7, 20.

²⁰ Bohlman, H. W. "The Shop Crafts and Industrial Government of the Railroads." M.A. Thesis, U. of Wis., 1922, 39-42.

²¹ General Order No. 27, Supp. 7, Sept. 1, 1918.

Supplement 8, issued September 1, 1918, added:

"(h) Employees furloughed for six months or less will retain their seniority."

A recognition of the rules of seniority does not arise simply from a service long continued. The courts do not find a principle of seniority where none is created by agreement. If the unions wish to gain job security in proportion to length of service they must seek to embody that rule in trade agreements. Most unions have not worked for it. They have preferred rather to have the work shared equally by their members, each bearing some of the loss in times of scarcity, than to have the newer members on the job lose their places while the older ones remain. The seniority principle is a reasonable one from the viewpoint of a direct return in security in proportion to the effort and labor invested in service, but in times of general scarcity of work it requires a tremendous investment in years of service to gain any security at all. The equity of workers more recently joined to the force is eliminated. In such a depression as the present one even the railroad crafts have been obliged to modify their seniority rule for the more usual trade union principle of sharing the work.

Although the right to preference in work, to an advantage of security in tenure in proportion to one's years of service with a company, arises from an agreement between the union and the company, not in an individual contract of employment, it becomes an understood part of each contract of employment and a right of the indi-

vidual. Its advantages are not confined to the members of the union which negotiated it. In *Gregg v. Starks*,²² the plaintiff was not a union member. He had been a passenger conductor for twenty years when he was displaced by Pennybacker, a union man who had thirty-one years of service with the company, twenty-five of which were as a freight conductor. He had recently qualified for a passenger run and under the company's interpretation of the seniority agreement was allowed to take the position held by the plaintiff, a junior to him in service. The court, granting the injunction asked for, held that the contract between the union and the company purported on its face to be an agreement between the company and all its conductors. The plaintiff, therefore, was included in its benefits. It further decided that a proper interpretation of the agreement would allow former freight conductors who had qualified for passenger service to enter that service only when a vacancy occurred, not at the expense of a passenger conductor then in service.

The right vested in the individual under seniority agreements is his as against his union except under certain conditions. In *Piercy v. Louisville and Nashville Railway Company*,²³ the court held that the plaintiff could not be deprived of his seniority right by a majority vote of the local union to which he belonged. The plaintiff, because of his superior position on the seniority list, held the best run between Cincinnati and Knoxville. The Order of Railroad Conductors, Knox-

²² 183 Ky. 834; 224 S. W. 459 (1920).

²³ 198 Ky. 477; 248 S. W. 1042 (1923).

ville Subdivision, to which the plaintiff belonged, asked the company to change the runs so that their members would have their "lay-overs" in Knoxville rather than Cincinnati. The plaintiff who did not wish the change protested against the request but was outvoted in his union. The company, in granting the request, placed the plaintiff on a different run. The court ordered his reinstatement on his former run, declaring that the plaintiff in joining the union did not contemplate the submission to that body of "the determination of any question involving his personal rights." His right arose under his employment contract with the company and the union had no right to abridge it for a third party.

However, the plaintiff's right is not so absolute that it is not subject to some action of the union. It has been decided that "a rule giving preference in making runs of trains according to seniority does not create a property right in persons affected thereby, such as cannot be denied or modified by a subsequent regulation or rule adopted in the manner and by the authorities provided by the constitution and by-laws of the union of which such persons are members."²² There is confirmation of this view in the decision of *West v. Baltimore and Ohio Railroad Co.*²³ in which the plaintiff was not allowed recovery against the company and union for loss of his place on the seniority list. The agreement between company and union was that furloughed employees should resume

²² *Oakes, E. S. Organized Labor and Industrial Conflicts*, 245. Citing *Berger v. McCarthy*, 84 W. Va. 697; 100 S. E. 492 (1919).

²³ 103 W. Va. 417; 137 S. E. 654 (1927).

employment in the order of their names on the seniority list. The plaintiff left his employment and worked for a time with another company. On his return the union notified the company that he had lost his earlier rating and he was placed on the seniority list as entering employment at the date of his return. The plaintiff sued both union and company for deprivation of his seniority rights. The court ruled that the plaintiff could have no action against the company because he had no contract with it. "The rule seems to be that individual members of a labor union are not bound by contracts between the union and employers, unless such agreements are ratified by the members of the union as individuals, and that in the absence of evidence of such ratification by a member, no rights accrue to him which he can enforce against the employer." The union by-laws provided for appeals to various bodies if a member felt his seniority rights infringed. If the plaintiff did not choose to take the course of appeal provided, he could not be heard to say that the official who notified the company that he had lost his seniority position was acting without authority.

The union must be acting lawfully by its own rules when it makes a change in the seniority agreement which affects individual rights therein. The General Laws of the International Typographical Union lay down a priority law. The General Laws are not subject to arbitration in local agreements. The priority rule requires each shop to keep a priority list. Typographical No. 6 had an agreement with the Publishers' Association of New York which included the prior-

ity rule. One of the newspaper publishers who was a member of the association bought a controlling interest in another paper. Typographical No. 6 ordered the chapels of the two shops to appoint a joint committee to prepare a joint priority list, the result of which was the replacement of the plaintiff by a worker from the other chapel. The plaintiff took the course of appeals provided by his union's rules, but failing to gain reinstatement, he took legal action. The court supported his plea that the union officers might not deprive him of his seniority rights by an order contrary to the union laws.²⁴

A man discharged wrongfully, in violation of his contract right to a certain priority position under the union priority rule, may have not only an action in law for damages for the improper discharge, but an action in equity for reinstatement in his proper priority position, because the damages for its loss cannot be determined.²⁵ Even though the employee signs no individual contract when he works for a company which has signed a priority agreement with a union the seniority rights are commonly considered part of the individual's contract of employment.²⁶ The right thus gained by the worker, an equity recognized by the courts, constitutes a restriction on the employer's right to discharge at will. This amendment of the employment contract will differ from the restriction which arises from a contract of em-

ployment for a term of years in that it limits the employer's right to discharge without correspondingly limiting the worker's right to quit. He is free to leave his job if he chooses, but if he does, he loses not only the job but also his seniority rating. If he returns he is placed at the bottom of the list. If he remains steadily at work, his years of service are directly compensated by an increasing assurance of a steady job.

Section III

The theory behind unemployment insurance is, in part at least, that the worker who has put his time and energies steadily into a job deserves some protection against industrial vicissitudes over which he has no control. There is some social recognition that the wages which he has received can not be saved to an extent which will tide the worker over long periods of unemployment and that he deserves some security from the industry to which he has devoted himself and to which he looked for a livelihood.

Another theory behind insurance plans is that unemployment is a permanent part of our industrial set-up and that a systematic plan for relief which draws its funds in part from industry and workers and in part from taxation is to be desired. The relief theory has been stressed in the unemployment insurance plans of most of the European countries. The problem of relief has been tremendous, and even systems which tried to operate on a sound actuarial basis were obliged to take on relief features to the almost complete exclusion of the insurance set-up.

²⁴ *Hamilton v. Rouse*, 165 N. Y. Supp. 173; 178 App. Div. 81 (1917).

²⁵ *Robinson v. Dahm*, 159 N. Y. Supp. 1053 (1916).

²⁶ *George v. Chicago, Rock Island and Pacific Ry. Co.*, 183 Minn. 610; 233 N. W. 673 (1931).

Beveridge shows clearly the relief theory behind unemployment insurance in discussing the English situation of 1909:¹⁷

"The authors of unemployment insurance in 1909 had to justify both a novel method of relieving distress through unemployment and a novel means of raising the funds that they required.

"They had to justify, on the one hand, the giving of money unconditionally to men in idleness, without attempt either to set them to work or to make them more fit for employment. They did so essentially on the ground that they were providing for temporary unemployment of men in a depression who had proved their industrial quality by working in the past, and, when the depression passed, would be needed again in their old trades and places. To give such men artificial relief work would be more costly than money payments and as demoralizing."

On the other hand, the attempt to justify the raising of funds by compulsory contributions from industry and workers was based partly on the theory of encouraging prevention of unemployment or steadier work. The insurance fund was expected to be self-supporting. There were provisions aimed at giving advantages to those companies which made their employment regular. With the load dumped on the unemployment insurance fund in the depressed years since the war, the fund became a general source of relief, not a self-supporting fund for insurance of contributing workers. Beveridge deprecates the change, not on the ground that it demoralized

recipients of relief as many have claimed on insufficient evidence, but that it was likely so to demoralize the government, employers and unions that they would do less to prevent unemployment. "Relief of unemployment is after all a very bad second best to its prevention."¹⁸

The prevention idea has been foremost in the only unemployment insurance plan enacted into law in this country, the Wisconsin Unemployment Compensation Act. Professor John R. Commons, author of the first bill proposed in Wisconsin for unemployment reserves, has always stressed prevention. The Interim Committee on Unemployment, in its report to the Governor and the 1931 Special Session of the Wisconsin Legislature, emphasized prevention.¹⁹

"Taken as a group the factory workers of the state had their income cut almost in half by the business depression. Contrast the situation of those whose income is in the form of interest or dividends, for the steady payment of which reserves were built up in prosperous times. . . . Dividends paid out in the first nine months of 1931, the second year of the depression, were greater than for the same period of 1929, the height of prosperity.

"The unemployment compensation bill which we recommend is in effect an extension of the reserve principle to cover the regular worker in industry as well as the bondholder and the stockholder. Within reasonable limits, we believe that he should be assured a similar security of income.

¹⁷ *ibid.* 294.

¹⁸ pp. 35-36.

If he cannot be given regular employment we believe that he should be paid some compensation while unemployed. To provide for such compensation, an unemployment reserve should be built up by his employer.

"This reserve should be made a part of the recognized cost of production. The maintenance of idle men should come to be regarded as analogous to the maintenance of idle machinery; both should be seen to be part of the necessary expense of doing business which must be covered by the price charged for the product."

This is a declaration of a belief in the right of workers to income security if not job security. Greater job security is expected to result, to some extent, from the incentive which the Unemployment Compensation Act provides for an employer to regularize his employment in its provisions for decreased contributions after the employer has accumulated a reserve fund of fifty-five dollars per employee, and for a cessation of contributions when his fund shall have reached seventy-five dollars per employee.²⁰ With little unemployment and consequently small withdrawals from his reserve fund, his contributions will be light.

Two provisions in the Wisconsin law tend to put the consideration of prevention foremost: (1) having individual reserve funds for each employer, and (2) having only the employer, who has more power than any other person to regularize his employment, contribute to the fund. Other insurance plans have been proposed in various states. Some of these hope to provide larger benefits by collecting

contributions for the fund from workers, or workers and state, as well as from employers. This increases the utility of the insurance fund as an agency of relief, but departs somewhat from the theory of prevention, since some of the assessment falls on the worker who is not in a position to make business and employment more regular. The plan proposed in Ohio and elsewhere provides also for a single state fund into which all contributions are to be put and from which all benefits are to be drawn. This again looks more to steadiness and adequacy of relief than to prevention, since it permits use of contributions made by firms with a better employment record to pay workers of less competent companies. Relief is necessary, surely, but prevention is a more permanent remedy; and along with an emphasis on prevention is more likely to go a social philosophy which endorses the worker's conviction that he has a moral right to regular employment, and that his investment of steady work deserves the protection of assured regular income which is accorded in some measure at least to investment of money in a company's stocks and bonds. The Wisconsin law has such a philosophy.

The movement for unemployment insurance has gained tremendously in interest and good will in the past two years. Although no compulsory law is yet in operation, and only the state of Wisconsin has such a law in its statutes, a number of legislatures have appointed committees to consider such legislation. In some states definite bills have been presented to the legislatures. The American Federation of Labor is on record as favoring state

²⁰ Wisconsin Laws, Special Session, 1931. Ch. 20. 108. 18.

¹⁷ Beveridge, W. H. *Unemployment*. 289-290.

unemployment insurance laws, a departure from its previous theory of opposing such social legislation. The mounting list of unemployed and the widespread acceptance of the idea, long preached by labor, that business does not prosper when labor's purchasing power is low, are largely responsible for the public interest in job security, or, that failing, in some income security.

Will the courts sanction whatever security is gained by legislation establishing unemployment insurance? Will a compulsory law be held constitutional? The question has not, of course been tested yet. It has a reasonably good chance, however, of being answered affirmatively. The law, as drawn in Wisconsin, makes a classification of those subject to its authority according to the numbers employed, a classification similar to that already upheld in workmen's compensation laws as giving equal protection of the laws. It imposes a financial burden on the employer and takes from him his right to discharge wholly without responsibility to the worker. It may be argued that this takes from him liberty and property without due process. However, due process is not a static concept. It has extended beyond a concept of procedure to one of purpose.²¹ The states may modify property and personal rights in order to achieve a public purpose deemed more important. The courts upheld the constitutionality of workmen's compensation laws, even when compulsory, recognizing that the employer's former defenses against

an injured worker in the doctrines of contributory negligence, fellow servant negligence and assumption of risk were not inviolable. The compensation laws were enacted "in recognition of the doctrine that the great office of statutes is to remedy the defects of the common law as they develop and to adapt it to the changes of time and circumstances."²² The public purpose served by these laws was important. The courts could find that the legislature had given due weight to the importance of the personal and property rights involved and had still believed it necessary and proper to place restrictions on them in behalf of the public good. This was a justifiable exercise of the police power. In the face of such a long-continued and devastating industrial depression as that of the past four years and with a keener apprehension that unemployment is not only a depression phenomenon, it is not difficult to see an important public purpose in such prevention as it is possible to stimulate by an unemployment reserve law or in such greater regularity of income and such assistance to employment readjustment as technological changes make necessary. The infringement on the employer's rights is no greater than that involved in the workmen's compensation laws; the economic loss in unemployment is as serious as that in industrial accident. It is unlikely that courts which upheld the one law will deny the other validity.

(To be continued)

²¹ Laube, H. D. "Administrative Problems in Wisconsin's Workmen's Compensation." 3 *Wis. Law Rev.* 95.

²² See Commons, *op cit.* 331 ff.



"OUR NEXT STEP", A National Economic Policy, by Matthew Woll, Member, Executive Council, American Federation of Labor, and William English Walling. Publishers, Harper & Brothers. Reviewed by Waldo Holden, Research Staff, American Federation of Labor.

What protection is to be given to industry, to labor, and to the consumer after our emergency legislation expires on June 16, 1935? What legislation is to be passed during the Seventy-fourth Congress to end for all time the booms of false prosperity and the depressions of untold suffering which have characterized our economic system since its inception? These are questions which are now in the minds of all of us, and, in this connection, the present volume can be highly recommended as a simple manual.

"The economic policy that must underlie any constructive program must be known and understood and definitely accepted by the nation as constituting the very essence of that program." The fundamental policies which should go to make up such a program are clearly set forth by the authors; policies which have been urged time and again by labor, and policies which leaders of industry and the President have long since recognized as vital to the welfare of the people of our country and to industry

itself. Specific recommendations are made for the procedure whereby the establishment of such a program would be assured, and ample proof is given that, up to the present time at least, the National Recovery Administration has fallen very far short of carrying us to our objective.

In working toward our goal "there is no need for the destruction or abolition of our political system or any important part of it". It will amply serve our purposes "with radical additions and innovations, but with comparatively few vital amendments". "President Roosevelt has said that the new dispensation means a partnership between business and government. Such a partnership had long been in existence before Mr. Roosevelt became President, but 'business' was the senior partner. There can be no real or fundamental or lasting change unless government becomes the senior partner, and that, apparently, is exactly what is taking place."

Before considering the specific proposals of the authors, it would be well to mention briefly the chief causes to which they attribute the depression. "Undoubtedly, waves of optimism and pessimism have greatly accentuated every economic depression, and there is always hope for a certain improvement through the return to common sense. But it has now been generally realized that the wave of

THE WORKER'S EQUITY IN HIS JOB

ELIZABETH PASCHAL*

Section IV

A

THERE is some measure of job security for persons in government service who are appointed under Civil Service regulations. The Civil Service laws, designed to correct some of the evils of the spoils system, cover a limited field of employment and with varying provisions in different states. Under the United States law there is no substantive safeguard against discharge. Discharges which are designed to improve the federal service, an elastic term, are permitted. There is some procedural safeguard in the provision that an employee must be given written notice of the intent to discharge him with reasons for it, and must be given an opportunity to file an answer. Similar procedural safeguards are incorporated into most of the state laws. Some of the states have provision for a hearing of the case before the appointing officer or before the entire Commission. These provisions for a hearing offer the additional safety of publicity.

There are substantive checks on discharge in many states. These may take the form of a provision, such as that in the Wisconsin law, that after a probation period, of perhaps three months, no person may be discharged except for just cause, which is not to include political or religious causes. There has not been much court interpretation of just cause, but in those

cases which have arisen the courts have not examined the justice of the cause beyond excluding political and religious causes. It is not clearly determined whether determining the justness of the cause is a question for the discharging officer or for the court. The possibility of judicial review of the causes for discharge offers some additional security over that which exists when there are only procedural checks on discharge. There is the opportunity to challenge the assigned cause as not being the real cause or as not being supported by the facts. Some states provide for a full court review of the substantive standards for discharge. This is usually the case when the statute provides a hearing before the appointing officer or Commission.

The civil service laws, even though they do eliminate the worst features of the spoils system, the tremendous amount of personnel change arising from change of the political party in power, do not operate to give the job holder under them complete security of tenure in absence of fault on his part. Probably the greatest security comes from the fact that appointment is by competitive examination and therefore the appointing officer will have a smaller opportunity to be able to place his friends. Consequently he is less likely to discharge the holder of the office without cause. However, there are ways of avoiding the appointment laws, and the effectiveness of the system depends on an alert

public opinion for security of tenure of an efficient person in such public positions as are governed by the civil service laws.

B

Although there is not, in the general field of employment, any such security as that given government employees by the civil service laws, there is a growing tendency toward limiting indiscriminate firing without just cause by the imposition upon the employer of a financial penalty for using such discharge. This penalty takes the form of a mandatory, or self-imposed dismissal wage payable by the employer to an employee whom he dismisses without sufficient notice and without just cause. G. T. Schwenning says of dismissal compensation, "The existence of legislation on the subject is tantamount to the public's acknowledgment that the worker has an equity in his job and that he should be indemnified if he is unjustly deprived of it."

Most of the legislation on this subject has been in foreign countries unhampered by constitutional tenderness for private property and individualism in contract relations. Most of it has been passed during the depressed years since the war when business was not expanding and unemployment was assuming alarming proportions. Some, but not all of it, has come in countries in which organized labor was gaining strength and pressing its demands upon weakened governments. Some of it has come in countries which have had political upheavals and where paternalism or

fascism is strong. Some has been passed by governments afraid of political upheaval and trying to ward off unwelcome labor agitation.

"Approximately half a hundred discharge indemnity laws have been enacted since 1919 in seven countries of Europe, in eight Latin-American countries and in two countries of the Far East. Such legal measures are at present in force in the following impressive list of nations: Bolivia, Brazil, Chile, China, Ecuador, France, Germany, Greece Guatemala, Italy, Japan, Jugoslavia, Mexico, Peru, Rumania, and Soviet Russia."²¹⁰ To Dr. Schwenning's list we may add Argentina, Austria and Uruguay.

The common provisions of these dismissal compensation laws are those providing for a period of notice before dismissal, or, failing that, a payment of the wage for an equivalent period. The length of the required notice varies from a few days to two years depending on the kind of employment and the length of time the worker has been in that service. The direct increase of the compensation payable with the period of employment indicates an acceptance of the proposition that the worker acquires an equity from investment of labor, and the longer the investment, the greater the equity. It may also indicate some consideration for the greater difficulty the older worker will have in securing a new position on the loss of the old.

Several acts passed in Austria soon after the close of the war required employers "either to engage a new worker in place of each one dismissed

* Continued from December AMERICAN FEDERATIONIST.

"The Worker's Legal Right to His Job." AMERICAN FEDERATIONIST. IXL. 26. Jan., 1932.

²¹⁰ *Ibid.*, 26.

or to give notice proportionate to the length of service and to pay a leaving grant."⁵⁵ This would allow an employer considerable freedom in discharge provided he kept his working force the same size. It serves rather to avoid increasing the number of unemployed workers who would look for relief than to give the individual worker security. That its purpose was to keep numbers of persons, rather than particular persons already employed, at work is indicated by an amendment to the Austrian Unemployment Insurance Law⁵⁶ which provided that in times of serious industrial depression the state might pay to employers who retain employees whom they might otherwise discharge, a compensation not exceeding the amount of unemployment benefit the worker would receive if he were out of work. Under these various acts an employer might discharge a worker but hire another in his place without paying a dismissal grant and might receive a state subsidy for keeping a uniform employment roll. Later Austrian laws made the individual worker's position better. There is now a law providing that employees above the rank of manual labor are entitled to notice of six weeks or the equivalent salary. In addition, employees of more than three years' standing if wrongfully discharged, are entitled to a bonus of "from two months' to one year's salary, depending upon the length of service."⁵⁷ Agricultural employees, manual laborers and domestic serv-

ants are under special regulations providing for varying periods of notice.

England has passed no dismissal compensation legislation. Dr. Erich Molitor notes this lack of legislation in his discussion of "The Protection of the Workers against Unfair Dismissal in Continental Legislation."⁵⁸ He expresses his belief that the worker needs protection against dismissal without justification or for arbitrary reasons, and says:

"This need has sometimes been expressed in somewhat inaccurate and exaggerated terms as the worker's right to security of tenure of his employment, of which he should not be deprived without just cause.

"Such protection against unfair dismissal is virtually non-existent in English law, the only form of protection being that afforded by the practice of the courts (based on the interpretation of contracts and on standards of fairness) of recognizing periods of notice."

Dr. Molitor's distinction between the need of the worker for protection and a right to security is one which needs to be borne in mind when considering the rights of labor in this country. The legal right to security does not exist apart from those circumstances in which it is created by a contract or law, such as the civil service laws. Public appreciation of the worker's need, and even a strong sentiment supporting labor's own belief in its equity, may become important in creating a situation in which public purpose will be found to justify restrictive legislation; and consequently such legisla-

⁵⁵ *International Labor Rev.* 230-231. Feb. 1927.

⁵⁶ *Monthly Lab. Rev.* XVI. 94. March, 1923.

⁵⁷ *Ibid.* "Amendment of the Austrian Unemployment Insurance Law."

⁵⁸ *Commerce Reports.* U. S. Bur. of For. and Domes. Commerce. 510. Feb. 29, 1932.

tion will be upheld by the courts. But they will not of themselves create an equity, in the absence of legislation or some form of contract which creates it. In England some firms have voluntarily paid dismissal wage, but there is no law compelling them to do so.

Prior to 1928, the French law had the principle that a worker was entitled to compensation or a "gratuity on discharge" for unfair dismissal. The gratuity amounted to his wages for a period of notice not observed. This compensation was for salaried workers only.⁵⁹ The Act of July 19, 1928, which replaced Book I, sec. 23 of the French Labor Code, was designed to regulate contracts for indefinite periods and to protect the worker under such a contract who is dismissed without notice or wrongfully. It provides:⁶⁰

"Sec. 23. (1) A contract of employment that is not concluded for a specified period may at any time be terminated at the will of either contracting party.

"(2) The giving of notice and the period of notice to be given shall be determined by local or trade custom, or, failing such custom, by collective agreement. The periods fixed by custom may be altered by collective agreement.

"(3) Any clause of an individual contract or of rules of employment fixing a period of notice shorter than that established by custom or collective agreement shall be null and void.

"(4) The termination of the contract at the will of one only of the con-

⁵⁹ Molitor, *op. cit.* 236, 241.

⁶⁰ Quoted in Picard, R. "French Legislation on the Dismissal of Workers." *International Labor Rev.* XXIII. 1-24. Jan., 1931.

tracting parties may be a ground of damages.

"(5) The closing down of the undertaking except in cases of *force majeure*, shall not free the employer from the obligation to respect the period of notice."

This law establishes a reciprocal duty to give notice before severing the employment relation. The corresponding right is, in most cases, more valuable to the worker than to the employer, whose loss at the departure of the employee is less than the worker's at his discharge. The law also allows an action for damages to arise for wrongful dismissal, such as dismissal from malice or bad faith, apart from the question of the adequacy of the notice. Professor Picard notes that although it is lawful for an employer to hire a worker only on condition of his not joining a trade union, the Court of Cassation has not held justifiable abrupt dismissal for the reason that a worker is a trade unionist. Professor Picard says that because the legislature did not declare clearly and frankly its purpose to protect the workers in their jobs, the courts have not interpreted the law as liberally as many hoped for. Although competent opinion is confident that the law was meant to transfer the burden of proof of the fairness (or unfairness) of dismissal from the worker to the employer, the courts have interpreted it otherwise, in harmony with earlier precedent, and thus the act does not prevent wrongful discharge. To laborers in the United States, the tale of a law emasculated by court interpretation would sound familiar. If legislation is to create a new and valuable right for workers it

must be carefully drawn so that its intent is clear and, in this country, it must look to its constitutionality carefully.

Germany's Industrial Code of 1891 provided that the employer must give the same period of notice before discharge as he required from his workers before they left.⁴¹ This was no real protection because the employer could, with little loss to himself, agree to a short period of notice. The contract of employment was not terminated until the expiration of the period of notice and the wage was payable until then. If the employer would not employ the worker during that period he was, nevertheless, liable for the amount of wages due for that time. The Works Council law of 1920, to be discussed more fully later, and the establishment of the labor courts have protected German workers from unfair dismissal and required a notice period before discharge. An Act of July 9, 1926, provides for a notice to salaried employees of from three to six months for service of from five to twelve years after the employee was twenty-five years of age.⁴²

The Greek laws No. 2112 of 1920 and 4558 of 1930 require a notice to be given to an employee hired for an unspecified term. For wage earners the notice period varies from five to sixty days, for salaried workers from one month to two years, depending on the term of service. Failure to give notice obliges the employer to pay the corresponding salary or wage. Even if he gives the due notice, he must pay the dismissed employee an indemnity of one-fourth the compensa-

tion he would have been obliged to pay if he had not given notice.⁴³ The employee is obliged to give a notice of leaving one-half as long as that to which he is entitled from the employer, but not more than three months. His failure to give notice renders him liable to a payment of three months' salary to his employer. This reciprocal duty and penalty is a common feature of such laws, and is the same in result as the withholding of part of the salary by the employer and its forfeiture by the employee who quits without notice. The requirement for payment of a compensation even when the required notice has been given is not present in many of these laws. It is a more liberal provision for the worker than is customary. The Legislative Decree of April 21, 1926, which provided for the compulsory settlement of collective disputes when they were not voluntarily settled and when they were likely to injure the public, provided that if either employer or salaried employee refused to comply with an award of the Permanent Arbitration Board, he should be deemed to have discharged his employee or broken his contract of employment without due notice and should be liable to make the payment to the other provided for that offense.⁴⁴ No compensation or notice is necessary if a worker is discharged for a misdeed which results in legal conviction.⁴⁵ A decree of November 18, 1928, in an attempt to provide more regular work for employees on

⁴¹ *Commerce Reports*. 518. Nov. 30, 1931.

⁴² *Legislative Series* 1926. Gr. 3.

⁴³ Schwenning, G. T. "Dismissal Legislation." *Amer. Econ. Rev.* XXII. 241-260. June, 1932.

port work, ordered an official committee containing workers' representatives to determine the number of workers required for the new wharf in the Pinaeus and to dismiss those who were not needed, paying them a compensation proportioned to their years of service.⁴⁶ Plans such as this for reducing the number of workers trying to work at a trade in a certain location have been put into operation in several countries on different occasions.

In Italy under the Royal Decree Law of November 13, 1924, and succeeding laws of 1926 and 1929, all workers except government employees, after a probationary period, are entitled to notice of from fifteen days to three months or a corresponding wage or salary payment upon dismissal. Contracts are collective and are customarily for an indefinite period. A ruling by the Labor Court of Milan in 1930 indicated that an employee is entitled to an indemnity even if discharged for his own "grave fault."⁴⁷ This has not been generally followed. A feature of the Italian law similar to that of Greece is the provision that in all cases, in addition to the regular dismissal indemnity or notice, the employer must pay a discharge compensation of not less than half a month's regular earnings for each year that the worker has been in his service.⁴⁸

In Roumania labor difficulties had been rare because of the relatively small number of industrial workers, but the acute crisis of 1929 with its

unemployment made labor strife.⁴⁹ As a result the act was passed providing for dismissal notice or compensation for wage earners and salaried workers when dismissed for no fault of their own or because of *force majeure*. The notice period for wage workers is two weeks, with time off, not to exceed two days, to look for other work. Strikes and lockouts are not deemed sufficient reasons for cancelling individual contracts of employment, so that return of the worker to his job after a strike or indemnity for the loss of it is assured.⁵⁰

Czarist Russia had provision for a two weeks' dismissal notice or indemnity. Soviet Russia has a similar law for employment contracts unjustly broken by either party. Under the Soviet regime the employer's power to discharge a worker after a period of probation has passed, is much limited by the state. The worker may appeal to his local shop committee, the industrial union, the local head of the Commissariat of Labor, and finally to the People's Court. Any of these bodies may order his reinstatement.⁵¹ An employer may end a labor contract of indefinite term or one with an unexpired definite term only on two weeks' notice and on the payment of two weeks' dismissal wage if he liquidates the enterprise, is obliged to close it for more than one month for reasons connected with production, discharges a worker for unfitness (and then only if the shop committee consents to the discharge). If the employer wishes

⁴⁶ *Commerce Reports*. 638. Sept. 15, 1930.

⁴⁷ *Industrial and Labor Information Service*. 335-340. Sept. 9, 1929.

⁴⁸ Schwenning, *op. cit.* 248.

⁴⁹ Schwenning, *op. cit.* 248.

⁴¹ Molitor, *op. cit.* 237.

⁴² *Legislative Series* 1926. Ger. 7. I. L. O.

⁴⁶ *Monthly Lab. Rev.* XXX. 1-5. April, 1930.

⁴⁷ *Commerce Reports*. 548. May 12, 1930.

⁴⁸ Schwenning, *op. cit.* 246.

to transfer the worker to other jobs because of a temporary slack in work he may do so if the worker consents. If, however, the worker refuses the transfer, the employer may discharge him and pay the dismissal compensation. If the transfer involves a change of residence, the employer must pay special compensation.⁵²

The laws enacted by the Latin-American countries on dismissal compensation are generally similar to those of the European countries. The comprehensive Mexican Code has been discussed. A recent decision of the Mexican Supreme Court has held that "unprofitable operations are no excuse for failure to pay a month's salary to discharged workmen."⁵³ The provisions for the worker's option of being reinstated or taking the dismissal compensation when he is wrongfully dismissed are not common, but are present in Russian legislation. Even if dismissal compensation laws were enacted by the states of this country, this option would be impossible to give because it would compel a personal relationship of master-servant, a compulsion unconstitutional under our laws against involuntary servitude and the provisions for equal protection of the laws.

The Argentina Code of Commerce, Article 151, which covers commercial employees hired for an indefinite term, requires one month's notice by either party to end the contract or one month's pay to a dismissed employee. The Commercial Court has decided that a waiver of this article in an individual contract is null and void, and the dismissal compensation

is payable regardless of such waiver.⁵⁴

Bolivia's laws, which cover salaried employees only, require ninety days' notice or a compensation based on years of service from the employer, and forty days' notice from the employee. If the dismissal is necessary because of business losses the employer need pay only half the compensation otherwise due. A special labor court is established to hear and settle disputes respecting service, salary or pay, including the dismissal pay.⁵⁵ The compensation is a privileged claim on the receivers of a bankrupt establishment. If the proprietor dies and his undertakings are closed, his heirs or executors, or in default of heirs the municipality, must pay the compensation due.⁵⁶ "The employee has a legal right to his job and must be compensated for its loss, if the loss is not due to his own fault."⁵⁷

Brazil has a similar code covering salaried commercial employees and one for a shorter notice period for laborers. Laborers paid by the day are entitled to only one day's notice.⁵⁸ A special decree of March 19, 1931, prohibits dismissal, suspension, or transfer to a lower grade or more poorly paid job because of union activity or membership, and provides special indemnities payable to the worker if the employer does dismiss or suspend him for such activity.⁵⁹

Chile's Act No. 4,053 covering industrial workers in establishments hiring more than ten persons provides that any contract, whether for defi-

⁵² *Commerce Reports*. 243. July 23, 1928.

⁵³ *Legislative Series* 1924. Bol. 2.

⁵⁴ *Legislative Series* 1925. Bol. 1.

⁵⁵ Schwenning, *op. cit.* 250.

⁵⁶ *Ibid.*

⁵⁷ *Commerce Reports*. 430. May 18, 1931.

nite or indefinite period, may be terminated by either party on six days' notice or the equivalent pay. The employer, in addition, must pay the worker a reasonable sum for moving to and from his place of work if the worker has had to make such change of residence. An interesting regulation concerning unions makes the union responsible for the obligations undertaken by its members and gives it the power to exercise the rights of its members.⁶⁰ Special regulations cover salaried employees. Their period of notice is longer, and the compensation larger. The relation of the compensation to service is evident in the decree of 1926:⁶¹ "Compensation for dismissal shall mean the compensation due by the employer to the employee in respect of continuous service."

Ecuador's law passed in 1928 requires the employer to give one month's notice or pay, the employee two weeks' notice or pay. *Force majeure* or fault of the other party dissolves the obligation to give notice.⁶² Guatemala requires an equal period of notice or pay in lieu of notice by the employer.⁶³ The salaried workers, to whom protection had been extended before the wage workers were similarly covered, are entitled to a longer period of notice. Peru's law requires a three months' notice or pay for salaried workers plus a bonus of one-half a month's salary for each year of service. The law was extended to manual laborers on the basis of thirty days' notice and

fifteen days' pay for each year of service.⁶⁴ A law of October 17, 1931, which prohibited employers from discharging manual laborers was revoked on November 25, 1931.⁶⁵ The provisions for compensation replaced it. Uruguay's regulations for dismissal compensation are designed to cover special groups: public-service workers, employees of banks and the stock exchange, corporations, and some privately owned businesses.⁶⁶ They are connected with the general pension plan to which employers and employees contribute.

China and Japan both have legislation for dismissal wage. China's law did not go into effect until August, 1931, and only partially then.⁶⁷ It provides for pay or notice of from ten to thirty days depending on years of service to terminate contracts of indeterminate duration. If no notice is given the worker is entitled to full pay for the notice period. If the notice is given, workers are entitled to half the regular wages for the notice period in addition to the usual wage.⁶⁸

Japan's Factory Act allows the worker two weeks' notice or pay for dismissal except when the contract is rescinded because of natural disaster or circumstances for which the worker is responsible.⁶⁹ However, practice is much more liberal to the workers than the law is. Miss Dorothy J. Orchard in "An Analysis of Japan's

⁶⁴ Schwenning, *op. cit.*: *Commerce Reports*. 105. Nov. 12, 1932.

⁶⁵ *Commerce Reports*. 135. Jan. 18, 1932.

⁶⁶ *Labor Legislation of Uruguay*. Bur. of Lab. Stat. *Bul. No. 494*. 1929: *Commerce Reports*. 591. Sept. 3, 1923; 803. Sept. 24, 1928.

⁶⁷ *Commerce Reports*. 519. Nov. 30, 1931.

⁶⁸ Schwenning, *op. cit.* 257.

⁶⁹ *Legislative Series* 1926. Jap. 1.

⁶⁰ *Legislative Series* 1924. Chile 2.

⁶¹ *Legislative Series* 1926. Chile 3.

⁶² *Legislative Series* 1928. Ec. 4.

⁶³ *Legislative Series* 1926. Guat. 1.

⁵² *Ibid.*

⁵³ *Commerce Reports*. 165. March 18, 1933.

Cheap Labor" ¹⁰ stated that Japanese employers pay dismissal wages for almost any cause of dismissal, and usually much more than the law requires. Even when workers are not rehired after a strike the workers are commonly paid a dismissal wage. After one famous strike which lasted for 217 days, in which the union was definitely defeated and failed to gain recognition, the company paid \$150,000 in allowances to dismissed strikers, although no payment was legally necessary, and in addition paid \$40,000 into the nation's strike fund. Miss Orchard accounts for these liberal payments on the ground that industry is new in Japan and through it runs much of the paternalism of feudalism. The employer, paying low wages, feels responsible for his workers who are dependent on him, and is slow to dismiss them in times of depression and liberal in dismissal payments. Japanese employers, on occasion, make use of the device for reducing their working force spoken of before, of giving an extra bonus for voluntary resignations.

These laws in many countries do give the worker an equity in his job. By steady service he builds up an expectation that he will be retained in his job, and that expectation acquires value. Barring fault of his own, and, in some countries, *force majeure* or financial incapacity of the employer,

the worker is compensated for the loss of his job and the valuable expectation of future employment. His gain in security entails a corresponding restriction on his freedom. Under the laws of most countries the worker is not allowed to leave his employment without notice unless he pays the employer a compensation for the inconvenience to his business. Most of the laws are recent and no definite appraisal of the adequacy of their enforcement and the effectiveness of their provisions in compensating for the loss of employment can be made. Certainly the compensation is better than nothing in tiding the worker over a period of adjustment. Dr. Schwenning reports that Italy enforces its laws well, even against an American firm which sought to avoid giving notice by revoking its Italian agency. It was compelled to pay the indemnity.¹¹ German and Russian workers have been reinstated on appeals to the conciliation boards and courts of appeal provided. American firms having branches in these countries have frequently made payments under the laws. There will be more opportunity to see how much the laws can do in protecting workers against the hazards of technological unemployment when the long continued cyclical unemployment is somewhat abated.

(To be continued)

¹⁰ *Op. cit.* 29.

¹¹ *Pol. Sci. Quar.* XLIV. 215-258. May, 1929.

CURRENT LABOR LAW

SUMMARIES of outstanding recent decisions of State and Federal courts, dealing with legal rights and interests of labor, will be published in this section. In this issue cases are grouped under three main headings:

- I. Hours and Wages
- II. Collective Bargaining
- III. Workmen's Compensation

Labor cases dealing with other subjects will be summarized in later issues. The reader is cautioned not to regard these summaries as complete. It is also important to remember that the decisions of local jurisdictions do not set precedents for other localities and that many of the decisions cited are subject to further court action.

I. Hours and Wages

In this section are summarized decisions and orders entered by Federal and State courts involving the wage and hour regulation under the National Industrial Recovery Act and State Recovery Acts. The summary has been prepared by the Legal Research Section of the National Recovery Administration.

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1. UNITED STATES v. HERCULES GAS STATION, INC., D. C. E. D., New York, week ending Dec. 2, 1933. (Galston, D. J.)

Defendants were indicted for working their employees in excess of the hours allowed by the Petroleum Code and failure to display their gasoline prices properly. They pleaded guilty and were fined a total of \$400. In imposing the fine the court said: "The obligation of those in any industry who signed that industry's code is no greater than of those who did not sign." (No written opinion.)

2. UNITED STATES v. LIETO, 6 Fed. Supp. 32 (D. C. N. D. Texas, Feb. 16, 1934, Atwell, D. J.)

Provisions of the Petroleum Code prescribing maximum hours and minimum wages for filling station employees, and the provisions of the N. I. R. A. making penal offenses of the violations of the code, are unconstitutional as to the owner of a filling station in Texas who was engaged in the sale for consumption within the State, of gasoline produced in the State. The operation of a filling station is a strictly local business which does not affect interstate commerce.

3. JETNA COAL CO. v. SMITH, U. S. ATTY. et al., D. C. S. D., Alabama, Apr. 6, 1934. (Kennamer, D. J.)

Enforcement of an order issued by the Administrator approving an amendment offered by the Code Authority for the Bituminous Coal Industry raising wages and shortening hours in the Alabama area, will be restrained, temporarily at least, since no notice or hearing was given mine owners.

4. SCAPELLATI v. BERGEN et al., D. C. D. Connecticut, Eq. No. 2328. (Thomas, D. J.)

In a suit for a restraining order preventing the N. R. A. and the Code Authority for the

It is apparent, from the limited experience which we have already had, that price fixing without some control of supply cannot be expected to protect all groups concerned. In the lumber and timber industry, for example, prices were fixed at a level which called into the market an excessive supply. Not all divisions of that industry were willing to attempt price regulation and in December the price fixing provisions of the code covering this industry were suspended.

There is no basis for the fear that price fixing, by its very nature, must result in a monopoly price. Nor do price fixing devices of necessity result in prices so rigid and inflexible as to be harmful to the members of the industry or to consumers. Prices fixed may be minimum ones below which producers may not sell, or they may be both minimum and maximum prices, within the limits of which prices may vary. This latter method has not been used under the codes.

As an example of an industry in which price fixing is essential for the direct protection of labor is that of cleaning and dyeing. Price cutting in this industry had resulted in complete demoralization of wages, working conditions, and quality of product. The low prices established, and the cutthroat competition within the industry, were based almost entirely on the sweating of labor. This is an industry in which the unit of business is small and in which organization in trade unions has not yet reached a point where the employees are strong enough to protect their own interests against unscrupulous

employers. The industry operated for a few months under price fixing regulations. Labor in the industry was immediately benefited, and it began to appear that some regularization and rehabilitation of the industry might be achieved. But in May, 1934, the price fixing provisions of this and other service codes were revoked, and labor has again been forced to bear much of the burden of price cutting.

Most of the price fixing provisions in the codes suffer from the same weaknesses as other provisions in the codes—they are ambiguous, unenforceable and, in many industries, leave the code authorities complete freedom to determine what the prices fixed shall be. The experience with price fixing and production control which we have had within the past year and a half is by no means adequate as a basis of decision on the value of these devices in bringing about a better planned and stabilized industrial system. In some European countries price fixing has a long history. Experience with price fixing in Germany, for example, appears to indicate that there is a tendency toward greater stabilization of prices in those industries in which prices are regulated, than in those in which prices are completely free. Labor cannot emphasize too strongly, however, that any system of price fixing which is used simply as a device for obtaining more profits must be avoided at any cost. Strong government supervision is necessary, as well as organization of labor, to protect its interest both as worker and as consumer through collective bargaining.

THE WORKER'S EQUITY IN HIS JOB

ELIZABETH PASCHAL *

Section IV

C

THE United States, like England, has not by dismissal wage legislation established that legal equity in the job which workers in many countries have under the laws. There has been some interest expressed in such legislation, some proposals for it, but so far we have only a little modified legislation and the voluntary plans instituted by employers. These last appear to be growing in number. Their disadvantage, from the worker's standpoint, lies in the fact that they do not create a legal right for the worker. They may be abandoned by a company without liability. A third way in which a dismissal wage may be secured is by collective agreement. These agreements, treated as contracts, have a legal basis not existent for the voluntary plans.

At the convention of the American Association of Labor Legislation, December, 1918, Professor E. A. Ross read a paper proposing a legal dismissal wage.¹² He made a plea for increasing job security for the wage earner. He noted that it is customary to give a salaried employee considerable notice, but that wage earners have seldom fared so well. In his opinion, payment of a sum in compensation is more desirable than a period of notice. It would make the break in employment clean

¹² "A Legal Dismissal Wage." *Monthly Lab. Rev.* VIII, 15-19. March, 1919.

and definite, and would be an incentive to employers to lessen turnovers and iron out the seasonal slumps in employment. He proposed a treatment of strikes in line with labor's view of them as not abandonment of jobs.

"The legal dismissal wage should not become involved with strikes and lockouts. Let the rule be that the striker has not relinquished his job any more than the man who has been absent on account of sickness. When the man resumes his job—whether on his terms or those of the employer—he should have whatever rights he had when he struck. Only in case he applies for his job and is refused should he be entitled to a dismissal wage. If he never applies, he should get nothing."

This procedure would entitle the man discharged for strike activity to a dismissal wage, a plan which would be approved by the unions. In those jurisdictions in which a strike is looked on as a voluntary abandonment of work, such a law could not be upheld as constitutional, since it would not give equal treatment to the non-union man who upon voluntarily quitting his job is not entitled to dismissal compensation. Professor Ross's plan included making the worker's claim for dismissal wages a claim on the assets in bankruptcy just as important as a claim for back

* Continued from January AMERICAN FEDERATIONIST.

wages. If an employer cut wages so far below the "going wage" as to force his workers to leave, he should be required to pay the dismissal wage due had he discharged them. This provision would help in enforcing the law.

Ernest G. Draper proposed a plan for a state dismissal wage act in 1931.¹⁴ According to his plan each company should set up a fund made up of equal contributions from employers and employees. From this fund one month's wages (the average of his preceding three months) should be paid to the worker who had been employed by the same company for at least six months before his dismissal. If he had been employed longer than five years by that company his dismissal compensation should be from two to six months' wages, depending on his service time. No worker dismissed for his own fault should receive payment but he should be given his own contributions to the fund. The employer's efforts to decrease unemployment were to be rewarded by requiring a payment of only two weeks' wages from the fund of any employer who found the worker another job approximately as good as the one which he lost. This plan is really a contributing insurance plan, but the payment is a lump sum based on past years of service, not present weeks of unemployment. If enacted it would, therefore, recognize the principle of a return for work invested, but the suggestion of employees' contribution is not in harmony with this principle.

¹⁴"A State Dismissal Wage Act." *Survey*. LXV. 426-427. Jan. 15, 1931.

The dismissal payments under the foreign laws discussed were made from the employer's funds only.

A few of the states have mild provisions concerning dismissal. They are enactments designed to get the same treatment for the employees in the matter of notice as the employers require for themselves. It is legislation of the type Germany had under the industrial code of 1891, and is subject to the same criticism, namely, if the employers are satisfied with short notices the employees can get no more under the law, and they lose more from short notices than their employers do.

Maine, Massachusetts, New Jersey, Pennsylvania, Rhode Island, South Carolina, Wisconsin and Porto Rico have laws to the effect that any employer who requires a notice of an employee before quitting on penalty of forfeiture of wages must give an equal notice before discharge or pay the wage for the corresponding period. Maine, Massachusetts, New Jersey, Pennsylvania, Rhode Island, Wisconsin and Porto Rico do not require the notice to be given if discharge is the result of the worker's incapacity or misconduct. New Jersey, Pennsylvania, Rhode Island and Wisconsin do not require the notice for a suspension of work or temporary shutdown in the plant or department in which the worker is engaged. South Carolina requires the employer to give notice of the date of beginning a shutdown and its approximate duration, except when unforeseen accident to the machinery or an act of God or the public enemy causes the suspension, in which case no notice is

necessary.¹⁵ Nothing in these laws prevents discharge without notice if the employer requires no notice from the worker. The period of notice and amount of dismissal wage are not proportioned to the years of service. It would be absurd to say that these laws have created or recognized any equity of the worker in his job.

The Connecticut Unemployment Commission, appointed in 1932 to study methods of relieving unemployment and to consider recommendations for legislation, reported against immediate legislation but stated that they believed the theory of dismissal wage preferable to Wisconsin's Unemployment Reserve Act and other proposals on the insurance principle. They considered it less costly because less complicated, since it would not involve the machinery of maintaining employment offices, settling claims of unemployment and determining what is "suitable employment" which, if refused, bars the worker from any further claim on the insurance fund.

They proposed a Dismissal Wage Bill, not for immediate legislative action, but as a model for voluntary plans, of which they approve, and for future legislation if that should prove necessary. Their plan was designed to give the maximum incen-

¹⁴*Labor Laws of the United States*. Bur. of Lab. Stat. Bul. No. 370. 1925.

¹⁵Maine. *Revised Statutes* 1916. Ch. 49. Sec. 35.

Mass. General Laws 1921. Ch. 149. Sec. 159.

N. J. Compiled Statutes 1910. Sec. 42, 79.

Penna. Acts of 1921. Sec. 21511.

Porto Rico, Revised Statute and Codes 1911. Sec. 1437.

R. I. General Laws 1923. Ch. 91. Sec. 25.

S. C. Acts of 1912. Act No. 424. Sec. 1.

Wis. Statutes 1923. Sec. 103.17.

tive for the stabilization of employment. It provided that if a man had been employed for more than forty weeks he should be paid half pay for nine weeks on his discharge, the amount to increase for longer terms of employment. If he is put on half pay or a reduced scale of no more than ten dollars a week, he shall be paid a supplemental wage from the dismissal wage fund enough to give him full pay for forty-two weeks out of the fifty-two. If he has been employed less than forty weeks and more than thirteen, he shall be entitled to one week's notice or a dismissal wage of half pay for two weeks, the maximum to be twenty dollars. No wage is to be paid if the dismissal is because of fault on the worker's part or strike or voluntary leaving. Each employer is to accumulate his own reserve by depositing with the state treasurer two per cent of his pay roll until he has an account of seventy-five dollars per employee. The employees are to contribute an equal amount, which will be refunded to them on leaving for any cause.

"The theory which underlies this bill is that any legislative enactment should translate into law what the enlightened employer would do of his own accord and by the operation of the law would protect him from the unfair competition of the backward employer who, lacking a social conscience, operates his business at a lower cost at the expense of his employees."¹⁵

The provision for a contribution from the employees is more in line

¹⁵*Measures to Alleviate Unemployment in Connecticut*. Bulletin by Conn. Unemployment Commission. Dec., 1932.

with unemployment insurance schemes than with the dismissal compensation laws in force at present. Since, however, the employee would be allowed to take his contributions upon leaving, it is enforced saving with the result that he will have some fund accumulated which will be at his disposal when he is out of the job, no matter what the cause of his discharge or quitting. From the view that such a fund helps the worker to live and stay off the relief lists during the period of finding a new job, contributions from employees are desirable. However, since the employee can do nothing to stabilize employment, it is only the employer's contribution which stimulates him to eliminate seasonal turn-over as far as possible. The principle behind unemployment insurance and dismissal wage is somewhat different. Although both are based on some theory that industry has a responsibility to the worker beyond paying his wage during his years of service, the former contemplates a payment proportional to the period of unemployment, the latter one proportional to former years of service. The latter appears, then, a more direct recognition of some equity of the worker.

There have been an increasing number of voluntary plans for the payment of a dismissal wage by progressive employers. They have usually provided for a period of notice or pay in lieu of it when discharge was necessary because of some condition other than fault of the worker. Some of them are on a flat rate basis, some proportional to years of service. The National Industrial

Conference Board made a study of the use of notices preceding lay-offs in ninety-five companies in 1930.¹⁸ Of these, seventy-three per cent reported that their workers reacted favorably to a plan of notices. A few said that workers slacked on the job or did damage to plant or materials after receiving a notice of discharge, and for this reason they preferred to pay a dismissal wage and have the workers leave at once. In discharging employers give about equal weight to two considerations, the efficiency of the worker and the length of service. At times, the latter has been the governing factor. The investigators felt that this attention to seniority indicates "a tacit recognition of an obligation or feeling of responsibility for the worker who has remained in the employ of the company over a considerable period of years." It is also a recognition of the greater difficulty an older worker has in getting a new place. This "obligation or feeling of responsibility," when expressed only in a voluntary plan, does not increase the worker's legal rights. It is regarded suspiciously by organized labor as a device for tying the worker more firmly to his company and making unionization more difficult. Both from the view of the worker who would like greater assurance of job security and from the view of the unionist those plans of dismissal wage which come by legislation or collective bargaining and so create legally recognized equities are preferable to voluntary plans, but the individual worker may well find the latter better than no security at all.

¹⁸ *Lay-off and Its Prevention.*

A study prepared by the Industrial Relations Section of Princeton University¹⁹ comments on the tendency toward treating the labor relationship as more than the casual connection employment at will used to be.

"One of the outstanding developments in the field of industrial relations is the growing recognition that the worker of long service has a certain 'right' or 'claim' to his job. 'There has been a distinct trend away from the idea that labor is bought and sold, and toward a conception of employment as a life-time relationship. The man who works for one employer for ten or fifteen years, even if he does not actually obtain a vested right to his job, at least builds up a presumption that he will finish his active service in the same company.'"²⁰

The dismissal compensation is the employers' expression of his recognition of this presumption of permanency, although, as the Princeton study points out, there are secondary reasons for such payments, such as maintaining the morale of the working group and warding off adverse public criticism of business practices in dismissing older workers of long service.

About fifty definite voluntary plans were in operation at the time of this study and many more plants give a period of notice or the equivalent pay on discharging. The formal plans usually consider length of service, age of workers and position. Some have all three requirements, paying compensation only to salaried workers of specified age and period

of service. Others include wage workers and include younger men with long services as well as older ones. Most of them figure the amount of payment in proportion to the salary earned as well as the years of service. Some pay a flat rate regardless of salary and for all service over a minimum alike. Most of the plans exempt the employer from payment when the dismissal is for fault of the worker. Some pay a fraction of the regular amount when it is for the worker's inefficiency. The Delaware and Hudson plan, instituted in 1922 among the first, makes no distinction between discharges for or without cause when the worker has contributed a specified amount to the group insurance plan. The payments are sometimes made periodically but more frequently given in a lump sum.

The latter method smacks less of a relief plan and is a sharper indication to the company of the cost of displacements. Modern plans tend to include all classes of workers and to provide more protection for the shorter service-men than the earlier plans, which were more akin to pensions, did.

The United States Rubber Company's plan has attracted considerable attention because of its spectacular application to the closing of four plants in Hartford, New Haven and Boston. The study by Clague and Couper on the closing of the Hartford and New Haven plants²¹ showed that there is an average of more than four months' time lost before workers find other jobs. The dismissal wage had no

¹⁹ *Dismissal Compensation.* 1931.

²⁰ Quoting Cowdric, E. S. *Nation's Business.* 47. Oct., 1930.

²¹ "The Readjustment of Workers Displaced by Plant Shutdowns." *Quar. Jour. Econ.* XLV. 309-346. Feb., 1931.

adverse affect on the desire of the workers to find new places nor on the energy with which they sought for employment, and it did aid in tiding them over the period. The compensation was paid to workers over forty-five years of age who had served ten years, and to those under forty-five who had fifteen years' service in the company. The reasons for this plan, according to the company, were to reward long and faithful service, particularly of persons who had not left for better places during the war when labor was in great demand, and to increase good will toward the company. They gave no indication that they had a duty to make the payments because of any right of the workers. They acted as an "enlightened employer" would, according to the Connecticut Unemployment Commission's statement, but their action is far from endorsing the worker's claim that he has a legal right in his job. However, the recognition of even a moral right is an advantage to the worker, first in creating the greater probability that his tenure will be more secure or he will be compensated for its loss, and second in helping create an attitude which is receptive to the concept of the public advantage of security for the worker and hence more ready for such steps as are necessary to make the right a legal one.

(To be continued)

The increasing disposition of employers not to exercise their right to discharge at will when large numbers are involved is illustrated by the recent action of the New York Telephone Company in offering to any employee who would resign his position a bonus of one week's pay for each year of service.¹⁰ It hoped to stimulate "willing resignations" of about nine thousand surplus employees. This recalls the action of Hart, Schaffner and Marx in 1926 in paying a dismissal wage of \$500 to each of 236 men who either left the trade or were put at the bottom of the union's list of applicants for jobs. This was done with the cooperation of the union which contributed to the wage paid for the purpose of reducing the number in the industry to be employed or supported by the unemployment insurance fund. This case was one in which some legal right to a job had been created by collective agreements. There are many collective agreements which require the employer to give notice of discharge or a dismissal payment. This offers the member of a union strong enough to get such agreements a real advantage in job security, and is a fruitful field for development.

¹⁰ *Chicago Daily Tribune*. 21. March 29, 1933.

WOMEN WAGE EARNERS AND THE N. R. A.

AMY HEWES

Bryn Mawr Summer School

THE passage of the National Industrial Recovery Act lifted the cloud of discouragement and despair which hung over workers in the United States during the long depression. They gathered hope from the promises contained in the new legislation, the objects of which were, as pointed out by the President, first: "To put the people back to work," second to provide the "wages of decent living," and third: to guarantee "the right to organize and bargain collectively through representatives of their own choosing."

It so happened that the Bryn Mawr Summer School for Women Workers in Industry opened for its fourteenth annual session at just about the time when the President reviewed the year's accomplishments under the whole recovery program. In his radio address to the country made June 28, 1934, he said:

But the simplest way for each of you to judge recovery lies in the plain facts of your own individual situation. Are you better off than you were last year? Are your debts less burdensome? Is your bank account more secure? Are your working conditions better? Is your faith in your own individual future more firmly grounded?

These words suggested to a group of students in the school a study of their own collective experience. They had certain advantages in undertak-

ing such a project. First, workers' education had made them familiar with the method of pooling and exchanging experience in the study of industrial problems and, second, they and their fellow students made together a widely representative sample of the women workers of America.

The students who each year are awarded scholarships in this school are drawn from all the major groups of women workers in the country. They come from north, south, east and west and they represent nearly all the elements in the social composition: the various racial divisions, the variety of national origins, religious affiliations, and political parties. Before 1934, the trade union members were in a minority in the school, but in that year more than half were trade union members, most of whom worked in shops where a trade agreement was operating.

The project here described was undertaken by twenty students in one of the classes or "units" into which the school is divided. They had taken part in many heated discussions of the pros and cons of the recovery program as it had worked out. They determined to measure the actual effects of the new arrangements upon working conditions. They drew up questions about the industrial experience of individual workers and interviewed the students in the entire school with the exception of the six students who had come from foreign countries.

ment and increased earnings mean a greater market for the products of industry and, therefore, a substantial, immediate improvement in the health of our industry. The short work week not only partially offsets increased efficiencies, but establishes standards of leisure time in which the wage-earners of the country may learn to live that type of life to which every American citizen is entitled.

Relief expenditures of various kinds are rapidly reaching unbearable proportions, and at best they cannot meet our fundamental problem. The only sound solution is the reabsorption of all able men and women in private industry.

ESTIMATED PROFIT PER UNIT

Products sold in 1251 Corporations in 45 Manufacturing Industries in the United States.

1922.....	100.0
1923.....	103.8
1924.....	93.4
1925.....	112.7
1926.....	113.3
1927.....	87.2
1928.....	105.3
1929.....	120.3

Source: Frederick Mills "Economic Tendencies in the United States."

Note: It is clear from the above that profit per unit of product sold are very much higher in periods of high productivity than in periods of low productivity.

NET PROFITS FOR NINE MONTHS

1932.....	\$ 100,000.00
1933.....	202,800,000.00
1934.....	430,500,000.00

Source: Report of the Federal Reserve Bank of New York, published in December 1934, 290 Industrial and Mercantile concerns.

WAGES AND VALUE PRODUCED IN MANUFACTURING INDUSTRIES

Year	Value of product	Total wages	Wages as percent of value produced	Value produced per dollar paid in wages
1849.....	\$1,019,106,616	\$236,755,464	23.2	\$4.30
1879.....	5,369,579,191	947,953,795	17.7	5.66
1899.....	13,000,149,159	2,320,938,168	17.9	5.60
1919.....	62,041,795,316	10,461,786,869	16.9	5.93
1929.....	70,434,863,443	11,620,973,254	16.5	6.06
1933.....	31,394,000,000	5,239,000,000	16.7	5.99

Source: Census of Manufactures: 1933 estimated from preliminary reports covering 70 per cent of value of all manufacturing products in 1931.

MANUFACTURING INDUSTRY

Distribution of Value Added by Manufacture

Year	Value added by manufacture	Wages	Profits and overhead	Percent going to wages	Percent going to profits and overhead
1849.....	\$463,983,000	\$236,755,000	\$227,228,000	51.0	49.
1879.....	1,972,756,000	947,954,000	1,024,802,000	48.1	51.9
1899.....	5,656,521,000	2,320,938,000	3,335,583,000	41.0	59.0
1919.....	24,809,093,000	10,461,787,000	14,347,306,000	42.2	57.8
1929.....	31,885,284,000	11,620,973,000	20,264,311,000	36.4	63.6
1933.....	17,009,000,000	5,239,000,000	11,770,000,000	30.8	69.2

Source: Census of Manufactures: 1933 estimated from preliminary reports covering 70% of value of all manufacturing products in 1931.

THE WORKER'S EQUITY IN HIS JOB

ELIZABETH PASCHAL*

Chapter III

Section V

THE voluntary compensation of workers injured by a removal of the plant in which they were employed by the United States Rubber Company is in line with what appears in some cases to be a growing legal protection of the employee against loss brought on by the removal of the employer's place of business. There is very little of this protection of employees against the loss of employment or value of their property when a large enterprise changes its location, but that little may be significant as a line of development of the worker's equity.

Massachusetts in 1927 passed an act relating to a newly created watershed. Among the provisions for allowance for damages is one that any resident of specified towns near the new watershed who had been regularly employed for the preceding six months and who because of the creation of the watershed "is deprived of such employment and obliged to seek other employment or has suffered a diminution of wages," shall be entitled to recover his damages "in loss or diminution of wages." It further provides that if the employee is obliged to move to a new locality for work and makes no other claim he shall be paid the expenses of moving to the amount of fifty dollars.²¹

An interesting comment on the employee's interest in the continued location of a plant was made by Mr. Justice Brandeis in *Lawrence v. St. Louis and San Francisco Railway Co.*²² This case arose over the question of the right of a railroad corporation to move its terminal without permission from the Corporation Commission under the Oklahoma Statute, 1917, Ch. 225, which prohibited the removal of railway shops and division points which had been in one place for at least five years, unless permission was secured from the Commission. The law provided for hearings before the Commission in which evidence on the "sanitation and habitable conditions" of the new location should be heard with a view to determining whether the new location would endanger the health of the employees and their families. The St. Louis and San Francisco Railway Company announced an intended move from Sapulpa. The Commission issued a restraining order. While this order was still in effect the company declared it would move anyway. The Commission fixed a date for a hearing and the Company got an injunction restraining the Commission from hearing the cause or in any way hindering the proposed move. The Supreme Court reversed the decree for the lower

²¹ "Protection of the Employee Against the Removal of the Employer's Place of Business." *Monthly Lab. Rev.* XXVII. 78-81. Sept., 1928.

²² 274 U. S. 583 (1927).

* Continued from February AMERICAN FEDERATIONIST.

court's failure to be specific in the reasons for granting it. The question of the constitutionality of the statute was not decided. Brandeis, in objecting to the decree which allowed the Company to move its shops before a final hearing, said:

"By ending the *status quo* which had existed for ten years, it exposed the city and its citizens to danger of irreparable loss. . . . Removal of the shops, which had been located in Sapulpa for a generation, would probably affect property values seriously, and might bring disaster in its train. It might ruin businesses. It might result in unemployment. It might compel many of Sapulpa's citizens to seek homes elsewhere. On application for an interlocutory injunction such considerations are of weight."

The District Court in 1929 granted a permanent injunction against the Commission's restraining the Company from the move, an injunction sustained by the Supreme Court on the ground that the new location was sanitary and that after a hearing the Commission could not have refused the right to move. The interest of the case as it relates to the question of job security lies in the weight which Judge Brandeis thinks it legitimate to give to the question of workers' property and job values.

Texas and Wisconsin have laws similar to Oklahoma's requiring railroad companies to get permission from State Public Service Commissions before removing shops and terminals. Montana, under the Statutes of 1921, Ch. 159, requires railroad companies which make such moves to reimburse employees for property losses incurred thereby.

Canada requires approval of a removal by the Board of Railway Commissioners and compensation to the employees for the financial loss caused by the change of residence made necessary by the removal."

The Brotherhood of Firemen and Enginemen in their convention in 1928 passed a resolution authorizing its officers to work for legislation requiring the railroad companies to pay compensation for property loss in homes which is incurred by employees when terminals are moved. The justification for requiring such compensation lies in the fact that technically trained employees such as engineers, firemen, brakemen, conductors and baggagemen are not fitted for other jobs and are practically required by the conditions of service to move their places of residence when shops are moved. In a controversy arbitrated by the Third Emergency Board, appointed March 30, 1929, under the provisions of the Railway Labor Act of 1926, the Board found that the depreciation in value of homes which resulted from moving of terminals was a loss which should be borne equally by the company and its employees, although the company contended that it had no legal or contractual liability and the weight of precedent was against payment of such compensation. The Board said that the change was made for greater efficiency and economy and that the burden of economy changes should not rest on the employees alone."

¹ Canada. *Acts of 1919*. Ch. 68, secs. 178, 179. *Revised Statutes 1927*. Ch. 170, secs. 178, 179: *Monthly Lab. Rev.* XXVIII. 11-19. June, 1929.

² "Protection of Railroad Workers Against Removal of Railroad Shops and Terminals." *Monthly Lab. Rev.* XXVIII. 11-19. June, 1929.

There have been voluntary payments for loss to employees in at least three cases: by the Erie Road when it moved its shops to Marion, Ohio; by the Kansas City Southern Railway Company when it moved from Menna, Arkansas; and by the Union Pacific on leaving several towns in Kansas and Colorado.

These cases of protection of railroad employees from loss involved in the change of location of shops have turned chiefly on the property loss in depreciation of value of homes. That it might be extended to protect employment is suggested by Brandeis. It has been less necessary because the workers, at least the technically skilled ones whose home property has been considered, have followed their jobs to the new location. If the cus-

tom of compensating for the property loss becomes sufficiently general to be accepted unhesitatingly by arbitration boards, it will not be so great a step to apply the same principle to loss of employment when the man has worked at the job long enough to be so specialized that his investment in it and attachment to it are nearly as fixed as his investment in a home. Then, such changes in technique as necessitate abandoning of his former job by the worker may be accompanied by compensation as are the changes in location which require abandoning of homes. The principle is less likely to be extended to workers whose skills are more general and for whom finding other work is less of a problem.

(To be continued)

SPRING SLEEPETH

Softly—for Spring is sleeping in this wood,
And the least footfall may disturb her rest:
She lies beside the brook, with flung-back hood
Whence peep fair curls—her cloak a moss-green nest.

And on her parted lips a smile—she hears
The laughter of the catkins as they play,
And knows the thrusting of the arum spears,
The thronging primrose-buds upon their way!

K. O'NEILL-BAILEY

This brief summary is no reflection on industry. There, too, to meet the rising costs of an advancing standard of living or the low prices of a competitor, combination became essential, and the towering corporate and physical structures of modern large scale production were created out of the necessity of growth and expansion in an economic system in which to be static meant destruction.

We hear so much fatuous generalization about the motives of capital and labor, which assume that profit motivates the employer alone, as if the men who worked for him did not also want to get what they could out of the ultimate distribution. The same object brings the inevitable conflict of interest, the competition of each to get what he can. I, for one, cannot think in terms of moralistic class generalities. Because a man is an employer does not, I believe, pre-dispose him to being hard-boiled, any more than the fact that a man works with his hands puts his heart necessarily in the right place. Work in itself is not sacred; but work well done, fashioned to an end, integrated to a decent way of life, seems to fill life pretty well. I cannot find blamelessness on either side.

But inequality is not a moral, but an economic attribute. And a man's actions are, of course, motivated by his desires. So a lock-out to an employer may be as much his expression of moral indignation as a strike to a workman.

Does it not, therefore, become a problem of economic balance, the setting up of the cohesive power of labor against the vast power of industry? It is a power which may be exercised in two ways—industrial war, the strike, and industrial peace, collective bargaining.

A SONG FOR A-MAN

You, man, have a home and a wife and a child;
what song do you sing?
I have a mate on her nest with a little blue egg
under each gray wing,
And for the joy of this thing
I sing,
Sing to my brooding bird-wife of the skies above her,
Sing of the birdlings now soon to awake 'neath the
soft breast of her,
Sing at the dawn, at the dusk that I love her, I love her!
A bird on a nest with a little blue egg under each gray
wing
Is a simple thing;
For the heart of a woman, the soul of a child, O man,
what rapturous song do you sing?

—SISTER M. MADELEVA.

INDUSTRIAL DEMOCRACY AS A MEANS TO JOB SECURITY

ELIZABETH PASCHAL

Chapter IV

Section I

WITH the growing power of trade unions in many countries during or after the war, came a movement toward workers' representation in industries. In England, Canada and the United States the movement has been expressed in voluntary plans established either by the employers—company union plans, or by collective agreement between employers and unions. In Germany, Austria, Czechoslovakia, Norway and Esthonia, the representation of workers has been made compulsory by legislation and covers all industries. In Fascist Italy and to an increasing extent in Germany as Hitlerism changes the functioning and structure of the works council system, the relations between workers and employers have been regimented and closely supervised by the state. Government officials, rather than representatives of workers and employers, set the rules which govern industries.

Before Hitlerism swept Germany the German Works Councils were the most active and efficient of the representative bodies established under legislative authority. They extended their jurisdiction over a wider range of social and industrial problems than any of the other councils. The trade unions were influential in electing the workers' representatives to these councils and in setting standards for their aim, although the demand for

the establishment of works councils came from a group of workers more radical than the unions and who wanted more voice in industry than the unions sought for labor. After the establishment of the councils the more conservative element dominated them. Behind the works councils created by the law of 1920 lay a two-fold background: the previously existing shop committees which were established in plants which employed fifty or more workers, and the workers' and soldiers' soviets, similar to the Russian ones, which sprang up in the early days of the revolution of 1918.¹ The soviets contributed the radical element to the movement.

In 1915 the German Trade Union Congress considered the proposed government bill for labor representation in industry and disapproved it, but passed a resolution authorizing their representatives to aid in drafting a more satisfactory bill. They said:²

"The Tenth Congress of the German Trade Unions sees in the joint industrial leagues the logical continuation of the collective agreement policy of the trade unions. The joint industrial leagues signify the recognition of the rights of the workers and are well adapted to the realization of the labor contract.

¹ Stern, B. "Works Council Movement in Germany." *Bur. of Lab. Stat. Bul. No. 383*. I. 1925.

² *Monthly Lab. Rev.* IX. 1276. Oct., 1919.

"On the understanding that complete parity of representation is accorded to the workers in all the institutions of the joint industrial leagues as well as in all negotiations and in all corporations having to do with the development and promotion of our economic life, the congress recommends that all trade unions take an active part in the work of the joint industrial leagues."

The revolution increased the influence of the trade unions both because of their increase in numbers and because they represented to employers a safer and more desirable form of labor organization than the soviets which appeared a probable alternate. In November, 1918, twenty-one employers' associations representing nearly all the important industrial groups and seven trade union and salaried employees' federations entered a joint declaration of principles of great importance to German labor. It declared in favor of recognition of trade unions and the non-support of any "yellow" unions. It stated that all working conditions should be determined by collective agreement with the trade unions of the trade concerned. It provided that disputes should be adjusted in conciliation or arbitration boards made up of representatives of workers and employers. Equi-partizan committees representing various trades were to be established to decide problems of collective regulation of wages and to mediate disputes between the several occupation groups. The Provisional Government signed the agreement and directed its officials to support it."

"Agreement of Trade Unions and Employers' Associations in Germany." *Monthly Lab. Rev.* VIII. 158-160. April, 1919.

By a decree of the People's Commissioners, December, 1918, collective agreements were given legally binding force. An attempt was made to get uniform agreements over the country by making the concluded agreements available to any one who wished to consult them. Individual contracts whose provisions were less favorable to labor than the collective agreement were declared ineffective. If a collective agreement was considered of great importance in the development of the working conditions in any occupation, the Federal Labor Department was empowered to declare it generally binding in a specified territory and all contracts to the contrary became ineffective."

Early in 1919 Herr Landsberg, German Minister of Justice, announced to the National Assembly the Government's intention to prepare a labor code. He said:

"It is intended that this code shall fulfill all those demands on which the workers of all trade-union movements have come to an agreement. . . . The proposed codification will also improve the law on conciliation and arbitration and develop a system of shop councils which shall exercise considerable influence on the process of production, but only on that and not on the financial management of the establishments. These shop councils shall become the constitutional organs of the worker."

The beginning of the carrying out of this pledge appears in the provisions

"German Decree Regulating Collective Agreements." *Monthly Lab. Rev.* VIII. 160-167. April, 1919.

Monthly Lab. Rev. IX. 235. July, 1919.

of the Constitution of the German Republic of August 11, 1919."

"It must be possible for every German to gain his livelihood by economic labour. Where no suitable opportunity of work can be found for him, provision shall be made for his support. . . .

"For the protection of their social and economic interests, workmen and employees are legally represented in the Trades Workmen's Councils, as well as in the District Workmen's Councils formed in connection with economic districts, and in a Federal Workmen's Council.

"The District Workmen's Councils and the Federal Workmen's Council meet, for the accomplishment of all economic tasks and for cooperation in the execution of social laws, with the representatives of the employers and other sections of the nation concerned to form District Economic Councils and a Federal Economic Council. These Economic Councils shall be so constituted as to represent all important groups of occupations in proportion to their economic and social importance."

It was provided that laws involving social and economic policy should be approved (or disapproved) by the Federal Economic Council before being voted on in the Reichstag. It also had the right to propose bills which the government must introduce to the Reichstag even though it did not favor them. The government could, however, on introducing the bill express its disapproval.

The National Economic Council so provided for was created provisionally May 4, 1920, by decree of

Brit. and Foreign State Papers. CXII. Part II, Sec. V. Art. 163, 165.

the National Government with the approval of the economic committee of the National Assembly.' Three hundred and two of its members were to be appointed by workers' and employers' organizations, public corporations, professional and consumers' organizations on the basis of the relative importance of each factor in the economic life. Twenty-four members were to be government appointees.

The Works Councils were established by law February 4, 1920. They took the place of the shop committees which had become more important as a result of the revolution. The structure as outlined in the law was cumbersome and involved. It was never fully established. The District Councils were left unorganized and the National Economic Council was less important than was expected. The individual works councils at their initiation were regarded with considerable suspicion by the trade unions who feared possible loss of labor unity from them. There was a struggle between union and non-union labor for the domination of the works councils. At the close of a long struggle in the first works council congress, October, 1929, it was decided that the councils should be coordinated with the trade unions. A resolution was adopted instructing the Central Works Council Office to elect an advisory council to advise with the General Federation of German Trade Unions and the Federation of Social Democratic non-manual laborers. From this time until 1933 there was no question of trade union au-

Monthly Lab. Rev. XI. 1078. Nov., 1920.

thority in the councils and organized labor generally approved the councils, although after the 1923 amendments there was some complaint that the law was not being administered in a fashion fair to labor. In 1921 the works councils' congress of metal workers reported harmony between the councils and trade unions.⁹

"Everybody seems to have forgotten the dispute as to whether the works councils should be superior to the trade unions or coordinate with them. The belief that the works council system cannot be successfully effective without the guiding and directing support of the powerful trade unions is now generally prevalent."

In 1925 the Congress of the General Federation of German Trade Unions reaffirmed earlier resolutions in support of works councils and declared that the latter had proved their value as a part of the German trade-union movement.⁹ It urged, however, that labor strongly oppose the efforts of some employers to estrange the works councils and trade unions and to exclude the unions from a part in determining wage and working conditions. It opposed a bill to give recognition to separate plant agreements on these questions, holding that trade unions are the rightful medium of the workers in collective bargaining.

The works councils were not intended to compete with unions in the bargaining field. They had a twofold purpose: to safeguard the collective economic interests of employees as against the employer, and to assist the employer in fulfilling the

economic aims of the establishment. The economic aims were interpreted to mean not profit-making, but the greatest possible efficiency and economy in plant operation. They were to help adjust difficulties which arose from the introduction of new techniques and offer what assistance they could to the employer, at his request, to promote plant efficiency. They were to attempt to prevent and adjust disputes or, if they failed, they were empowered to call on boards of adjustment and to supervise the carrying out of the decisions made by such boards. They must safeguard the right of workers to organize or not as they chose. They were the body which heard complaints of the employees and got redress from the employer by conference. They had the duty of safeguarding the health and safety of the workers and of cooperating with the employer in the administration of his welfare plans. But the collective agreements which fixed wages and hours and broad principles of the employment relation were negotiated by trade unions with the employers' associations or employers, and the works councils had only the duty of seeing that such agreements were carried out. Collective bargaining has almost entirely supplanted individual contracts since the war.¹⁰ Plant agreements as to

⁹ *Monthly Lab. Rev.* XXIII. 190-194. Sept., 1926; XXIX. 113-115. Nov., 1929. Reports of Ministry of Labor on collective agreements in Germany, showing a marked tendency for the basic agreements to cover large districts or the entire country with supplementary local or district agreements for specified wages. The number of workers covered by collective agreements has not been as great since 1922 as in that year, although the decline has not been seriously large. The decline was attributed to unfavorable economic conditions and unemployment.

⁹ *Monthly Lab. Rev.* XIV. 33. April, 1922.

⁹ *Monthly Lab. Rev.* XXII. 245. Jan., 1926.

shop rules and local employment conditions were made by the works councils and employers, but these were not to violate the terms of the broader collective agreements.

Job security, in Germany as elsewhere, has been a major concern of the workers. "The cooperation of the works councils in hiring and discharging of employees has developed out of the revolutionary demands of the workers to have a right to their jobs."¹¹ The works councils had not much power over hirings. They could appeal to a board of adjustment against the hiring of a group or person whose presence in the plant would be injurious to others, but religious, political or trade-union affiliations were not legitimate grounds for objection. One source of friction between trade unions and works councils was the desire of the former to increase their membership and secure union shops, and the duty of the latter to be impartial to union and non-union men, protecting the right of the latter not to join unions as well as the right of the former to organize. In firing the works councils' powers were more extensive. From 1920 to 1923 an employer was not allowed to discharge in the mass for reasons of a slack in demand for his product until he had stretched the work to the utmost, all employees being on part-time work. That law was repealed in 1923. However, the employer had to notify the workers' representatives of his intention to discharge a large number and they could attempt to find ways to make that economy unnecessary. Individual workers, notified of discharge, could appeal to the works

council which investigated the cause of the discharge. If it felt the cause was not sufficient it could take the matter to a board of adjustment. If the latter decided in favor of the worker the employer must either reinstate him or pay the adjudged damages. This is no greater security than the workers of many countries have under dismissal wage laws. The importance of the councils lies more in insuring fair treatment of the workers than in their activity in making the worker's tenure secure.

In 1923 the works council machinery was revised by law. The old arbitration boards were abolished and a new system instituted which attempted to make the district groupings on economic rather than military lines. Joint arbitration boards could be created by several states having common economic problems. The business of settling disputes was divided between machinery for group conflict and that for individual disputes. The new arbitration boards, each with an impartial chairman appointed by the government, were to mediate in disputes arising under general collective agreements or works agreements and to arbitrate on the appeal of either party if the chairman had failed to get a settlement by the two parties concerned. If the parties agreed to accept the board's award it had the force of a written contract. If the Minister of Labor felt that the dispute was of danger to the public he could declare the award binding. Otherwise the parties were not obliged to agree to accept it.¹²

¹² Stern, B. "New Arbitration Machinery in Germany." *Monthly Lab. Rev.* XVIII. 18-21. June, 1924.

¹¹ Stern, B. *Op. cit.* 47.

Individual disputes were handled at first by the industrial and commercial courts, but after 1926 by newly organized labor courts presided over by a judge appointed by the government, assisted by representatives of employers and workers. No lawyers were allowed before this bench. Either party might have the assistance of delegates from its association or union. This provision aided the unions because their members could be represented before the court by a trained delegate of the union while the unorganized worker, not allowed to employ a lawyer, had to defend his own case against the employer's representative skilled in court practice. The decision of the labor court was binding, appeal being allowed to labor appeal courts and ultimately to the highest civil court. The labor courts handled disputes arising over collective agreements but had no part in drawing up such agreements. The big advantage to the worker from this simplification of the machinery for settlement of disputes and the separation of group from individual disputes was in the dispatch with which cases could be handled and the inexpensiveness of a trial before the labor court.

The councils, although charged with the duty of aiding the employers in gaining plant economy and efficiency as well as of representing the interests of workers as against their employers, did little in fulfillment of that duty. The reports of the factory inspectors¹² repeatedly note that

¹² *Monthly Lab. Rev.* XIV. 112. Feb., 1922; XVI. 7-10. March, 1923; XVII. 42-49. Dec., 1923.

fact. That not more was done was not wholly the fault of the works councils. Many employers did not cooperate with the councils nor ask their cooperation in the matter of plant efficiency, preferring to do without their help rather than relinquish any more of the control or supervision of the plant to them. The friction which was very apparent in the first year of the councils' existence was largely smoothed out as the more conservative workers assumed control of the councils and the majority of employers grew reconciled to working with them and offered them more cooperation. The factory inspectors' usual comment was that where the employers were not antagonistic the councils did promote social peace.

The trade unions have not been so satisfied with the works council system as it seemed that they might be after they won the first struggle not to be overridden by them. After the revision of the law in October, 1923, the trade unions complained that the state authorities made binding the arbitration awards unfavorable to labor and not those favorable. They claimed that the courts discriminated especially against weaker unions. They believed that the problem of a fair settlement of labor disputes could be secured only by strong organizations of workers and salaried employees dealing with the employers and employers' associations. They felt that whenever the government prohibited strikes or picketing, as it was empowered to do under Article 955 of the Code of Civil Procedure, and whenever it made generally binding awards compelling trade unions and employers' organizations to keep

the peace, it was interfering with the trade unions' power to gain favorable terms in collective bargaining, and thus hampering strong unions which would otherwise bargain collectively with employers.¹⁴ The period of inflation in Germany checked the growth of trade unions and encouraged employers to resist them instead of continuing their cooperative attitude of the early post-war years.¹⁵ The unions have been disappointed in not continuing the advance which they registered in those years. They have not wished to relinquish economic strength through the operation of the machinery established by law for the protection of workers and the preservation of industrial peace. They have felt that the promise held out by the Constitution has not been fulfilled, and through the long depression they have urged workers to organize to push for the rapid completion of the plan for workers' participation in industry.

The political events of the last nine months have materially changed the German scene for the trade unions. Before Hitler's forces became dominant only three groups of trade unions—the "free" unions of the Social Democratic Party, the Christian Socialist unions and the independent democratic unions—could conclude the collective agreements which could be made binding on industry. One of the early actions of the Hitler government was to add the Nazi unions to

¹⁴ "Dissatisfaction in Germany with the Conciliation and Arbitration System." *Monthly Lab. Rev.* XXI. 201-202. July, 1925.

¹⁵ Kummer, Fritz. "Trade Union Movement of Germany and its Problems." *Monthly Lab. Rev.* XXII. 9-15. March, 1926.

those three.¹⁶ During the last week in May, 1933, labor trustees were appointed for each great industrial region.¹⁷ These trustees are to fix wages and determine labor conditions, thus usurping the powers of the unions and employers in collective bargaining, and encroaching on the works council system. It remains to be seen whether the prediction of Boris Stern that the works councils will outlast all adversities will come true.¹⁸

"The works councils in Germany have come to stay. In a period of reaction, as in the spring of 1924, some of the powers of the workers' representatives, for example, their right to elect members of the boards of directors may be abrogated. They may be hampered in their work, and parts of the works council law may even be repealed. But the works councils themselves will remain. They have become an integral part of the economic and social structure of present day Germany, and no political party or industrial group will dare to put them out of existence on pain of jeopardizing its own life and disturbing the civil peace of the country."

It may be that they will last as Nazi-controlled bodies through which to impose regulation on industry. But the "free" trade unions, fallen under Hitler's axe, would not own them as the works councils which they dominated.

The Austrian works council law preceded the German law. It was passed May 15, 1919. The unions were favorable at once. The councils

¹⁶ *Business Week.* 6. April 19, 1933.

¹⁷ *Business Week.* 27. May 31, 1933.

¹⁸ *Bur. of Lab. Stat. Bul. No. 333.* 90.

were entirely on the workers' side, not being given that duty of assisting in getting efficiency of production on which the German councils did so undistinguished a job. In Austria, too, the councils helped make the collective bargains for general standards, which was not the case in Germany.¹⁸ Like the early German councils they may appeal to arbitration boards in behalf of a worker discharged for political or trade union activity. The board could order the worker's reinstatement or a payment of damages to him.

The Austrian Civil Code as amended March 19, 1916, provides for an equal period of notice from employers and employees to dissolve the labor contract. The length of the notice for workers varies from one day to four weeks depending on their skill and type of work. The employee, on the termination of the contract, has a right to a certificate from his employer stating the term and character of his employment and which is free from any remark which would create a moral prejudice.¹⁹ These provisions add something to the worker's security in his job.

Since 1921, under the law passed in 1920, Austria has had Chambers of Labor, public bodies functioning alongside of the trade unions, representing the interests of the laborers and salaried employees as Chambers of Commerce, Bar and Medical Associations represent the interests of their respective groups. They urge or oppose legislation affecting labor, gather statistical data on many labor

¹⁸ *Ibid.* Ch. XIV.

¹⁹ *Monthly Lab. Rev.* X. 544. Feb., 1920.

questions and seek to promote institutions which improve the economic and social position of wage workers and salaried employees.²¹ These Chambers of Labor have been overwhelmingly controlled by the "free" socialistic trade unions. According to Dr. Rager, it is chiefly because of the strong control of the free unions and the absence of competition from rival unions that the Chambers of Labor have been so successful in their operation.

Czechoslovakia in 1921 enacted a works council law on the Austrian model, with somewhat less powers for the councils. Norway has a system of compulsory councils with only advisory powers in the industries. The workers are not enthusiastic over this system.²² Estonia in 1931 passed a works council law similar to Germany's; the councils having the duties of assisting the management in rationalization, and of protecting the workers' interests and arranging for the settlement of disputes.

How far are these systems of works councils adaptable to the American scene? Are they a practical technique for American workers to urge in their quest for methods of achieving job security? From the point of view of union labor they would be thoroughly undesirable. The fear which German unions had at the beginning of the system that they would disrupt the national craft unions would be far more likely to be realized in this country where unions are weaker and in-

²¹ *Monthly Lab. Rev.* X. 1495-1497. June, 1920; Rager, Fritz. "Chambers of Labor in Austria." *Monthly Lab. Rev.* XXIV. 7-13. Feb., 1927.

²² *Stern. Op. cit.* Ch. XIV.

clude a much smaller per cent of the workers in the country. Both in Germany and in Austria the comment of observers favorable to organized labor has been that organized labor must be strong in order for the works council system to operate effectively for industrial peace and to benefit labor. In this country the majority of the large industries are unorganized. Works councils would be representatives of company unions. Without the extensive collective bargaining of employers with nationally organized labor, the opportunity for the employer to keep unions out of the plants and to exercise more than a reasonable influence over his employees' votes in the councils would be tremendous.

To prevent such a result, in the absence of strong unions, it would be necessary for the government to set the standards of wages and working conditions, as the Hitler government is doing under its labor trustees. That idea would be poorly received by the American Federation of Labor which is opposed to government wage fixing. Even before the Hitler government came to power the German trade unions were objecting to government discrimination in its enforcement of arbitration awards and urging their members to struggle to retain their power in collective bargaining against the government's "repressive" measures taken in the interest of peace between employers and employees. The American unions can have no expectation of greater freedom for their economic activity under compulsory arbitration awards than the German had. American employers have been less cooperative with unions than the

German employers of the post-war days. The labor features of the Industrial Recovery Act, recently passed, met their strongest opposition in the provision for the recognition of the principle of collective bargaining. Without a wide-spread custom of collective bargaining works councils could be very damaging to unions. And unless in administration of the law the independence of the workers' representation is safeguarded, collective bargaining may strengthen company unionism instead of trade unions.

Would the system give the individual an equity in his job? It has been pointed out that the works councils were the instrument through which the worker could get a hearing for unjust discharge, but that the resulting payment of a dismissal compensation if the discharge is held to be unjust is no greater protection than that established in many countries without the elaborate works council system. It is the recognition that the worker should not be deprived of his job except for some fault on his part or major calamity unless he is paid for the loss, that is the basis of whatever equity the worker has, not the works council machinery for the hearing. That might be achieved in this country in ways less likely to stifle organized labor than by the legal introduction of the works council system even if such introduction should be possible.

The legally binding awards of the arbitration boards and labor court, when the parties had not agreed to accept the award, would probably be held unconstitutional in this country as being unduly restrictive of the free-

dom of contract. The Kansas Industrial Court with its compulsory arbitration did not stand the constitutional test. It is uncertain how far the authority granted under the Industrial Recovery Act to force standards on groups which have not established them in order to check their unfair competition with the more progressive groups which have formulated voluntary codes of fair competition, will be exercised. Perhaps the authority which that act gives the Executive to make representative voluntary codes binding on the entire trade or industry by use of the licensing provision and to formulate for backward groups compulsory codes embracing the features that would normally be proposed in a voluntary plan will result in the spread of such good custom as the voluntary dismissal wage plans established by some employers and will lead to legal sanction of the social or moral right so recognized. Until the machinery of the act is in operation and its working rules are forged by the orders issued under its

authority, it is not possible to tell what gains labor will make in job security. So far there has not been much change in the substantive law relating to labor in spite of the great social changes. A great body of customs and working rules governing labor has grown up outside the law.²³ Germany has incorporated much of her labor law in the substantive law. "The modification of the legal structure which is resulting is comparable in its importance to the modification of the Anglo-Saxon law that was brought about by the growth of equity."²⁴ The German system of works councils is not essential to the establishment of an equity in the job, and without some changes in the substantive law and with unions no stronger than they are in the United States, organized labor would do well to press for job security along other channels.

²³ See Brandeis, Elizabeth. "The Wage Earner and the Common Rule." Ph. D. Thesis. U. of Wis. 1927.

²⁴ Davis, H. B. "The German Labor Courts." *Pol. Sci. Quar.* XLIV. 397 (1929).

AFTER SAPPHO.

Evening, thou bringest all things home,
Though dawn hath scattered far their feet;
The sheep, wherever they may roam,
The goats from mountain pastures sweet;
To men, thy ageless boon of rest;
The tired child to its mother's breast.

—WILLIAM A. DRAKE.

WORKERS' EDUCATION IN MISSOURI

E. W. MOUNCE *

THE first start with the Workers' Education Program was made in St. Francois County. This is a mining section and contains ten or twelve towns ranging in population from three hundred to approximately eight thousand. The State Director was fortunate in securing as counselor or supervisor for St. Francois County Mr. L. J. Scowden, a man with exceptional training and experience for the work. Mr. Scowden has his B.S. degree in Education, with a major in the Social Sciences. He has taught in the various high schools of St. Francois County for a number of years and also has worked in the mines at various times over the past fifteen or twenty years. Mr. Scowden is a man 48 years of age, large in stature, and possesses good judgment, tact, and personality.

With the assistance of Mr. Scowden we were soon able to win many good friends to the cause. Both the labor leaders and the school men became interested in the work and actively gave their support. The nature of the program was explained to the business men through the various service clubs. They apparently were convinced that the program was

of such a character that right-thinking people could support it. It is now understood by all that Workers' Education in Missouri is constructive in nature; that it opposes indoctrination and destructive radicalism; and, that it stands for a free and honest discussion of the various economic, social, and political questions confronting the American people to-day.

During the past few months we have succeeded in establishing Workers' Education classes in eleven towns in St. Francois County and now have one supervisor and eight teachers in the program in that County. During the month of November there were 35 different classes with a total enrollment of 810 persons. The total attendance for November was 3839. While most of these classes meet for one period each week quite a few of them meet for as many as two, three, and even four or five times a week.

The Workers' Education Program includes courses in Labor Problems, Current Economic Problems, History of the Labor Movement, Economic History, Labor and Government, English for Workers, Public Speaking, Parliamentary Law, and a few classes in Labor Dramatics and Physical Education.

As soon as we succeeded in getting the work started in St. Francois County we introduced the program to St. Louis. Two teachers from St. Louis were sent to the Training Center in Iowa to receive instruction in Workers' Education. Consequently

* On June 15, 1934 E. W. Mounce, head of the Department of Economics and Finance, Northwest Missouri State Teachers College, Marysville, Missouri, was appointed State Director of Workers Education in Missouri, 412 E. High St., Jefferson City. He attended the Training Center for teachers of Workers' Education at Madison, Wisconsin. Late in July he returned to the State of Missouri and began the development of Workers' Education in that State.

THE WORKER'S EQUITY IN HIS JOB

ELIZABETH PASCHAL *

The American Situation

In this country the collective bargain has only recently become of much importance. A few strong unions have bargained with employers for a long time, but legal support of such bargains has been a development largely of the last fifteen years. Before that time, enforcement of agreements depended on the economic power of the parties thereto and their good faith with one another, and the agreements were often unstable. The slowness of the courts in giving legal effect to collective bargains was a result of the ambiguous nature of such bargains which did not appear clearly as contracts of the members, yet seemed to some courts to be more than usage. Our law of collective agreements has been developed by the courts, not by statute as in France or Germany. The courts are now giving them sanction. "At least in the absence of a clear intention that these relatively formal agreements shall be without legal consequences they come to be regarded, like contracts, as legally binding on the parties, unless like other *prima facie* contracts, they are defective because of incapacity of a party to contract, want of consideration, monopolistic effect, or the like."¹²

The usual view of collective agreements until recently is expressed by the

* Continued from April AMERICAN FEDERATIONIST.

¹² Rice, W. G., Jr. "Collective Labor Agreements in American Law." 44 *Harvard Law Rev.* 574 (1931).

court in *Hudson v. Cincinnati, New Orleans and Texas Pacific Railway Co.*¹³ The plaintiff, an engineman discharged for an infraction of the company rules, sued for breach of an agreement the company had with the Brotherhood of Locomotive Engineers which contained a provision for a hearing on discharge and reinstatement if the cause was not just. The court ruled that the plaintiff had no contract with the company. Although the collective agreement was for two years no engineman was bound to work for two years, therefore the company could not be bound to retain one of them in its employ for two years. The plaintiff's claim that the union officers were his agents in making the contract cannot be inferred from his being a member of the union. Trade unions are social, not commercial in purpose, the court said.

"Permanent improved labor conditions, not temporary contractual relations between individuals and employers, are the commendable objects with which they are engrossed. . . . Contracts between an individual member of a union and an employer for personal service being merely incidental to the broad purposes of the union, its agents, in acting for the union, in no way bind the individual members thereof."

The court found that the contract was one only between the union and the employer. Individuals during the duration of that agreement made their

¹³ 152 Ky. 711; 254 S. W. 47 (1915).

separate contracts in reference to it as a "usage" of the trade, but, since it did not fix a term of service for anyone, the plaintiff was employed at will and the employer could discharge him at any time. When he was discharged his rights to the consideration of the company were ended. Commons and Andrews, in commenting on this decision, said:¹⁴

"There are a large number of recent cases which, contrary to this decision, treat trade agreements as being contracts; but the view herein expressed seems to state the better rule. Even where trade agreements are treated as contracts it is but seldom that either side can effectively enforce such agreements through legal action."

The "usage" theory of collective agreement is carried to surprising lengths in *United States Daily Publishing Corporation v. Nichols*.¹⁵ In this case the collective agreement and established custom between a local of the International Typographical and the Publishers' Association of the District of Columbia were held to establish a usage which was binding on an independent publisher who employed union men in the District of Columbia even in the absence of any agreement between him and his employees or the local union. The court said:

"We have not only a custom so old, notorious, definite and uniform as to be binding on those within its purview, but one admittedly known to plaintiff in error, with reference to which plaintiff in error contracted. . . . Under the clearly disclosed facts (showing the customary procedure by which

¹⁴ *Principles of Labor Legislation*. 1917 ed. 127, note 2.

¹⁵ 32 Fed. (2d) 834 (1929).

amount of wages was adjusted periodically between the union and publishers), Nichols had a right to assume that he would receive the difference between the amount that was paid 'provisionally and temporarily' and the amount of the new award, if the award exceeded the old.

"The foregoing custom by which union wages are fixed is reasonable, and calculated, as the record discloses, to make strikes and business interruptions unnecessary."

In this case the usage or custom was held to rule the defendant because he had knowledge of it when he hired union men, although he did not treat with the union. Professor Rice,¹⁶ in pointing out the anomalous situation queries, "If, in this particular resettlement of the wage scale, there had been a reduction, is there any theory now recognized by which the court could have held this defendant entitled to recover from the union with which he had never dealt?" If not, we would have the curious situation of a custom binding on one party in the employment relation and not on the other. This case is unique in its extension of the force of a collective agreement in this country. It approaches the German practice of extending an agreement over persons in the same trade and area not parties to it, but of course does not go so far, since the court makes clear that the reason for the extension in this case is that the custom was of such long standing and so generally known as to leave no doubt that it was being applied.

If a collective agreement is not treated simply as custom or usage with

¹⁶ 44 *Harv. Law Rev.* 590.

reference to which individual contracts are made, the courts must find some theory under which they are extended from being only collective to being individual contracts if the individual is to be able to enforce rights created for him under them. The theory of agency has been used in some, but not many cases. A few courts have spoken as if collective agreements were beneficiary contracts. "In the reported cases the question of how far a third party theory could be used against one not a party to the collective agreement is not raised."¹¹⁷ There is no theory of "third party obligational" to make individual employers liable to their employees for what their association agreed to.

"Yet the third party beneficiary theory, in contrast to those considered, affords recovery to a workman when he has performed labor in ignorance of the existence of a collective agreement advantageous to him. For a usage requires his knowledge; while a usage or custom or an agency is rejected by contracting on other express terms."¹¹⁸

No highest court has made use of the third party beneficiary theory.

Many cases in recent years have indicated a tendency to regard collective agreements as contracts of the associations and to hold that rights and duties of the members arise directly therefrom. In *Schlesinger v. Quinto*¹¹⁹ the union was granted an injunction restraining the Cloak, Suit and Skirt Manufacturers from abrogating an agreement respecting wages and hours. The court treated the

agreement as a contract under which both parties had rights which they could enforce. New York courts have consistently considered collective agreements contracts. The Supreme Judicial Court of Massachusetts likewise called a collective agreement a contract in *Lovely v. Gill*¹²⁰ and upheld such agreement for a closed shop. A federal court ruled similarly in *Nederlandsch Amerikaansche Steemvaart Maatschappij v. Stevedores' and Longshoremen's Benevolent Society*.¹²¹ In this case there was a preferential union shop agreement with wages set for three years. Some of the union men refused to work at the wages set and the union, while urging them to return to their jobs, allowed the company to hire non-union men. The loading was held up and the plaintiff sued the union for his demurrage charges. The defendant union, to avoid that responsibility, urged that there was no contract since the plaintiff was not bound to send ships to New Orleans for loading nor the union to furnish any labor. The court held that a reasonable construction of the agreement proved it a contract, since all ships which made that port were obliged to use union men when available under the terms set and the defendants had an obligation to supply union labor under the same terms. Although it was here the union, not the employer, that wished to avoid liability under the agreement, it was obliged to accept the duties correlative to the rights it acquired in making the contract. Its greater security in its own rights are gained at the expense of some limitation on its former irre-

¹¹⁷ *Ibid.*, 595.

¹¹⁸ *Ibid.*, 596.

¹¹⁹ 117 Misc. 735; 194 N. Y. Supp. 401 (1922).

¹²⁰ 245 Mass. 577; 140 N. E. 285 (1923).

¹²¹ 265 Fed. 397 (1920).

sponsibility. That must be expected.

The collective agreement, legally recognized, is a device through which the worker may acquire an equity in his job. The seniority rights already discussed are an illustration. In *Yazoo and Mississippi Valley Railway Co. v. Sideboard*¹²² the company was defending its reduction of the plaintiff's pay from that of brakeman to that of porter and his subsequent discharge after he had refused to accept the lower pay checks. Under an agreement between the company and the union rates of pay for certain classes of work were specified. The company paid the plaintiff the lower rate only because he was colored and could not belong to the union with which it had the agreement. The court, in upholding the plaintiff's right to the higher pay for the time during which he did not accept the checks, said:

"Although only a few years ago the courts were holding that an individual member of a labor union could not maintain an action for the breach of an agreement between an employer and the union of which the plaintiff was a member in respect to wages and other rights fixed in the contract, these rulings have been left in the rear in the advancement of the law on this general subject, and the holdings now are that these agreements are primarily for the individual benefit of the members of the union and may be enforced directly by the individual."

A third party may sue on a contract to which he was not party if he was included by name or class among those obviously intended to be covered by

it and if the promisee has a substantial interest in his welfare. Protection of the standards of its members gives the union such an interest in the payment the plaintiff received for brakeman's work and therefore he might sue under the union's contract with the company.

Employment at will becomes more secure under limitations set in collective agreements. *Johnson v. American Railway Express Co.*¹²³ upholds the validity of such limitations. In defiance of a rule in its agreement with the American Federation of Express Workers the company dismissed one of its members without giving him the opportunity to be represented at an investigation of his alleged offense with a view to reinstatement if he should be found not at fault. The court stressed the fact that though the plaintiff had been employed for an indefinite term, he had a right to the advantage of a contract made between the company and his union which limited the rights of the employer to discharge at will. It said:

"No legal objection to the legality or validity of such an agreement has been urged by the employer or has occurred to the court. . . . It must be assumed that it was known to the employees and was an inducement to them to enter or continue in the service. . . . As a matter of public policy, to ensure a friendly spirit of capital and labor, which in these days is severely strained, it should be sustained."

Curiously enough, in view of the European attitude toward collective agreements which specify closed shops, American courts have fre-

¹²² 161 Miss. 4; 133, So. 669 (1931).

¹²³ 153 S. C. 191; 161 S. E. 473 (1931).

quently sustained such agreements. A recent case, *Harper v. Local No. 520, International Brotherhood of Electrical Workers*,⁴⁴ upheld an agreement binding a number of the electrical contractors of Austin, Texas, to hire only union men at specified rates. The union got an injunction restraining Harper from violating his agreement by discharging union men and hiring non-union men at lower wages. The court held that the agreement constituted a valid contract, the union's obligation to support no strikes during the period of the agreement being consideration for the employers' promise. It was a contract protectable by equity action because it was not a contract for personal services, no particular men being bound to work or to be hired. The contract was not against public policy by being monopolistic because there were other employers in Austin not party to it. The court said, "It is quite generally held that contracts providing for the employment of only members of a particular union are not on that account alone invalid and unenforceable."

Through the change in legal attitude toward collective agreements there are two safeguards of the job now possible by the use of this method. The union may establish an equity for union men as against non-union men by a closed shop agreement provided it is not so extensive as to be illegal for monopoly. Thus a group, though not an individual equity, is created for union men by the contract. Or it may establish some individual equity by an agreement which limits the employer's right to discharge except for

fault and after reasonable investigation. The limitations so far set are chiefly procedural. The individual can take legal action to protect the right so created for him by collective agreement. He has acquired a recognized equity in his job. He could, of course, contract individually for the same advantages, but the average worker is less likely to be able to get them by individual contract because of his inferior economic strength, and under contract requirements he is unlikely to get any restriction of the employer's rights to discharge at will without a corresponding diminution of his own freedom to quit at will. This kind of bargain may be made and upheld in a collective agreement which offers consideration of some other nature. The collective agreement, as Professor Rice says, is more than a "gentleman's agreement," although in some respects it is unlike a true contract.⁴⁵ "The American law, as it now stands, tends to develop the collective agreement into something more than a custom and yet something different from a contract, for the breach of which damages is the normal remedy."

Whether the collective agreement will acquire in this country the normative character it has in some European countries is not yet sure. We may need to develop a new legal category for it different from custom or contract, Professor Rice thinks.⁴⁶

"No social interest disfavors the giving of legal effect to the intention of the parties to establish a structure of employment relations which will govern the course of dealings not be-

⁴⁴ *Harv. Law Rev.* 604.

⁴⁵ *Ibid.*, 607.

tween particular known individuals but between indefinite persons engaged in an industry. For us, the old law of master and servant is as obsolete as the law of baron and fene. Dictatorship of the employer, unsuited to a democratic society, was challenged by the workers, who felt themselves competitors with their employers for the gains of enlarging industrial operations. Yet efficiency, measuring an industry's usefulness to the consumer of its products, and the happiness of all who give their working lives to it, require cordial collaboration between these groups. In this situation, the law should favor the creation and maintenance of joint machinery to give continuous protection to a relationship which experience has shown is in constant danger of interruption by strike or lockout or of demoralization by

oppression of one or the other of the groups. We need clearer standards of public policy in the employment relation and perhaps a special governmental agency to assure fairness of methods of competition between employing and employed, to prevent oppression of either group by the other, or of outsiders by both. "But such standards can be reached only by the cooperative action of the groups most vitally affected, one form of which is the collective agreement, whose attainment of legal majority is now unquestionable."

Application of the provision for collective bargaining in the Industrial Recovery Act was intended to make such agreements normative at least for the period of the experiment.

THE POOL OF CONTRITION

Scidom a misted star
Or mirrored hope appears
Where these crepuscular
Thorn-bordered waters are
Whose taste is tears.

But he will rise up strong
Who drinks of this dark well,
Though he be harried long
By an invidious throng
From deepest hell.

—CLIFFORD J. LAUSE.

⁴⁶ 48 S. W. (2d) 1033 (1932).

two months' job at \$40 a week (\$360) when that job may leave the worker and his family without either relief or work for the remaining ten months of the year. For it is not always possible to get back on relief rolls after leaving them for a job in industry.

The Conference Board recognizes no responsibility on the part of the employer to remedy this situation by making an effort at least to give his skilled workers steady employment. It does not suggest this as one of the remedies for the situation. Instead, it claims in language subtly insulting to the worker, that the worker who prefers even the bare pittance of relief with its assurance of steady income to a short time job in industry with no security is "hardened to accepting charity." It claims that relief procedure should be altered "in order not to deter machinists from accepting work in industry even if it is only temporary."

Two statements by union executives throw light on this point: (1) The District Council of Metal Trades in Iliion, N. Y., finds that "When an industrial corporation desires to change the model of its product, it dispenses with the services of the skilled and unskilled employees alike. Instead of retaining the skilled employees at least and taking advantage of the situation by repairing and readjusting machines for the new product, the management waits until ready for the new machine to be put on the market. Then a call is issued to double the force of skilled mechanics, agreeing to give employment for only two or three months.

"The result is that these employees, because of their skill, have been able to obtain positions in lines of endeavor other than their trade. Even though these positions pay less per hour than their trade, they hesitate to return to their trade for the short period of time for which they will be employed. This is the actual state of affairs in Iliion at the present time and has been so in Middletown, Conn. Similar reports have been received from other cities."

(2) The International Brotherhood of Boiler Makers and Iron Ship Builders has had the following experience with a company doing contract work: "The men are getting only three or four days work a month. Whenever the company secured a job they would spread the claim over the city that there was not enough skilled labor to man the job and insist on the right to employ laborers to cover the gap, although there were men skilled at the work standing at their gates who were refused employment."

The problem of supplying skilled workers to the jobs that need them, and furnishing steady employment to the skilled men who need jobs cannot be dismissed merely by pointing out the inaccurate and misleading information which has been circulated on the subject. No satisfactory solution for employer or employee will be found until the problem is approached in the spirit of fairness to the worker and willingness to cooperate with his organization, with the purpose of meeting his needs as well as those of the employer.

THE WORKER'S EQUITY IN HIS JOB

ELIZABETH PASCHALL*

The process of getting a legally recognized equity is not a speedy one. The collective agreement was known long before it acquired legal standing; the rights developed under it are recognized in industry before in law. In address before the American Political Science Association, John Dickinson said: "Law cannot enforce an ethical level of practice which is not supported by relatively powerful factors of existing practice and opinion." For the employment relation this higher level of practice is most likely to come through some plan which allows the workers a voice in the rule making. It requires a group interest in maintenance of labor standards including that of security in the job. This higher practice may be developed voluntarily by the employer as has been the case in some plants. It may come as the result of economic pressure by organized workers. In the latter case the workers have more assurance of a permanent share in the industrial government and, when they have secured their rights by agreement, a better basis for appeal to courts for legal support.

The men's clothing industry has furnished a good example of what rights labor can achieve by agreement and what full-fledged industrial law can be like. It is a unique industry particularly from the standpoint of

its personnel. The homogeneity of its industrial population made it an especially good field for the establishment of an industrial government. The conditions are not duplicated elsewhere, but it has been the model for most discussions of industrial democracies. The trade agreements in the clothing industry create a constitutional law with imitation of powers on all concerned — limited power being the essence of constitutional government and law.⁴ The negative freedom gives place to positive. The worker is free from the arbitrary use of the employers' economic and legal power, one phase of which is the power to discharge, and the employer is free from the economic power of labor as exercised by strikes or individual quitting without notice.

The regulations on discharge and quitting are of immediate concern to us. Leiserson speaks of discharge as the equivalent of expulsion from a political community. When a man can be arbitrarily dismissed from the community he is subject to autocracy. He achieves citizenship when he is protected from such arbitrary action. Therefore most agreements which seek to establish industrial government in which the workers share, provide that discharge shall be for cause only and institute some tribunal to

* Continued from July AMERICAN FEDERATIONIST.

⁴ "The Anti-Trust Laws and the Self-Regulation of Industry," 18 *American Bar Assoc. Jour.* 602.

⁴ Morehouse, E. W. "Development of Industrial Law in the Rochester Clothing Market." *Quar. Jour. of Econ.* XXXVII. 257-290 (1923); Leiserson, W. M. "Constitutional Government in American Industries." *Amer. Econ. Rev. Supp.* XII. 56-79. March, 1922.

determine just cause. Decisions of the arbitrator in the Rochester clothing market have established the preferential rights of old workers to their jobs after a lay-off for work shortage. The provisions for equal division of work among the workers in a shop so far as possible, deprive the employer of his former power of building up during periods of slack employment labor reserves which serve to force wages down later. This principal of equal work opportunity is, according to Morehouse,¹⁹ the industrial law equivalent to the Fourteenth Amendment's "equal protection" clause. It is a group rather than an individual principle.

One prerequisite to industrial progress, Morehouse says, is a reasonable degree of stability in employer-employee relations. This stability is fostered by collective bargaining when both parties are strong enough to hold their members in line to perform their obligations, and neither side is strong enough to dominate the other. Increasing job security helps stabilize the industry. Morehouse sees the due purpose of industrial law to be progress and stability; the due procedure, collective bargaining. This is the basis of practice which is akin to civil law. It is based on constitutional guarantees of a bill of rights recognized by the members of the industrial community, and on judicial processes through which reasonable practices are sanctioned.

A presumptive right to the job is one of the protected rights in the clothing industry. In the Chicago area a discharged worker may ap-

peal to the Trade Board and thence to the Board of Arbitration for review of his case. If his discharge is found improper the firm may be required to reinstate him with or without pay for the period of his suspension. His discharge cannot be arbitrarily ordered. After a probation period he cannot be discharged if his work and conduct are not below "the reasonable standards of the shop."²⁰ Both the Amalgamated Clothing Workers' and the International Typographical's agreements protect their members from being replaced by lower-paid workers when new machinery or other labor saving devices are introduced. Earnings as well as position are protected by such agreements. In Rochester under a recent agreement²¹ the workers have taken a 20 per cent reduction but not as a permanent cut. The company promises to repay it over the course of five years. Until repayment of the "loan" no dividends will be declared and no allocation made to reserves. "Workers have helped out individual employers before this, to gain an interest in a business, to save their jobs. The Rochester program applies the same solution to the problem of a whole market and sets a new pace of collective bargaining."

Here is one path to an equity in the job, the right written into a collective agreement, recognized by industrial practice, and sanctioned by the law. At some future date possibly not distant the collective agreement may become normative.

¹⁹ A. C. W. of A. *The Clothing Workers of Chicago, 1910-1922*. Part III. "Government in Industry."

²⁰ *Business Week*. 11. May 3, 1933. "Wage Loan."

For the unions the question will arise, as it has in Germany and France, whether the judicial enforcement of collective agreements, particularly if they contain arbitration clauses, will be injurious; whether they are gaining some security for the worker at too great an expense; whether the law in operation will enforce decrees favorable to employers, not those favoring labor. The answer will depend largely on the tribunals intrusted with the hearing and deciding of labor cases.

CHAPTER V

Reasonable Restraint of Liberty

THE enactment of compulsory dismissal compensation or unemployment insurance laws or the giving of legal sanction to collective bargaining would not of itself assure the workers of an improvement in their job security. Such laws must be enforced and, in the process of enforcement, interpreted. The workers are necessarily interested in the process of interpretation and of the rule making which results from cases tried under the law because through these processes their liberty is enlarged or restricted reasonably or unreasonably. Court interpretation of laws clings rather closely to previous law. The Clayton Act, labor's great hope in its inception, proved to be the disappointment of that hope in decisions which made it only a statement of existing law. If new substantive law is to give workers an equity in their jobs, their interest lies in seeing that the administration of such law is in the hands of bodies

with greater flexibility whose interest is more with serving the public purpose through the instrument at hand than in molding the new law to old theories.

Disputes between laborers and employers are more adequately and quickly settled when there is a special machinery designed to deal with them. The labor courts established in Germany under the Act of December 23, 1926,²² have shown how much can be done in decreasing cost and time spent in dealing with labor cases. Special courts in which disputes must be settled are not likely to be developed in this country because of the failure of the Kansas Industrial Court and the opposition of all parties concerned to compulsory arbitration. There is, however, a tendency, which undoubtedly will be increased by the system of bargaining set up under the Industrial Recovery Act, for labor and employers to set up plans of mediation and arbitration by which they agree to abide. Such agreements are sanctioned by law and have given those industries in which they have been established the greater stability essential to job security.

For the rule making which is so large a part of the administration of new substantive law, however, labor has found its cause well served by new administrative agencies,—commissions. In appraising the administration of workmen's compensation in Wisconsin, Mr. Herbert Laube said:²³ "As between employer and

²² "Activities of Labor Courts in Germany." *Monthly Lab. Rev.* XXIX. 109-110. Dec., 1929.

²³ "Administrative Problems in Wisconsin's Workmen's Compensation." 3 *Wis. Law Rev.* 98. Jan., 1925.

¹⁹ *op. cit.* 271.

employee, Wisconsin supplies abundant proof that executive justice has the merit of being direct, expeditious, and inexpensive, and that its administration has been in the interests of the general welfare and according to the popular notions of a square deal." The function of the administrative commissions was cogently expressed by Mr. Altmeyer, secretary of the Wisconsin Industrial Commission, when he spoke of them as "social agencies engaged in effecting a public purpose vitally affecting our destinies as individual citizens."⁴⁴ He approves the possibilities which the commission offers for formulating the "working rules" with the aid of the interested parties. Labor has a part in making the policies under which its liberty is affected. Mr. Altmeyer says:⁴⁵

"By allowing interested groups (i.e., going concerns) a voice in administration the state is implicitly renouncing its paramountcy but in return is increasing its effectiveness, since it is establishing self-government on a functional basis. This participation of interested groups is, of course, all the more essential when the social policy laid down by the legislature is broad and its definition must be hammered out in the course of administration."

Of the possible types of participation: direct representation on the administrative board itself, and indirect representation through advisory committees, he approves the latter, the Wisconsin system.

"The first method has not been highly successful. Political appointment does not insure true representation since the interested groups do not nominate the appointees. Moreover, partizanship on the board itself is subversive of that continuing mutual deference and concession which is so necessary for successful administration.

"The membership of advisory committees is truly representative of at least organized groups, since the groups themselves nominate their own representatives. Since there is seldom a clash of interests between organized and unorganized groups in the fields in which these advisory committees function, the problem of representation of the unorganized is really an academic one."

Labor on the advisory committee helps shape the administrative policies and working rules and insures publicity for such rules. That is an insurance against arbitrary and discriminatory action of the commission in which so much power has been vested.

The importance of the rules which are developed by extra-judicial bodies under laws affecting the worker's job security is illustrated by the findings of the British Umpire under the Unemployment Insurance Act. His findings have the force of court decisions. He is making the rules which will govern future cases. His pronouncements on suitable employment determine whether or not a worker may be constrained by the threat of loss of employment benefit to take a position open to him. He is, in other words, the arbiter of a considerable portion of the worker's liberty. John Ewing in his recent study *Job*

*Insurance*⁴⁶ has examined some of the cases which have decided a worker's right to refuse work without losing his right to unemployment insurance. As a result of the Umpire's decisions the British Unemployment Insurance Act has been interpreted to mean that a man need not accept employment a condition of which is his either joining, not joining, or leaving a trade union (Decisions No. 2357, 1925, and 1528, 1926); that claims for benefit will be disallowed if a man refuses work because it would be in company with non-union men, or in shops with more apprentices than his union rules allow, or on materials made under non-union conditions (No. 144, 1926; 2263, 1923; 4022, 1922); and that work is not unsuitable for a worker because the terms of wage payments and other matters are contrary to union "national agreements" (No. 4604, 1923). It is evident that a man's voluntary union membership is protected but that if the union's rules forbid its members to work under certain undesirable standards, the union, not the Insurance Fund, must be responsible for the support of men who refuse work under those conditions. The law does not, however, compel a claimant to accept work as a strike breaker, although if his employment is lost during a stoppage of work pursuant to a trade dispute in his place of employment he may not receive benefit from the Fund for the duration of the stoppage.

The Wisconsin Unemployment Reserve Act, not yet in operation, contains these same provisions concerning

strikes. What rules will be developed in the course of decisions of disputes remain to be seen. If the body which is intrusted with making these decisions is harsh in its treatment of labor, much of the worker's economic liberty could be suppressed. He could be forced by economic circumstances into accepting bad conditions of work. If freedom of organization is not protected the unions would be put into an extremely difficult position. It is to avoid such discriminatory and autocratic decisions that commissions with advisory committees made up of representatives of the interested parties are recommended as the agencies of administration of the new labor laws. Labor in Wisconsin has trusted and respected the Industrial Commission, the administrator of the workmen's compensation laws. It could safely leave to it the rule making under laws relating to job security.

The use of administrative agencies with quasi-legislative and quasi-judicial powers is a comparatively new phase of the executive branch of government. Before the middle 'eighties no such agencies existed. Now there is a great body of administrative law developed by commissions. The legality of these bodies has been frequently challenged on the ground that they are a violation of the doctrine of separation and non-delegation of government powers which is embodied in the constitution of every state and is implicit in the federal constitution.⁴⁷ The power vested in

⁴⁴ Altmeyer, A. J. *The Industrial Commission of Wisconsin*. 309.

⁴⁵ *ibid.* 318 ff.

⁴⁷ Brown, R. A. "The Executive Department's Exercise of Quasi-Judicial and Quasi-Legislative Powers in Wisconsin." 3 *Wis. Law Rev.* 385-415; 449-478. April, July, 1926.

⁴⁶ Chapter V.

commissions has repeatedly been upheld on the theory that the delegation of power is not excessive, that the legislature lays down general principles and the commission only fills in details. This is a lame theory in view of the great amount of rule making and judicial discretion allowed to the commissions. The theory could, if pushed, justify almost unlimited abdication of legislative powers, Mr. Brown believes. However, the courts, in presenting this theory in justification of the commission rule, were making the best of a necessary situation. As Justice Rosenberry said,⁵³ these tribunals came "because there seemed to be no other practical way of carrying on the affairs of government and discharging the duties and obligations which an increasingly complex social organization made it necessary for the government to perform." Law and constitutions were opposed to the extension of administrative agencies but they had to "yield to an irresistible social pressure."

Since commissions are so evidently the creations of necessity and are indubitably in our legal system to stay, the comments and examinations of recent years have revolved around the question whether the delegation of legislative and judicial powers, under the guise of no delegation, will menace the liberties of citizens which the separation of powers was designed to safeguard. Mr. Brown thinks the safeguard must lie in publicity, in the opportunity for the interested parties to appear before the administrative agencies and argue their cases, and in the ultimate appeal

to the civil courts for judgment as to whether the commission acted reasonably on the evidence before it and within its sphere under the statute. The Wisconsin statutes have furnished these safeguards. The courts have overruled the Industrial Commission for exceeding its powers in executive orders and have set aside a few orders because they were not supported by the findings of fact but have not, as Mr. Altmeyer noted,⁵⁴ overthrown any finding of fact by the Commission. The right of review is regarded as important by most writers. Justice Rosenberry points out the need for the middle path in that respect. If all facts could be reviewed a commission's functioning might be paralyzed because the courts are frequently not equipped to make such reviews. On the other hand, if there were no power of review property which is under commission administration would not be given equal protection with other property which has legal protection. He suggests that there may develop special courts of review equipped to consider technical questions in order that the right to review may be retained and intelligently exercised.

Perhaps because the law and courts, under the stimulus of nineteenth century individualism, developed so strong a protective system for property, labor has had a better chance to have its interests protected by administrative commissions functioning to "effect a public purpose." Certainly in Wisconsin the Industrial Commission's orders have been fair if not somewhat partial to labor.

⁵³ *op. cit.* 34.

Mr. Altmeyer notes that the circuit court has reversed the Commission's decisions in a larger per cent of the actions begun by the employer than of those begun by the employee, which he interprets, at least in part, to mean that the Commission's orders were more likely to be liberal than not.⁵⁵ That the commission which deals with labor relations is more likely to be partial to employees would be the conclusion from an analysis made by Frederick Green of the effect of having the same persons who make rules be the prosecutors who seek enforcement of them. He says that when commissions are charged with the duty of correcting abuses they must be at the service of the aggrieved person and must also be alert themselves to discover and prosecute abuse.⁵⁶

"Boards recognize these facts and inevitably and properly become in some degree partisans of those who make complaints. But the law which subjects them to the bias of prosecutors sets them up as judges. It requires them to be fair without permitting them to be impartial."

Since in labor matters the rules have more frequently been requirements for employers to observe, the board must be alert to see infringements by employers and its bias would be toward the workers.

The publicity which attends hearings, commonly held though not required in this state, and the advisory committees which have representatives of both interested parties are probably the best insurance against

⁵⁵ *op. cit.* 92.

⁵⁶ "Separation of Governmental Powers." 29 *Yale Law Jour.* 393. Feb., 1920.

marked partiality toward either side. The fact that the Wisconsin Industrial Commission has had the confidence of both employers and employees is an indication of considerable impartiality and reasonableness of its orders.

Legislation designed to make jobs secure will impose some limitations upon workers' liberty, limitations which may well be worth enduring for the increase in security but which, nevertheless, the workers will want to weigh against their gains. The limitations may be no more than the balance thrown against employees' refusing work under certain conditions, such as those defined by the British Umpire's decisions, but, even in that case, the reasonableness of the restriction is of interest to the worker. He is assured of some security of income if he loses his job, but only if he will submit to certain dictation as to the new work he must take. If this dictation is unreasonable his equity in the job is to that extent decreased. The worker is also interested in the speed and expense of the proceedings whereby he can make his complaints of unlawful action of his employer heard. On these counts of speed and small expense the worker has found commission government superior to judicial action. On the count of reasonable orders he finds protection in his representation in the process of "log-rolling" whereby the working rules are evolved. The administrative commission is a part of our social government which insures a consideration of social purposes and a re-scaling of the rights of property to reasonable proportions in relation to

⁵⁴ "Administrative Law and the Constitution." *Amer. Pol. Sci. Rev.* XXIII. 35 ff. Feb., 1929.

other human rights. It facilitates the transfer of negative to positive liberty with a care that the restraints imposed thereby are reasonable, and that there is, therefore, more real economic bargaining equality of the parties, in which lies the only hope for real liberty for the workers.

DO YOU EVER STOP TO THINK

THE good old U. S. A. is the best place to live in the world but still ten per cent rules the other ninety. Why is it? Ten per cent produces nothing but owns everything. Why is it? The ten per cent makes all the laws—the ninety none. Why is it? The ninety could live without the ten, but the ten could not live without the ninety. Why is it?

God put everything upon this earth. God created man in his own image. He gave him the earth for his home, still millions have no home, no place to lay their head. Why is it?

The workers of the world produce all the wealth of the world, but still they go ragged, homeless and hungry. Why is it?

The manufacturers, the wholesalers, the merchants, the lawyers, the bankers, the doctors—it is good for them to organize, but it is not good for the worker. Why is it?

Organized power is the greatest power in the world but still money rules the world. Why is it?

Mahatma Gandhi has no money but power that is recognized by the largest nation. Why is it?

Here in this good old U. S. we have machinery, raw material and food resources enough to feed and clothe the world but still millions want for food and clothing that they can't get. Why is it?

When big business wants more he just raises the price of his commodities. When workers want more food and clothing they are communists, radicals. Why is it?

Workers only want plenty to eat, plenty to wear. May God help us to get them.

W. L. LUTTRELL
Aluminum Workers' Union
Alcoa, Tenn.

PROFITS

ERNST JONSON

PROFITS is the stimulus which keeps business going. Depression is a state in which business has become unprofitable—certain branches of it at any rate. It is important, therefore, that we should have a right idea of profits.

There are people who think of profits as money extracted from the consuming public. These people overlook the fact that we all come into the world without a cent in our pockets, and if we try to issue currency we are locked up. The only approved way of getting money is to get it out of business, directly or indirectly. It is evident, therefore, that Business cannot get any more money out of the consumer than it has disbursed to him. We think of profits as moneys retained by business because we forget that the owners of business, who receive these moneys, are themselves part of the consuming public. It is the sum which business has disbursed to us as wages, and salaries, and interests, and dividends and profits which it can extract from us. More than that it cannot get out of us.

The better way is to see money income as a stream which flows continuously through the consumer's pocket and the till of business, each particle of it becoming first consumer income and then business income, and then again consumer income and business income. When so seen the folly of cutting wages and then looking for revival of business becomes apparent.

When so seen it becomes clear that the only way to revive business is to add to the wage-fund.

The real profits of industry and business are not money at all. The real profits are that part of the product of industry which the workers do not consume, and which is left to the owners of industry to be consumed by them. This is the reason why machine production is profitable. The peculiar profits of the machine age consist in the services rendered to the owner class by those workers whom the machine has released from the task of providing a livelihood for the wage-earning masses. Or to put it another way, the profits of machine industry consist in the labor and the services of the technologically disemployed. The more technological disemployment the more profits there are to be gained out of industry, provided, of course, that the owners avail themselves of the services of the technologically disemployed. When—as at present—they leave them unemployed they fail to collect their profits, let their profits go to waste by default.

Maximum profits, then, will be gained when industry has become automatic in the highest degree, when a factory will be operated by a single technical expert attended by a couple of repair men and two or three other aides. At the same time wages may reach a very high level if the number and the size of the factories be not unduly restricted. The preju-

president down. The basis of division might be in proportions of the wages paid; the labor to have representation on the boards; the books to be open: an absolutely frank and fair co-partnership. The mutuality would promote accord. We shall have to come to some such approach as this, and the sooner the better.

This proposition, in addition to inducing active loyalty of workers, the production of good goods with a minimum of waste and loss of time, would place labor upon the plane of dignity to which it aspires and to which it is entitled. If industry does

not come to some such accord as this, it will probably find itself insecure against the earning of even a reasonable minimum return. Better a minimum, sure return than a precarious one. Practically, it might be well to limit also the dividends to labor: the two elements of capital and labor should not be permitted to combine and profiteer on the public. The public should be a partner. Cheaper goods to the public, greater consumption and production and increased employment to labor and capital would be results. And, we should hope, peace.

DARK SEASON

The slight moon stumbles naked on the earth,
The barren fields relinquish the golden season:
The heart seeks cover against the leafless wind,
The mind returns from its summer of sweet unreason.

The fern-frond curled to a sea-horse in the wood,
The cobwebs stretched on shivering jewel-weeds—
These that enriched the year are lost, diminished
To a silver ghost, to a handful of scattered seeds.

O heart, fear not this wide unguarded time:
The hills move close and rough in the heady air;
The mind has returned from the tangling strands of
thought,
Its dreams flung off, the mind is brave and bare:

This is the human hour, the season of darkness.
Arise, O heart, be healed in the stricken grass
That meets its small death with nor hope nor hunger
For the bright freight it bore where summer was.

—FRANCIS FROST.

THE WORKER'S EQUITY IN HIS JOB

ELIZABETH PASCHAL *

CHAPTER VI

(Conclusion)

IT is evident that the right to a job or to compensation for its loss which labor hopefully claims to have established by investment of effort is an ethical rather than a legal right. Common law leaves the man employed at will unprotected. Such equity in his job as a worker may have arises from contract or legislation not from an investment of time and labor. It is a right, then, which belongs to a few rather than to all workers in the present state of legislation in this country.

The ethical right is not, however, lightly to be dismissed. Job security is more than a matter of legislative concern. Sanctions are developed when public pressure for them is sufficiently strong. The stronger and more wide-spread the conviction that the worker is entitled to protection becomes, the more likely is the development of legal recognition of an equity in the job. And, even in the absence of a true legal equity, the worker may gain considerable job security by the growth of a wide-spread belief that employers are responsible for providing steady work or income for their employees when that belief fosters the growth of a custom of guaranteeing such steady work or insuring the employee against loss of it. The development of such a custom, in turn, becomes a

basis upon which a legal equity may be built.

There are relationships of individuals to groups or business concerns other than an investment relationship, which entitle the individuals to some special consideration although not to a legal equity. It is possible that the worker's claim to steady employment might be accorded legal recognition as a liberty of the worker, if not a property right, along some line other than that of an equity acquired by an investment of labor. There is, for example, the relationship of a public utility to its customers. The nature of this relationship has been defined in cases arising over the question of depreciation funds as different from that of an investor to his company. The Supreme Court in *Public Utility Commissioners v. New York Telephone Company*¹ sustained an injunction restraining the Commissioners from enforcing "confiscatory rates," that term being applied to rates which would compel the company to use its excessive depreciation fund built up in the past to meet future deficits. Mr. Justice Butler, in his opinion, said: "The revenue paid by the customers for service belongs to the company. The amount, if any, remaining after paying taxes and operating expenses, including the expense of depreciation, is the company's compensation for the use of its property." He emphasized the fact that customers by paying bills do not acquire any legal or equitable interest

*Continued from August AMERICAN FEDERATIONIST.

¹271 U. S. 23 (1926).

in the company's property. Professor Martin Glaeser takes exception to this decision.² "For the court to conclude that excessive depreciation reservations are the company's property so that no equitable adjustment can be made in the depreciation rates in the future is unsound."

Wisconsin, although reiterating the Supreme Court's denial of any equity in the consumer, has recognized special rights of the customer arising from his "line extension donations." In *Wisconsin Hydro-Electric Co. v. Railroad Commission*³ the Wisconsin Supreme Court upheld the Commission in an order requiring the company to deduct from the appraised value of the property recently purchased from the Luck Light and Power Company the amount of the customers' donations for line extensions and to issue bonds on the reduced valuation only. Although the rate base and the security base are not the same the former is involved in determining whether the latter gives reasonable security to the stock and bondholders. Since the customers' donations are not allowed to be part of the rate base the court believed the amount of securities issuable on the property should be correspondingly decreased. It said that although special investment by the customers does not give them title to any of the utility's property, the utility has no right to demand a return on that investment. The customer acquires not a property right but a special right which must be respected

in rate making and in the issuing of securities.

The special interest of the consumer is further recognized in Wisconsin in the Mondovi Telephone case.⁴ The case arose out of an application of the company for permission to convert its very large increase in assets into a surplus to be distributed in the form of additional stock. Its depreciation reserve was large and had increased rapidly. The Commission denied the request without prejudice to a subsequent application for authority to declare stock dividends for the free and earned surplus. It held, however, that if by inaccuracy of book records the rebuilding of the plant had been financed out of depreciation reserves to which customers must contribute through their rates these additions to the plant might not be capitalized and become the basis for future additional returns to stockholders.

"Where a public utility incorrectly charges plant expenditures to maintenance and uses its depreciation reserve to build up its plant, rather than for retirements, we have another instance of customer contribution to the capital account of the company . . . involuntary."

"We are not suggesting that the company's plant, in its entirety, is not its property. We are not suggesting that it holds any part of it in 'trust' for its subscribers. This was settled in *Public Utility Commissioners v. New York Telephone Company*, 271 U. S. 23, where the court said 'Customers pay for service not for the property used to render it. By

² Glaeser, M. G. *Outlines of Public Utility Economics*. 359.

³ 208 Wis. 348 (1932).

⁴ *Re. Mondovi Telephone Co. P. U. R., A. 1931 C. 439.*

paying bills for service they do not acquire any interest, legal or equitable, in the property used for their convenience or in the funds of the company.'"⁵

The commission relied on the principle enunciated by the Supreme Court earlier⁶ that no part of the depreciation reserve may be added to the capital which forms the rate base.

Is there anything in the principles developed in these cases which offers encouragement to labor in its quest for legal support of its claim to job security? The point which labor may seize as contributing to its own cause is that the courts have recognized and protected a special right, not an equity, which did not arise from the usual course of investment. The company is required to conduct itself so that this special right of the consumers is not injured. Might not labor succeed in getting its own peculiar investment of continued effort in the industry recognized as the legitimate source of a special claim on the company for the protection of secure employment? True, the customers' contributions have been cash paid for special purposes, line extensions or depreciation, while labor's contribution is work not differentiated from that for which it is paid a wage. Also common law has always recognized peculiar obligations of men in public callings—such as common carriers—to their patrons, while it has left the employment relation to individual contract. But in the face of the modern situation in which employment is subject to vicissitudes beyond the

worker's control, in which the worker who has given his service for a considerable time to one employment is, as he grows older, nearly as helpless if he loses his employment as the consumer would be if the utility should refuse to serve him, there seems reason for imposing on industry an obligation to its employees such as public utilities have to their customers. There is reason in the view that an employer should not reap the advantage of his employee's labor investment without establishing a fund to protect the worker against loss of his connection with the company, any more than a utility may accept contributions voluntarily or involuntarily made by its customers without devoting them to insuring reasonable service without an increase in the rate base. The employee will not have a property right in the company; the consumer has none in the utility. A special protectible right has developed out of the special investment of a person who is not an owner of the utility. A special right of the worker, worthy of legal protection, may similarly be seen to be within the scope of public purpose.

Another possible line of development toward security of job tenure is that of causing the employment relationship to be regarded as an association, membership in which is protected. Membership in voluntary associations has frequently been protected by mandatory injunctions for reinstatement of the expelled member or by actions for damages for the injury he suffers. Particularly the question of expulsion has become the subject of judicial inquiry when membership in an association has pecuniary

⁵ *Ibid.* 444, 445.

⁶ *R. R. Commission v. Cumberland Tel. and Tel. Co.*, 212 U. S. 414 (1909).

value, as in the case of a union which owns property or which has negotiated collective job contracts which bar non-union members. It is questionable in such a case whether a member may be expelled if no clause in the articles of association provides for expulsion. The difficulty may be surmounted however, as Oakes' points out. If a member is guilty of conduct subversive of the object of the association his breach of the implied obligation of loyalty to the group will probably be found to be grounds for expulsion even in the absence of any by-laws definitely covering expulsion. Frequently the articles of association could scarcely be called contracts although there is an element of consent similar to the promises of contracting parties. Ordinarily any member of the association may resign at will, which indicates that the association is not the usual multilateral contract in which each party is bound by his promise. Yet it has frequently been held that a member may resist expulsion from such an association. Oakes states the obiter of *Ostrom v. Greene* [161 N. Y. 353; 55 N.E. 919 (1900)]: "A voluntary association cannot expel a member without notice, because there is a mutual promise on the part of the members, implied from the fact of organization, that each is to remain a member until he resigns, is removed for cause, or ceases to be a member in accordance with some regulation." It follows that a member has a right to be heard before being expelled.

Ordinarily associations, particularly those in which membership has

some pecuniary value, provide in their rules causes and procedures for expulsion. Courts will insist that the procedures be followed and will sometimes go further and examine the rule in the light of public policy. In *Spayd v. Ringing Rock Lodge*⁹ the court upheld the plaintiff's plea for reinstatement after he had been expelled from his union for disobeying the rule that no member might use his influence to defeat action taken by the union's national legislative representatives. The plaintiff, contrary to the action of the representatives, petitioned the state legislature to reconsider the Full Crew Law. The court declared that the state bill of rights allows citizens to petition the legislature for proper purposes. The union had no authority to infringe this right of individuals. Its rule was, therefore, void, and the plaintiff improperly expelled.

The procedures and the observance of them are more frequently before courts than are the causes for which a member may be expelled. In *McDowell v. Wilson*¹⁰ it was said that the court could overrule expulsion by a church or any other society which acted contrary to its own stated forms and rules in expelling members. In *Rueb v. Rehder*¹¹ the superior court overruled the lower court in its dismissal of the complaint. The lower court dismissed it because the plaintiffs, who sought reinstatement, had not exhausted their possible appeals within their own order before turning to the civil court. The state Supreme Court held this course of

appeals need not be taken in the present instance because the plaintiffs after having been acquitted in one trial within their order were tried a second time although the order's constitution and by-laws did not provide for a second trial. Therefore, the court held, the plaintiffs were illegally tried before a tribunal without jurisdiction. The association was acting contrary to its own rules which set the rights and liabilities of its members, and the aggrieved members need not conform to the rules for appeal within the association in order to get relief from its unauthorized action. It is evident from this case that the equity courts ordinarily require expelled members seeking reinstatement to exhaust the associations remedies before appealing to the courts. In *Grand International Brotherhood of Locomotive Engineers v. Green*¹² it was held that it was not necessary for the plaintiff to exhaust the union remedies before appealing to a civil court for the remedy of damages for wrongful dismissal from his union. The remedy at law was more accessible than that at equity.

That the expulsion must be not only lawful under the constitution and by-laws of the association but also ordered in good faith is clear from *Otto v. Journeymen Tailors' Protective and Benevolent Union*.¹³ The plaintiff in this case had worked for an employer against whom a strike had been called. The penalty for such action according to the by-laws of his union and benevolent association was a fine of from ten to

one hundred dollars. The union expelled him. When the strike was settled the union men returned to work on condition that the plaintiff should be discharged. He lost his position and could get no work in other union shops. He sought and secured reinstatement in his union on the ground that his expulsion had exceeded the stated penalty for "scabbing" but he was almost immediately expelled again for being in a conspiracy to injure the union when he took the "scab" work. The civil court ordered his reinstatement, holding that his first reinstatement and subsequent discharge were not done in good faith and that the "conspiracy to injure" was nothing more than his act of scabbing for which the proper penalty was a fine. In other cases unwarranted expulsions which have resulted in the discharge of a man from employment have rendered the union liable for damages even though the employment had been at will.¹⁴

Could the employment relation be found to be such a voluntary association that expulsion from it could be appealed to the courts? One great difficulty lies in the fact that even if it were so considered the understanding or "rule" of the association is usually that a member may be expelled at the employer's will. The worker members are under the rule of an autocracy not a constitutional government, as Leiserson puts it.¹⁵ If the custom grows of not discharging without notice or compensation except for cause the "rule" of the association may be said to have

⁹ *Op. cit.* No. 50.

¹⁰ *Ibid.* No. 51.

¹¹ 270 Pa. 67; 113 Atl. 70 (1923).

¹² 252 Pa. 91; 97 Atl. 100 (1916).

¹³ 24 N. M. 534; 174 Pac. 992 (1918).

¹⁴ 210 Ala. 496; 98 So. 569 (1923).

¹⁵ 75 Cal. 308; 17 Pac. 217 (1883).

¹⁶ See *Brennan v. United Hatters*, 73 N. J. 729; 65 Atl. 165; 9 L. R. A. (N. S.) 254; L. R. A. Digest VI. "Master and Servant." No. 496.

¹⁷ See *ante* Ch. IV, Sec. 11.

changed and the worker would have a basis for seeking recovery for unwarranted discharge. In those employment relationships created by contract or collective agreement the worker has a right to carry his case to the courts. Except for a few plants the employment relationship is still governed by the master-servant rather than the free association law. The provision for collective bargaining opens the way to a widespread extension of the protection of the worker's tenure. The rule or custom of the employment relationship may change from one which subjects the worker to the caprice of an autocrat to one under which he can command legal review of the order expelling him from the "association."

This is a procedure which offers more security to the worker than the industrial democracy loudly vaunted in the early 'twenties which was to be realized by stock ownership by the workers. Security in his job rather than part ownership in the company is the worker's major interest. The proportion of stock held by the workers in most of the stock-sharing concerns was too insignificant, even when it carried a vote, to make the worker truly a business associate even in his own eyes. If he is a "citizen" in Leiserson's term, if he has recognized rights to his job which the courts will uphold, he is more truly a member of an association than if he owns a minute portion of its stock.

(To be continued.)

THE INEVITABLE

The hands have learned a cunning of their own;
The feet have found a path that takes them far;
The eyes have followed, seeing all alone
A boyish vision of some guiding star.
Though just ten candles mark his years' short span,
My arms are empty now—my boy's a man.

—BESS STOUT LAMBERT,
Commonweal.

LABOR IN ALL LANDS

JULY-AUGUST, 1935

Great Britain

London—The Minister of Labour gave legal effect to a wage agreement negotiated between the Weavers Amalgamation and the Cotton Manufacturers Association, a development in industrial legislation. The decision was based on the report of the independent Board which recently sat in Manchester. Any employer who pays to an operative less than the rate laid down will be liable to a fine of £10 in every case. The legislation was a last resource to counter the wage cutting in the industry and was sought both by employers and workers.

Wage increases of from 1 d. to 3 d. an hour have been secured for a wide range of employees at the Film studios of the Gaumont British Picture Corporation. This is the result of negotiations between the general manager of the corporation and the secretary of the National Association of Theatrical Employees.

Ayr—Accidents in the building industry and ill-effects of tenement dwellings were the subjects of resolutions at the concluding conference of the National Federation of Building Trades Operatives. The Government was asked to legislate to protect building trade workers and workers in civil engineering industry from accidents.

Twelve trade unions having members employed in the air-craft industry recently formed a Council, which is to be composed of one executive representative from each affiliated union. Local committees are to be set up in aircraft production areas. The main object of the new Council is to secure complete trade union organization in the industry.

The annual report of the Electrical Trades Union for 1934, showed a gain in membership of 3,000, the greatest increase in any one year since 1921.

Nearly 45 per cent of the unemployed men on the registers of the unemployment exchanges are under 35 years of age. Among unemployed women 63 per cent are under 35, according to figures reported by the Ministry of Labour.

Miners of Great Britain in a manifesto recently issued through the Mine Workers Federation reported average earnings per person for 1934 (figures submitted to Parliament by the Secretary for Mines) as 44s.6d. per week, and it is contended there are thousands of men in the pits who receive much less than the average—30s. to 40s. for a full week's work. Official figures reported also 1,073 killed in and about coal mines last year, and 132,859 persons injured. Their special Conference will be held in October.

Conferences between the Minister of Labour and the General Council of the Trade Union Congress with reference to the problem of reabsorption of unemployed workers into employment, and in particular the question of the 40-hour week, were resumed at the Minister's request.

In a circular to the affiliated Trade Unions the General Council stated that the Minister informed them at the meeting that he had had interviews with employers' organizations in 20 industries and proposed to continue the discussions with a few more. The General Council reiterated their opinion that the economic and technical changes which have taken place in industry during recent years justify the Government adopting the 40-hour week proposal without further delay.

Norwich—The President of the National Union of Agricultural Workers, after a meeting here of Norfolk Agricultural Wages Committee, announced that the men will receive payment of £11, the same as last year, but will work only a maximum of 64 hours per week instead of 70. The committee representing farmers and workers, came to a unanimous agreed settlement on terms for the harvest month.

The Seventh Trades Union Congress Summer School opened at Ruskin College, Oxford, on July 6, to students present. Most of the eighty students have been sent by their affiliated trade unions but there are a number of individual trade unionists who have booked at their own expense.

A further increase in pay of 2s. a week took effect at the beginning of the month in the London road goods transport industry. At a meeting of the Transport and General Workers Union in London, it was announced that the Metropolitan Joint Conciliation Board had agreed to restore the cuts in wages lost to the men in 1932. With other con-

THE WORKER'S EQUITY IN HIS JOB

ELIZABETH PASCHAL*

SINCE the time when *laissez faire* became the dominant economic philosophy and the theory of private property and the profit motive became so orthodox that life under any other system became practically unthinkable, labor has had to struggle for whatever gains it made in organization and security against the legal protection of "liberty and property." In this country the struggle has been the more difficult because the basis for the protection was embodied in the Constitution. There is hope, however, for labor in the changing concept of property which corporate enterprise is causing. The greater job security which is the worker's aim may be achieved not because his job has been labeled "property" but because the new industrial situation demands that property rights yield to the larger interests of society. New restrictions on the former free use of property give rise to greater economic freedom of the worker. Again we see the possibility of expansion of the worker's positive liberty.

The changing concept of property has been set out in vivid picture by Berle and Means in their recent study.¹ They speak of the old theory of ownership as a theory of an "atom." They see that "atom of ownership" split now into its component parts: control and beneficial ownership. The owners are many and widely scattered over the coun-

try. Control is in the hands of a few men who own only a minute portion of the stock.

"This dissolution of the atom of property destroys the very foundation on which the economic order of the past three centuries has rested. Private enterprise, which has molded economic life since the close of the middle ages, has been rooted in the institution of private property. . . . The explosion of the atom of property destroys the basis of the old assumption that the quest for profits will spur the owner of industrial property to its effective use. It consequently challenges the fundamental economic principle of individual initiative in industrial enterprise. It raises for reexamination the question of the motive force back of industry, and the ends for which the modern corporation can be or will be run."²

There is a fundamental contradiction in the theory of private property and the theory of profits under the modern corporate system which was not present when the owner of the business was also in personal charge of it. When Adam Smith and other classical economists were lauding the system of private enterprise and *laissez faire*, the argument that the owner of the property should have the full use and disposal of it and should enjoy its benefits took for granted two attributes of property: risk taking with previously accumulated wealth, and the management of and responsibility for the enterprise. Now the owners of a corporation

have no part in this second attribute. Berle and Means comment:³

"Because an owner who also exercises control over his wealth is protected in the full receipt of advantages derived from it, must it necessarily follow that an owner who has surrendered control of his wealth should likewise be protected to the full? May not this surrender have so essentially changed his relation to his wealth as to have changed the logic applicable to his interest in that wealth? An answer to this question cannot be found in the law itself. It must be sought in the economic and social background of law."

So far the traditional logic of property, as embodied in the law, demands the award of profit to the owners—the stockholders. What of the traditional theory of profits? Economic theory has justified profits on the grounds that they act as an inducement to risk-taking in industrial enterprises and that they act as a spur to the owner to do his best in managing the enterprise so that it will be profitable, by which activity he benefits society as well as himself. Now that management is divorced from ownership should profits still go in full to the owners for only the one function of risk-taking?

"Where is the social advantage in setting aside for the security holder, profits in an amount greater than is sufficient to insure the continued supplying of capital and taking of risk? The prospect of additional profits cannot act as a spur on the security holder to make him *operate* the enterprise with more vigor in a way to serve the wants of the community since he is no longer in control. Such

extra profits (above the amount compensating for risk taking) if given to the security holders would seem to perform no useful economic function."⁴

If by the theory of property the law should conclude that all profits should go to the owners but by the theory of profits, consistently followed, it should conclude that only part of the profits should be so assigned, are not both theories suspect? Is not the way opened for a new theory?

"It is entirely possible and some students of the situation are beginning to contend, that the corporate profit stream in reality no longer is private property, and that claims on it must be adjusted by some test other than that of property right. The writers are unable to say that as a matter of law, this advanced view, however justifiable as a matter of sociology, has yet attained standing. It is rather the reflexion of a movement which is likely to take form in the future, than the statement of a present ordering of affairs."⁵

The worker is less interested in the question of the allocation of profit than in the consideration of security of work and income for himself. Can the changes which the corporation is bringing in the property concept open the way for a control of enterprise which will consider the worker's claims for security? That is very probable. The corporate organization is an institution which concentrates tremendous power in the hands of a few persons. The building up of a powerful organization always brings, sooner or later, pressure for

* Continued from September Federationist.

¹ Berle, A. A. Jr., and Means, Gardiner C. *The Modern Corporation and Private Property*.

² *Ibid.* 8-9.

³ *Ibid.* 339.

⁴ *Ibid.* 342.

⁵ *Ibid.* 247.

the direction of the power in channels not injurious to those affected by it.

"Observable throughout the world, and in varying degrees of intensity, is this insistence that power in economic organization shall be subjected to the same tests of public benefit which have been applied in their turn to power otherwise located. . . . In the strictly capitalist countries, and particularly in time of depression, demands are constantly put forward that the men controlling the great economic organizations be made to accept responsibility for the well-being of those who are subject to the organization, whether workers, investors, or consumers."

The tradition which has supported owners in their use of their property for their sole interest does not attach to the present control group; the owners have had shorn from them a part of the function of ownership which supported the tradition; the way is open to society to demand that industry serve a wider group. The workers have a good opportunity to make their claim for security heard, to get it accepted as part of the wide social plan and so to obtain legal sanction for that which serves the public purpose and which has developed at least partially as custom.

In the past few years the need for security for the workers has been more and more impressing itself on the public mind. That which labor has demanded has found advocates in many persons outside the ranks of labor. While we cannot find that the law recognizes an equity in the job as residing in the man employed at will, industrialists, statesmen, economists, and the public at large have become

imbued with the labor philosophy that the road to industrial recovery is that of restoring labor's purchasing power. One of the trade-union policies generally accepted during the past few years is that of spreading work. The philosophy is one of true trade-unionism, as Professor Selig Perlman has pointed out; one of equal work opportunity.

The movement was well under way by 1930 through the steps taken by a number of plants to reduce working hours of all workers rather than to dismiss any. Walter C. Teagle, chairman of the Share-the-Work movement instituted by President Hoover, says of the unorganized plans for job sharing which preceded his movement:

"Such a policy was in force at some refineries of Standard Oil Company of New Jersey subsidiaries from the time that the management first faced the necessity of laying off permanently a large number of workers, due to the installation of more efficient refining units; by United States Steel, Bethlehem Steel and International Harvester, among others."

On August 26, 1932, President Hoover called a conference of national banking and industrial leaders to organize the plans for job sharing. W. C. Teagle was made chairman of the coordinating committee and the Federal Reserve banking and industrial committees of the twelve districts were given the responsibility of urging employers to shorten work-weeks and spread employment. No fixed plan of hours or wages was drawn up. Each employer was urged

¹"The Share-the-Work Plan." *New York Times*, Jan. 15, 1933.

to do his best to keep as many men as possible at work. The limitations of job-sharing were frankly admitted in the literature sent out by the Committee. It was emphasized that the amount of work should not be so far reduced as to imperil the subsistence of workers at the wage rates paid. William Green, speaking for organized labor, endorsed the plan,² stating that it was a gain for the principle of "flexibility in working hours to assure work to employees under changing conditions." He too, however, warned that the shorter work-day must not be gained at the expense of reducing wages below a living wage level. The adoption of the thirty-hour week as the objective of the American Federation of Labor at its last convention was indicative of labor's stand on spreading work. The convention was emphatic that reduction in hours should be accomplished without loss of wages.

The extent to which the spread-the-work movement was successful in drawing business men under its banner may be indicated by some of the estimates made of the numbers reemployed or retained in employment. A survey made by the National Industrial Conference Board in the Fall of 1932 showed that of 1,305 concerns which were employing about two million men in 1929, eighty-five per cent were practicing job-sharing. Of 1,269 executives questioned, 936 believed in the practice for depressions.³ The final report of the Share-the-Work Committee, before its work

²"Spreading the Work." *AMERICAN FEDERATIONIST*. XXXIX. 1102.

³Duffus, R. L. "The Short-Week Movement is Gathering New Strength." *New York Times*. Dec. 11, 1932.

was transferred to the United States Chamber of Commerce in March, 1933, stated that 57,000 employers employing about 5,000,000 men reported that over one-fifth of those were in jobs because of the Share-the-Work movement. The committee believed that this indicated that for the country as a whole about five and a half million people had been kept at work who otherwise would have been laid off.⁴

Work-sharing is not confined to this country. In a number of European and South American countries stagger plans were introduced voluntarily or by laws which set a maximum work-day. Employers have for the most part not resisted the movement where it has been evident that if hours were not decreased the problem of unemployment would be even more severe. In Germany the legal eight-hour day was established during the unsettled period immediately after the war. Dr. Tänzler, director of the Federation of German Employers' Associations said of the regulation:⁵

"The patriotic duty of employers is to find employment for returning soldiers. As orders are few this can only be done by shortening working time so that as many workers as possible may find employment."

The job-sharing movement is in accord with well established trade union principles and it has enlisted much interest in and sympathy for the view that workers need security of jobs or incomes, but it does not contribute

⁴*New York Times*. March 19, 1933.

⁵"Legal Introduction of the Eight-Hour Working Day in Germany." *Monthly Labor Rev.* VIII. 213.

¹*Ibid.* 353.

to the development of an equity in the job for an individual. Rather it puts the disposition of a group of jobs in a certain plant or industry into the hands of a group of workers—or, more properly, the employer will divide the jobs available among a group of workers. The custom grows that a worker is not discharged for lack of work until all the plant is working on short time. From this point of view one might be inclined to say that the employer has recognized a moral, if not a legal claim of the worker to his job. But one worker is retained only because other workers give up part of their working time to him. They cannot say "these jobs are ours, we will not give them up." They have no real equity and he has none. There is a set amount of work to be done. A given group of workers is put to doing it. If the work to be done decreases, each worker loses part of his task and part of his opportunity to earn. Whatever effect the custom of job-sharing will have upon the development of legal protection of jobs will be rather in the direction of a group than an individual equity. It is akin to the guild economy under which the guild protected the work opportunity of its members from outside competition but compelled sharing of opportunity among its members. It offers a measure of security to a worker but by a method which puts the burden of the security in large measure upon the whole group of workers. It is, as labor and progressive industrialists recognize, open to abuse if wage rates do not increase as hours worked decrease. It has its merits, particularly during a depression, but it cannot

reasonably be relied on to replace the individual security which can be achieved by other means.

It is significant that the emphasis of the Industrial Recovery Act placed on labor; on "the extensive and permanent reemployment of workers at wages on the comfort level of living," as Senator Wagner phrased it.²² The administrator, General Johnson, to the surprise of many business men placed the emphasis "wholly on the necessity of using the recovery measure to put men back to work in their normal jobs and at nearer their normal pay."²³ The shorter work-week is one method by which this end is expected to be achieved. The plans submitted by various industries are scanned with this in mind.

There is an opportunity for workers to make great strides toward "citizenship" in the industrial community in the next two years if they use to the full the technique of collective bargaining assured to them under the National Labor Relations Board Act. If they are truly free in their choosing of representatives and if they press for guarantees of continuous jobs they have an unparalleled opportunity to gain an equity in their jobs. The public is sympathetic. The union philosophy that only when labor's purchasing power is good can industry prosper is widely accepted. Business is prepared to accept responsibility for its workers to a degree unthought of in 1929. Collective agreements for job insur-

²² "A Dual Program for National Recovery." *New York Times*. May 28, 1933.

²³ "Recovery Setup." *Business Week*. June 10, 1933.

ance or dismissal wage would readily be supported by the courts. Although the Fourteenth and Fifth Amendments still remain, in the courts' use of them, guardians of property rights and of the jural doctrine of equality, there seems to be in popular thinking more approbation of the stand taken by Mr. Justice Brandeis in his dissent in the *New State Ice Company* case.²⁴

"There must be power in the States and the Nation to remould, through experimentation, our economic practices and institutions to meet changing social and economic needs. I cannot believe that the framers of the Fourteenth Amendment, or the States which ratified it, intended to deprive us of the power to correct the evils of technological unemployment and excess productive capacity which have attended progress in the useful arts."

The majority of the Supreme Court thought otherwise in that case, but political activity since then has followed Brandeis' lead. So far it has been successful and popular. If the success and popularity continue courts will not remain immune to the liberalizing theory. The limit has not been reached in the possible use of "public purpose" in justifying liberal legislation. There are ample grounds on which the courts can uphold a type of legislation which they have barred in the past. Even so long ago as 1909 Dean Pound pointed out the absurdity of the courts' emphasis on liberty of contract as a property right and on a barren equality of rights.²⁵

²⁴ *New State Ice Co. v. Liebmann*, 285 U. S. 262 (1932).

²⁵ Pound, R. "Liberty of Contract." 13 *Yale Law Jour.* 454-487.

Whatever claims the worker may make, it is unlikely that the courts will support him in a claim to a right to be retained at work in a particular job. That and its converse, requiring him to remain at work on a particular job, are effectively banned in the ordinary labor relationship by the constitutional prohibition of involuntary servitude, and the equal treatment of both parties to the relationship. The worker may get such an equity to a particular job that he can command compensation for its loss. The most effective way of securing such a right in our present setup is through a collective agreement which provides for dismissal wage. Legislation for unemployment insurance will probably come slowly through state legislation. The right which it gives the worker is a right to income if he loses not a particular job but all work. In other words he is, under the insurance plan, entitled to work or to compensation if he cannot get it. He does not receive any compensation if he loses one job and immediately gets another. There is no equity in the particular job. The job-sharing plan gives him even less claim. Under that he is entitled to a fair share of the work which is to be done in a plant, but he and his fellows are alike subject to loss of part of their jobs and income when work is slack. It offers partial income security, a stop-gap for depression periods. It has a value as developing a custom in industry that men are not laid off when work is slack. A custom well established and long continued becomes a useful argument against its breach to present to a court. The sanction given the custom

of wage settlements in the printing trade in Washington, D. C. has been discussed. But custom sufficient to be given the force of law is slow in the building. Labor's better hope lies at present with contracts, collective agreements, and legislation, and with the development of a widespread consciousness that the public interest lies in insuring job security for the workers. Even though his own freedom of leaving his job at will should be somewhat restricted in achieving restraint on the right of employers to discharge, the worker has more to gain than to lose in this partial recession from unhampered individual enterprise toward the regulation and status of the *pre-laissez faire* period. In this period of a changing attitude toward the unrestricted exercise of private property rights the worker's chance to gain legal support for his claim to a "right to a job" is good.

THE FAIRY LOUGH

I know a Fairy Lough
That is reed-rimmed round;
All its inlets rare
Are forest-crowned.
Silver-misted morning
Weaves it robes of gray;
A sheen of gold is on it
At close of day.

I know a Fairy Lough,
At whose waters' edge
There is music wild
In the tall, green sedge.
This the boon I'm craving:
When mine eyes are dimmed,
Let my heaven be only
That lough, reed-rimmed.

—LIAM P. CLANCY.

Life

NICHOLAS A. DUNAEV

There she stood before me, bent under the heavy weight of her miseries, a symbol of tragic despair, eyes shrunken and face shrivelled.

She was as old as eternity, monstrous as the thing called life.

Her legs weakened and she sank to a bench, a crumpled, pitiful figure of rags and bones.

The feeble frame shook with a violent cough.

Spasmodic, painful cough, and skeleton hands flew to her chest to relieve the pain, while her face yellowed with anguish.

Traces of vanished beauty were still on her face.

This horrible creature was once agile and attractive; these dried up lips were once red and passionate; the sunken bosom once heaved with excitement and love. . . .

I looked at her with bleeding heart and aching soul.

Such decay, such cruel, unseemly, and unnecessary degradation was revolting . . .

"My own have deserted me . . . Nights and nights on the street . . .
Hunger, cold, loneliness . . ."

Tears trickled down her bony cheeks.

Yet the sun was shining brightly; the air was full of perfume; flowers displayed their gay colors—all was gayety and loveliness.

Children ran about playfully, laughing merrily.

The trees whispered to each other in the gentle breeze, while the birds made love.

The old woman sat as if petrified, oblivious to everything around her, lost in the sea of life's misery.

I revolted. Indignation overwhelmed me.

A question, pointed as a dagger and sharp as a blade, pierced me through.

I asked myself:

"Why, why this brutal game of joy and pain, of happiness and misery eternally haunting each other . . .?"

The sun was still shining brightly.

Life still paraded before me in all its gayety and—indifference. The children still filled the air with their innocent, merry laughter. The birds were singing, the bees buzzing, and—I bent my head in shame . . .

I was ashamed of the thing called life.

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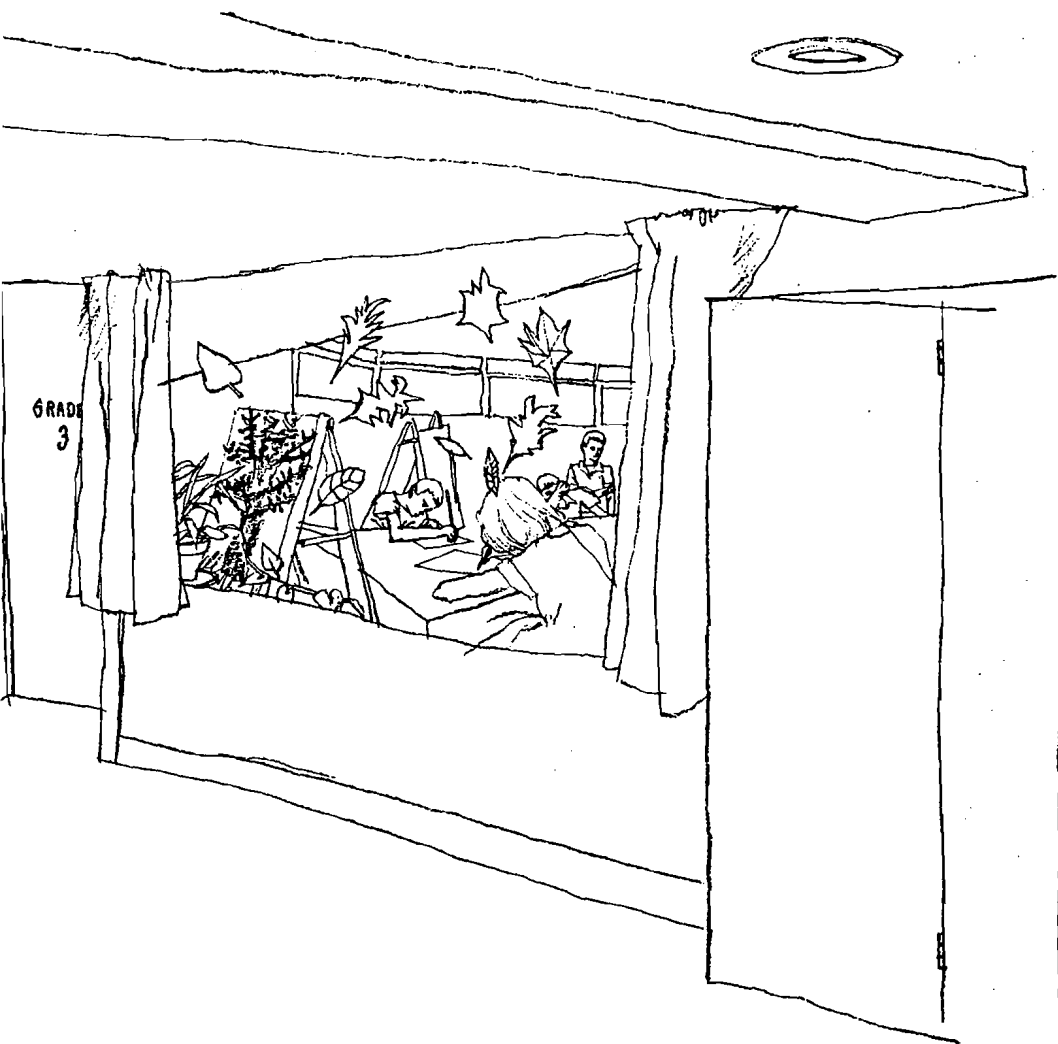
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Introduction

Few changes in education have come with more dramatic rapidity than the change in attitude toward special programs for the more able or gifted students. Although some practices, such as grade skipping, reach far back in our educational history and some research was undertaken in the early years of this century, the vast majority of the programs in existence today and the great preponderance of research were initiated or undertaken within the past decade.

A very useful study, *Practical Programs for the Gifted*,¹ describes a number of "significant gifted child programs" and gives brief biographical data on "significant persons in gifted child work." With relatively few exceptions, the programs began in the 1950's and most of the articles and books written by persons interested in the field were published in that decade. Similar evidence is apparent in *Administration: Procedures and School Practices for the Academically Talented in the Secondary School*.² Its extensive bibliography contains few references to publications before 1950, and those describing specific programs for the academically talented nearly all appeared in the last five years.

The American Association for Gifted Children was started in 1946 by persons with a vision considerably beyond the general view at that time. The National Council for the Gifted and the National Association for Gifted Children were both started in the mid-50's, and the International Council for Exceptional Children, a division of the National Education Association, has until recently given almost all of its attention to handicapped children and slow learners. Most of the large regional or national scholarship programs have been established within the last ten years. Although, as Mr. Kough, vice president of Science Research Associates, pointed out in the report mentioned above, much of the rapid development in recent years owes its origin

¹ *Practical Programs for the Gifted*. Chicago: Science Research Associates, Inc., 1960.

² *Administration: Procedures and School Practices for the Academically Talented in the Secondary School*. Washington, D. C.: National Education Association, 1960.

to the shock which the first Sputnik gave the American people, it can be noted to the credit of many American educators that the tide was changing before that satellite went into orbit.

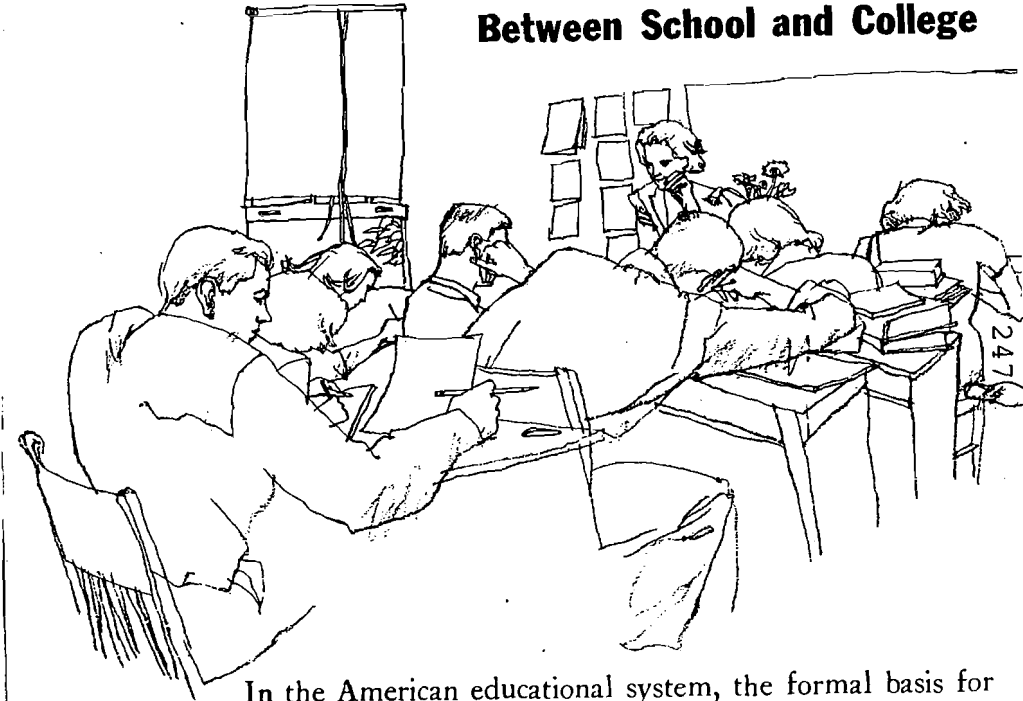
The Fund for the Advancement of Education, which was established in 1951 by the Ford Foundation, was early approached by educators eager to enlarge the opportunities available to superior students. The officers and Board of the Fund shared that concern. At its first meeting in 1951, the Board authorized initiation of a program of "pre-induction" college scholarships intended for able students who had not graduated from high school but who might be enabled to complete their basic liberal education in college before they were drafted into the armed services.

Starting with that program, the Fund has in the nearly ten years of its existence made many grants in support of imaginative and promising programs which in various ways have opened new opportunities for gifted students. The Ford Foundation has also made directly some grants for such activities. This report describes briefly a number of these programs, some of which are well established and operating without further Fund or Foundation support and others of which are still in the experimental stage. In some cases, these programs were undertaken by a group of institutions or school systems cooperating with one another to a common end. In other cases, a single institution or school system carried out its own program. As a whole, the experiments for which grants were made may be seen as complementary efforts to improve the education of gifted students through a number of different programs, each of which in its own way attempts to break the educational lockstep or the traditional pattern of courses and to allow students to educate themselves as extensively and as rapidly as their abilities permit.

It is the hope of the Fund that a description of the varied approaches may be useful to other schools and colleges which are considering how to provide adequately for their able students. This report is necessarily limited in the detail which can be offered about any given program. Requests for further in-

formation may be directed to the school systems or colleges which initiated and carried out individual plans.¹

Better Articulation Between School and College



In the American educational system, the formal basis for a student's liberal education is laid chiefly in the senior high school years and the first two years of college. Through the tenth year of his schooling, the student is largely acquiring the tools of learning and the basic skills and attitudes essential to functioning in modern society. But the learning appropriate to free men and necessary for efficient functioning in a democracy, that which fits a man for dealing with complex ideas and making wise decisions and which wakes within him the desire to continue

¹ See Appendix, page 76.

learning throughout his lifetime, that learning, in other words, generally characterized as liberal education, is the primary concern of the curriculum in grades eleven through fourteen.

That period, for most students, is sharply broken into two blocks of two years each. The first is largely governed by the curriculum planning of schools, and the second by a college whose faculty is likely to have little influence over and perhaps even less knowledge of the student's course of study in a previous period.

The discontinuity in the educational program of those four years is injurious to all students, and probably especially so to the more able. They are likely to suffer from being held to a slow pace of learning by the decision of schools that certain subject matter is appropriate only to college years. Or, if they have been freed from that handicap by being permitted in more forward-looking schools to move ahead at a pace appropriate to their capacity, they may find themselves in college forced to repeat much of the work they had previously covered in high school because the beginning college courses in any subject usually assume only average or no preparation in the schools.

This problem was aggravated in the early years of the 1950's by the expectation that many students would be drafted under provisions for Universal Military Training before they had completed the first two years of college. Thus, they were likely to be interrupted as they were laying the foundations for their general education and there was a strong probability that those who returned to college later would be more inclined to start specialization than to pick up again the interrupted pattern of their basic liberal education.

There was then, when the Fund began its operations in 1951, an active concern for improving the articulation of school and college work and for making it possible for all students, but particularly for the more able, to find new unity in the curriculum of grades eleven through fourteen and to proceed with their general studies at a pace which might shorten the time for the most capable.

THE SCHOOL AND COLLEGE STUDY OF GENERAL EDUCATION

In 1951, a committee of faculty members from three private secondary schools, Andover, Exeter, and Lawrenceville, and from three colleges, Harvard, Princeton, and Yale, to which a large portion of the graduates of the three secondary schools went for their continuing education, undertook a cooperative study of the curriculum of grades eleven through fourteen. The study included the academic records of 344 graduates of those preparatory schools who had entered the three universities and were at that time seniors.

The findings and recommendations of this committee have been published in a book entitled, *General Education in School and College*. It is not necessary, therefore, to do more here than summarize very briefly the weaknesses in articulation which were discovered and the recommendations for action to correct those weaknesses. Schools and colleges interested to study the proposals for curriculum reform in more detail will want to turn to the complete study.¹

Even in the pattern of articulation between these three schools and the three universities to which the schools' graduates most frequently went, the committee found serious weaknesses of the kind which characterize the discontinuity between schools and colleges generally. First, there was a large waste resulting from students repeating in college essentially the same courses which they had completed satisfactorily in preparatory schools. Nearly one-third of the group surveyed had studied in college beginning courses in physics, chemistry, or biology essentially similar to those they had previously taken. Second, there were important gaps in the student's education and intellectual experience resulting from his having started in high school a subject which was not continued in college to the point where he had a useful com-

¹ *General Education in School and College—A Committee Report by Members of the Faculties of Andover, Exeter, Lawrenceville, Harvard, Princeton, and Yale*, Cambridge, Mass.: Harvard University Press, 1952.

petence in it. This was particularly true in the study of foreign languages. Third, students needed more encouragement and help to see the importance of educating themselves. Ways should be explored, it was felt, to increase the student's desire to grow in understanding and knowledge as well as to offer him increasing opportunities to do independent work. The study concluded that the usual term of eight years in secondary school and college is needlessly long for many able students and should be reduced to seven by elimination of duplication in the curriculum and by encouraging each student to progress as rapidly as he is able. These findings and recommendations have been the subject of discussion in many meetings on curriculum and have influenced planning in a number of institutions.

While this study was in process, two other groups were attacking the problem of the articulation of school and college work through changes in curriculum which, either in college or in secondary school, opened the way for able students to avoid duplication of work and to cut some time from the usual course of study. These groups initiated, respectively, the programs of Early Admission to College and Admission with Advanced Standing. Both of these efforts were directed toward correction of some of the weaknesses described in the school and college study and relied on cooperation of schools and colleges to advance the student's education. They did not, however, place so much emphasis on the unified view of general or liberal education which characterized the School and College Study of General Education.

EARLY ADMISSION TO COLLEGE

For many years, one method of providing greater intellectual challenge for superior students has been to allow them to accelerate by one or more grades, more often in elementary than in secondary schools. Occasionally, in the past, colleges and universities have accepted students who had not completed a high school course. However, the Program of Early Admission to College, started in 1951 by a group of twelve colleges and uni-

versities, provided the most extensive and carefully analyzed test of the effect of admitting as college freshmen students who had completed only the sophomore or junior year of high school and who were on the average a year or two younger than other freshmen.

This program initially had the dual purpose of permitting able students to complete their second year of college, and therefore the four-year block of general education, before they would be subject to Universal Military Training, and of making it possible for them more successfully to bridge the school-college years. With the development of a policy for military training which allowed most students to avoid interruption in their college course, the first of these purposes became less important. The second, however, was a matter of continuing concern for teachers and able students.

The twelve colleges and universities in the experiment included large and small institutions, some coeducational, some exclusively for men or women.¹ Most of the experimental programs admitted only exceptionally able students but a few included students of average ability. Over the course of the four years during which the Fund gave some support to this experiment, 1,350 students were admitted to the program in one or another of the institutions. Throughout their college years, these students were carefully compared with selected control groups of students similar in all respects except for having made the conventional progress through high school before entering college and, therefore, being somewhat older. The results of this experimental program over a four-year period have been published in a bulletin, *They Went to College Early*.²

The evidence was overwhelmingly favorable toward this approach to the problem of freeing the able student from the academic lockstep and permitting him to move forward at a pace suited to his capabilities. Academically, the early admissions

¹ See Appendix, page 77 for list.

² *They Went To College Early*, Evaluation Report No. 2: The Fund for the Advancement of Education, 477 Madison Avenue, New York 22, New York.

students out-performed both their classmates generally and the comparison group of equally able but older students who had completed high school. In social and economic adjustment, they were equal to the comparison group and to their other classmates. Such individual failures as occurred were for the same causes that affect students who have gone through the usual high school course.

In many cases, the early admissions students assumed leadership and exhibited a maturity far beyond what might have been expected of them. In students' appraisals of the program nine out of ten of the early admission students and eight out of ten of the comparison students favored the idea of early admission. Most frequently cited as advantages were the greater academic challenge of college work, compared with what students would have been doing had they remained in high school for the last two years, and the opportunity to enter earlier on professional study, a career, or marriage.

The experimental program provided good evidence that carefully selected students who are given the opportunity to move into college more quickly will not be injured by that experience either academically or socially. The evidence was reassuring to other institutions and to parents considering whether their children would be benefited or injured by being permitted to move ahead more rapidly. Since no central body is charged with continuing concern for the early admissions activities, it is difficult to know how many colleges are now admitting students without high school diplomas, although more than the original group are doing so.

Had the experiment been followed by a considerable period in which registration for college was at a low level, there would probably have been many more colleges interested in opening their doors to able younger students. However, the rapidly growing flood of applicants to colleges, which has confronted many institutions with the necessity of rejecting very well prepared candidates for admission, has dissuaded faculties and admissions officers in many cases from considering the acceptance

of students younger than average and not conventionally prepared for college. It often seems easier to follow the course less likely to raise questions concerning admissions procedure and to exclude students who have not completed high school work. Perhaps the greatest objection to the early admissions program among school administrators and teachers has been their reluctance to see their most able students lost to them during the last two years of high school.

Another bar to extensive growth of the practice of early admission to college has been the cost of going to college two years earlier than the family had anticipated. Although the total cost of the student's education may actually be reduced by his earlier start on a college education and the consequent shortening by a year or two of the period of formal preparation, some families are not ready to meet the extra costs of college education at an earlier period than they had planned for. During the period of the experiment, grants from the Fund made available extra scholarship money for the early admissions students. Thereafter, although the colleges continued to admit students who had not completed high school, less scholarship money was available for them and fewer such students, therefore, were admitted. National scholarship programs have not in all cases opened the competition to the early admissions student so he can compete on equal terms with those going through the conventional course. Recent changes in one program, that of the National Merit Scholarship Corporation, have opened the program to early admissions candidates—both to those who plan well in advance for early admission and to those who make the decision at the last minute.

ADMISSION WITH ADVANCED STANDING

Shortly after the program of Early Admission to College was initiated another group, anticipating some of the problems it would encounter, organized the SCHOOL AND COLLEGE STUDY

OF ADMISSION WITH ADVANCED STANDING.¹ This group was convinced that colleges generally would be slow to overcome the administrative problems initially involved in setting up a program for early admission. It anticipated, too, the objections of schools to the loss of the most able students from the upper division. It sympathized with the reluctance of parents to incur the cost of college at an earlier date than they had anticipated, and sometimes also their reluctance to see their children leave home at an earlier age, even though they are emotionally and socially mature and ready for separation from home ties. The group believed that, instead of moving out of high school in his junior or senior year, a student should remain with his class but do college level work in one or more courses, which would enable him when he went to college to enter with advanced standing.

Seven schools² served as pioneers in the experiment of giving their able students special courses prepared by the study group and of testing their competence by examinations set by an outside group. The study undertook to answer two questions. First, could the basic courses of the freshman year at college be sufficiently defined that the twelve cooperating colleges, and hopefully others, would be willing to accept completion of the described work in a secondary school as the equivalent of the work done on the college campus. Second, could able students in secondary schools actually complete satisfactorily the level of work described for college students.

It will be clear that the purposes of this experiment were in

¹ The group included representatives of the following schools and colleges: Central High School (Philadelphia), The High School (Brookline, Mass.), Brooks School (North Andover, Mass.), the St. Louis Country Day School, Germantown Friends School, Lower Merion (Pa.) Senior High School, Newton (Mass.) Schools, Horace Mann School, Western Reserve Academy, Providence (R.I.) Schools, Bronx High School of Science, Evanston (Ill.) Township High School, Oak Park and River Forest High School (Ill.), Kenyon College, Brown University, Williams College, Wesleyan University, Middlebury College, Carleton College, Bowdoin College, Haverford College, Swarthmore College, Wabash College, Oberlin College, Massachusetts Institute of Technology.

² Bronx High School of Science, Central High School (Philadelphia), Evanston Township High School, Germantown Friends School, Horace Mann School, Newton High School, St. Louis Country Day School.

some respects similar to those of Early Admission to College. Its initiators also recognized the same weaknesses which were described in the School and College Study, namely the overlapping and duplication of work in the later years of high school and the early ones of college and the failure to challenge students to their utmost. They saw that able students were being held back by the rigidity of requirements when they were capable of moving ahead faster. They recognized that the lengthening of graduate education and professional training made it highly desirable for capable students to complete their pre-professional education more quickly.

The work of the cooperative group culminated in 1954 in a report¹ which presented specifics of courses, examinations, and administration in eleven freshman subjects. The participating colleges agreed that students who completed the work described in a satisfactory manner, as tested on examinations, would be given advanced placement credit. The College Entrance Examination Board undertook to construct and administer the examinations and to provide the colleges and schools with grades and other information on the basis of which they could determine the credit and placement of students.

Full reports of the program as it now operates under the administration of the COLLEGE ENTRANCE EXAMINATION BOARD are available.² Its growth has been most encouraging. The development from the initial group of 1,229 students from 104 schools who took 2,199 examinations in 1956 to 10,500 students from 890 schools taking 14,300 examinations in 1960 has been steady and recent broader geographic distribution of the program is hopeful.

The amount of acceleration of students is less on the average than that for students who, under the Early Admissions Program, entered college as freshmen without having completed

¹ *College Admission with Advanced Standing: Announcement and Bulletin of Information.* The School and College Study of Admission with Advanced Standing, January, 1954 (out of print).

² *Advanced Placement Program: Course Descriptions.* College Entrance Examination Board, 475 Riverside Drive, New York 27, New York.

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the senior or perhaps even the junior year of high school. In the Advanced Placement Program, students do not usually gain a full year and so far none has gained two years. There is, perhaps, a greater flexibility since students may be accelerated in one or two courses in which they have outstanding ability and so may move ahead more rapidly in the fields of their major interest without being required to move at an equal pace in all other courses.

An important by-product of the Advanced Placement Program has been the increasing cooperation between school and college teachers in the several subject-matter fields covered by the program. The College Entrance Examination Board makes available to secondary schools that want to offer college level courses descriptions in eleven subject fields: American history, biology, chemistry, European history, French, Intermediate and Advanced German, Latin 4 and 5, English composition and literature, mathematics (calculus and analytic geometry), physics, and Spanish. Each course description was written by a committee including college professors and secondary school teachers, and that committee also writes the examinations for the subject. Each summer there are subject-matter conferences which offer an opportunity for school and college teachers to discuss their subjects together and to learn more not only about the objectives and operation of advanced placement but also about the handling of their subjects at earlier or later points in the educational system. For the fields of the examinations, a useful attempt has been made to overcome the isolation of teachers which has so frequently resulted in ineffective articulation of subjects offered in both high schools and colleges.

In spite of the rapid growth of the practice of advanced placement, it is still chiefly found in eastern colleges and independent schools and the better suburban high schools. Current efforts are being directed toward increasing the number of programs offered in high schools throughout the country and in giving more teachers the kind of training which makes it possible for them to offer advanced placement work. The lack of

such training has been the greatest limitation to the spread of the program in many communities. In a number of instances, colleges have taken the initiative in helping high schools set up the courses and in offering in-service training for teachers.

Among a considerable number of recent efforts to extend advanced placement programs through cooperative efforts of colleges and school systems are four to which the Fund has given some aid, in Ohio, in Pittsburgh and the adjacent rural areas, and in Oregon.

In Ohio, the initiative came from the Inter-University Council composed of presidents of six state-supported institutions of higher learning. A coordinator of the program was appointed in October, 1959, and an advisory committee, titled the OHIO COUNCIL ON ADVANCED PLACEMENT, made up of representatives from a number of public and private colleges and universities undertook to stimulate participation by institutions of higher learning and high schools throughout the state and to help prepare teachers to offer college level courses by means of individual conferences and visits to high schools. The State Department of Education offered its cooperation and the coordinator was made a member of the State Advisory Committee for the Gifted.

Within the first year, a number of conferences were held at colleges and universities to increase understanding of the purposes of the Advanced Placement Program. Conferences were also held at secondary schools, and the assistance of their guidance counselors was sought. When this effort began, only seven of Ohio's 1,200 high schools were offering advanced placement courses. Within a year, this number was increased to twenty-three. The effect of the program was seen in the increase from 331 to 662 in the number of students taking advanced placement examinations in 1959 and 1960, respectively.

The Ohio Council on Advanced Placement, moving into its second year of operation, anticipates that continued work with schools, including subject-matter conferences and individual visits to high schools by qualified teachers from both colleges

and those secondary schools which are already offering advanced placement courses, will result in a substantial increase in participation in the program. A number of high schools in the larger Ohio cities have indicated interest in constructing college-level courses within their 1961-62 curricula.

In Pittsburgh, CARNEGIE INSTITUTE OF TECHNOLOGY cooperated with the public schools in setting up advanced placement classes in English and history. An initial planning seminar was held during the summer of 1959 for teachers in the four participating high schools. During the year, evaluation meetings were held for discussion of common standards of examination of students and methods of teaching advanced placement courses.

One distinctive feature of the program was the exchange of professors from Carnegie Tech with high school teachers of both English and history. There was great mutual satisfaction to the teachers and schools and value to the program in this exchange of teaching experiences. Also, it undoubtedly contributed to one of the tentative conclusions drawn from the experience in Pittsburgh, namely, that the intensity of effort required of a high school teacher who is conducting a college level course for superior students requires some reduction of the teaching load to provide both for the extra burden of correcting papers and for planning and refocussing the teacher's experience in relation to the new work. One of the most frequent comments from college teachers on the teaching load of high school teachers is that the number of courses taught during the day is too great and the teacher's time too solidly filled for effective planning and offering of college-level courses.

Having successfully introduced the advanced placement courses into high schools in Pittsburgh, Carnegie Tech will during the coming year be cooperating with selected high schools in Allegheny County in a similar effort.

During the 1960-61 year, a further opportunity for able students in the Pittsburgh area will be opened under arrangements involving the COORDINATED EDUCATION CENTER, which is a joint enterprise of the University of Pittsburgh and the Pitts-

burgh Board of Public Education, the Schenley High School, a junior high school and two elementary schools. At each school level some students will be admitted to experimental classes offered at a higher level. Some high school students will attend the University full- or part-time and others will take college level courses offered in their high school. Some University faculty members will teach at Schenley. It is expected that the program, which will include the development of a coordinated curriculum throughout the educational system, will permit able students to learn more and also progress faster than they now do.

In the spring of 1960, the OREGON COUNCIL ON ADVANCED PLACEMENT was formed to encourage and help Oregon high schools to introduce courses of college level. The Council consists of representatives of colleges and universities, a number of secondary schools, the State Department of Education, and associations of school administrators and teachers. The Council began its operations by holding a conference during the summer for school teachers and administrators at which consultants described the Advanced Placement Program and ways of initiating advanced courses in high schools. Although the University of Oregon offers both credit and advanced placement for students scoring high enough on the advanced placement examinations, there has heretofore been relatively little opportunity for students in the state to prepare for these examinations. In 1959-60 only three high schools offered advanced placement courses. The Council is convinced that this number can be greatly increased by making consultants available for in-service training of high school teachers and by making clear the advantages of the program to school principals and superintendents.

A second approach to the problem of extending the opportunity for advanced placement work to students in schools not at present equipped to offer this opportunity themselves has come from some independent schools and colleges which have offered courses to students from public high schools where advanced placement courses are not given.

One such program is that at ST. PAUL'S SCHOOL which, since

the summer of 1958, has been making available to academically talented boys from public and parochial secondary schools in New Hampshire the opportunity to take advanced placement courses. These courses are taught during the summer by exceptionally able faculty members drawn both from the regular faculty of St. Paul's and from other private and public schools. Nearly all of the boys who had this summer work have gone to college, and recent reports indicate that most of them are doing excellent work.

An interesting by-product of the program was the provision for training of teachers by an internship during the summer which included counseling duties. The interns have been college graduates or undergraduates who planned to teach or high school teachers who wished to improve their competence by work with the staff of the summer school. In some cases the interns have been awarded salary scale credits or certification credits by their local school boards and State Department of Education.

Since this program involves residence at the school during a summer session, it is necessarily more expensive than courses in public schools during the regular school year. The grant from the Fund for the Advancement of Education helped meet the expenses during the first three years, and St. Paul's has succeeded in attracting funds from a number of sources, which, together with tuition fees, will make the program self-supporting.

MIAMI UNIVERSITY, Ohio, has made college level courses available to superior high school students from a number of cooperating schools. In 1958, with assistance from the Ford Foundation, it initiated the University Study Program for Superior High School Students which opens new opportunities for acceleration to students who are in the top fourth of their high school class, who score in the upper quartile on college aptitude tests, and who are recommended for the program by their school principals. The selected students are admitted to summer classes on the college campus following their high school junior year, and to one or more classes during the regular

academic year when they are seniors. They are permitted to take any freshman course or any other course for which there is no prerequisite. They are treated in class as if they were full college students. Their academic performance has been highly satisfactory and the students' own comments on their experience have usually been enthusiastic. They have valued especially the opportunity of getting a foretaste of college before having to make the full adjustment to college life. Most of the instructors expressed favorable opinions of the students, remarking on their maturity, seriousness of purpose, and contributions to the college classes in which they participated.

For those students who are not within commuting distance, Miami University has also offered regular college classes, taught by college faculty, in selected high schools which have cooperated in making arrangements for them. The University is represented on the Ohio Council on Advanced Placement, described above, which is helping many high schools develop advanced placement courses taught by high school faculty members. Miami is giving attention now to the best articulation between its own University Study Program and the Advanced Placement Program as it operates in Ohio and on a national basis.

A somewhat similar program in the regular school year was undertaken by the UNIVERSITY OF AKRON, which has offered college level courses for high school students in the community who can come to the campus late in the afternoon. Such courses are accepted for credit on the same basis that any of the University's courses would be.

During the academic year 1959-60, students from twenty-seven of the Akron area's thirty-one high schools took college courses under this program. Of the non-participating schools two had their own advanced placement programs, one is a private school with a six-day per week schedule of classes and the fourth is a vocational high school. The high school students were assigned to sections of the college courses taught by senior instructors. No attempt was made to distinguish the high school students from the regular college freshmen. The same class-

room and homework responsibilities were expected of the high school group.

The reaction to the University's program from students, college instructors and participating high schools was generally favorable from the beginning. Student achievement was in most cases well in keeping with the abilities. Only three of the group requested release from the program before the end of the first semester. Two of these three were academically the weakest in the program and the third young man, though able, was not emotionally able to handle both high school and college work. In the second semester, high school commencement responsibilities and requirements prevented seven students from completing the required college work but for those who did finish there was a general improvement in grade level. Comments from the high school seniors who had completed the program were for the most part enthusiastic. The University plans in the coming year to offer additional courses to selected high school students in the areas of English, mathematics, and history.

TRINITY COLLEGE, Connecticut, likewise offers a summer program at the college which, like the programs at Miami University and at the University of Akron, has some features of early admission and others of advanced placement. During the summer session in 1959 and 1960, exceptionally able students who have completed the junior year of secondary school, and a few who have graduated, have been admitted to regular college courses with college students. With the opportunity to earn college credits during the summer as well as in such advanced placement courses as are offered in their high schools, there is greater possibility that students will complete the usual eight years of high school and college in seven years. Younger students accepted into full participation in courses designed primarily for college students have a maturing experience and one which helps prepare them for the great transition from high school to college. Both the academic record and the social experience of the students who have participated in this transition program have been excellent.

The College has made it clear in its announcements of the program that this summer experience is not open to weak high school graduates who hope to get a kind of tutoring aid to improve their chances of admission to college or of remaining in the colleges to which they have been admitted. The admissions office reported, as encouragement to other colleges which may consider initiation of similar programs, that relatively few unqualified students sought to enter the college courses. In the small minority of cases in which students made poor records in the summer courses, the previous high school records had been good and the students had strong recommendations from the schools. Perhaps one great advantage of this transition program is that it pinpoints for some students who have had little competition in high school the need to change their study habits in order to make the most of their abilities and to succeed in college.

Opening regular college classes to students who are still enrolled in high school has both advantages and disadvantages, as compared with the regular Advanced Placement Program. It relieves high schools of the responsibility of developing their own courses and providing the necessary in-service training for teachers of these courses. On the other hand, it may do less to improve the school as a whole, since the instruction offered by college teachers on the college campus will not affect the school's curriculum or teaching methods as introducing its own courses has been found to do. For the able student himself, there is the stimulation and maturing experience of being in part a college student. But unless the school makes wise adjustments in the student's whole course of study, the college classes may mean only additional work and he may be taking partially duplicating work in high school classes. There is also the financial problem of tuition payments to the college offering the course. In such programs, as well as those in which colleges help high schools set up advanced placement classes, close cooperation between the schools and colleges is important in achieving the best results.

A third approach to the problem of reaching able students in schools which are not sufficiently equipped or ready to offer

advanced placement courses on their own initiative is that adopted by WASHINGTON COUNTY, MARYLAND. The schools in this county are linked by closed-circuit television and nearly every child in the county receives part of his instruction through that medium. A special mathematics course for gifted students has been offered over television. A number of students who have taken it have earned advanced placement in college mathematics. Likewise in English, a special section taught over television has resulted in advanced placement in college for many students.

Television has also been used in teaching algebra to about forty percent of the eighth grade students in junior high school. Their achievement has compared very favorably with national norms for high school algebra. Those who have completed algebra in the eighth grade have the opportunity to use the time otherwise devoted to that subject in high school for more advanced work. The schools are also rearranging high school science programs so that students may complete beginning work in biology, chemistry, and physics before grade twelve, leaving the senior year free for an advanced course in one of those subjects. The advanced course is offered over television.

Most secondary schools have noted that when they introduce advanced placement courses, the work of the entire institution is affected. The existence of college-level courses for superior students in certain subject fields has almost inevitably set a standard of performance which has affected both content and teaching in other courses. A particularly striking example of this is found in the development of the advanced placement program at the WESTMINSTER SCHOOLS, in Atlanta, Georgia. These are a group of independent schools, including elementary and secondary work, operating under a single administration.

In the fall of 1954, the faculty planned a program for the junior and senior high school years which was based on the recommendations of the School and College Study of General Education. The Westminster Schools planned to cooperate with three universities in the Atlanta area to provide superior students

with an integrated program during the last two years of secondary school and the first two of college in five major disciplines: social studies, science, English, mathematics, and foreign languages. It was intended that the curriculum in both the schools and the colleges would be changed so that the four-year period would be treated as a continuing experience in general education. Although the colleges were willing to cooperate in this experiment, experience demonstrated that the great majority of graduates from the Westminster Schools go to college outside the Atlanta area, and it has not, therefore, been possible to carry out the kind of program initially planned.

Another significant development, however, occurred. Shortly after having provided for advanced work in the junior and senior years of the schools, the faculty found that it was desirable to start grouping on ability below those years in order that capable students entering the advanced placement classes would have good preparation for them. In the years since the program began, the concept of ability grouping has reached into the elementary school also, so that it now extends throughout the twelve years of academic work in the schools. As students who have been challenged more nearly to their full capacity in early years move into the higher grades of the schools, the faculty are finding it necessary again to revise the content of the advanced placement courses. Their experience indicates that able students given the opportunity will eagerly perform at a much higher level than is ordinarily expected of them.

Another effect of the Westminster Schools' program has been their contribution to the development of advanced placement programs in the PUBLIC SCHOOLS OF ATLANTA, GEORGIA. In 1956, one high school in the Atlanta system began advanced placement work, drawing on the experience of the Westminster Schools which helped the public school teachers plan their work. The program has extended now to the other public high schools in the city. Public school teachers have said, as did those in the Westminster Schools, that the program for superior students has lifted the level of the entire instructional program, although in

the public schools this effect has been less marked than in the independent school. This is to be expected, since the public schools have students with a wider range of ability and have not so far been able to provide their teachers with the extra time for preparation of advanced work which the teachers of the Westminster Schools have.

The Advanced Placement Program as originally worked out and as extended under the administration of the College Entrance Examination Board is concentrated on the development of college level courses for high school students. One of its weaknesses in practice is that it cannot assure continuing opportunity for advanced work or of acceleration as the student moves through college. There has been considerable difference among the colleges in the treatment of students who have completed advanced placement courses and satisfactorily passed examinations. In some cases, they have been permitted to go into advanced courses in a given subject without taking the usual prerequisite course in the freshman year. This kind of opportunity is not different from that formerly provided in a number of colleges by placement examinations at the beginning of freshman year. While it serves to prevent a student's repeating work he has already covered, it does not necessarily shorten the period of time for completion of his formal academic preparation. In other cases, however, and in increasing numbers, colleges give students not only advanced placement but also college credit for the courses taken. If a student has enough such credit he might enter college as a sophomore and complete his course in three years. It is significant that colleges which have had the most experience with the program are most likely to award both advanced placement and credit. In the three colleges with the largest number of candidates, about eighty percent received favorable action.

Even when college credit is given, unless there is continuing attention to the needs of a superior student, he may find his acceleration limited to that which he achieved by the work he took in high school, and his progress through college will be

at the pace prescribed for the average student. The Advanced Placement Program in itself is not equipped to deal with this problem, but the existence of advanced placement courses in high school and the presence in college of students who have completed such courses does raise the problem of what more should be done to challenge able students in college.

Another kind of question is raised by the number of students who complete advanced placement courses but do not take the examinations and who, therefore, receive neither advanced placement nor college credit for their work. In these cases, a student is likely to find himself in college repeating substantially the course he had previously. It is exactly this waste in time and the deadening effect of duplicating work already done which the Advanced Placement Program was designed to help avoid. Better counseling and more encouragement to able students to undertake the examinations are needed. Schools may need to examine more carefully the ability of those admitted to advanced placement courses and the competence of the teachers offering these courses, to assure that students are adequately prepared and confident of their ability to pass the examinations if they take them.

A question of a different order which has been raised concerning the Advanced Placement Program is that of the kind and number of courses for which syllabi have been prepared. The courses offered at present are still those initially decided on. As the curriculum of the high school is enlarged and as areas of work formerly limited to college are considered appropriate for high school students, questions have been raised about the desirability of adding to the fields of advanced placement courses. The Advanced Placement Committee does not expect the offerings to remain static. Still another question arises concerning the extent to which the Advanced Placement Program may over-emphasize preparation in specialized subjects at the expense of integration of general education in schools and colleges. The group which prepared the School and College Study of General Education had this integration as a primary concern. The Com-

mittee which initiated advanced placement programs was more concerned with strong and early pre-professional study. It would be possible for schools and colleges to introduce advanced placement courses more strongly oriented to general education than those now given. This would be particularly helpful to students planning to enter colleges which offer strong general education courses in the first and second years.

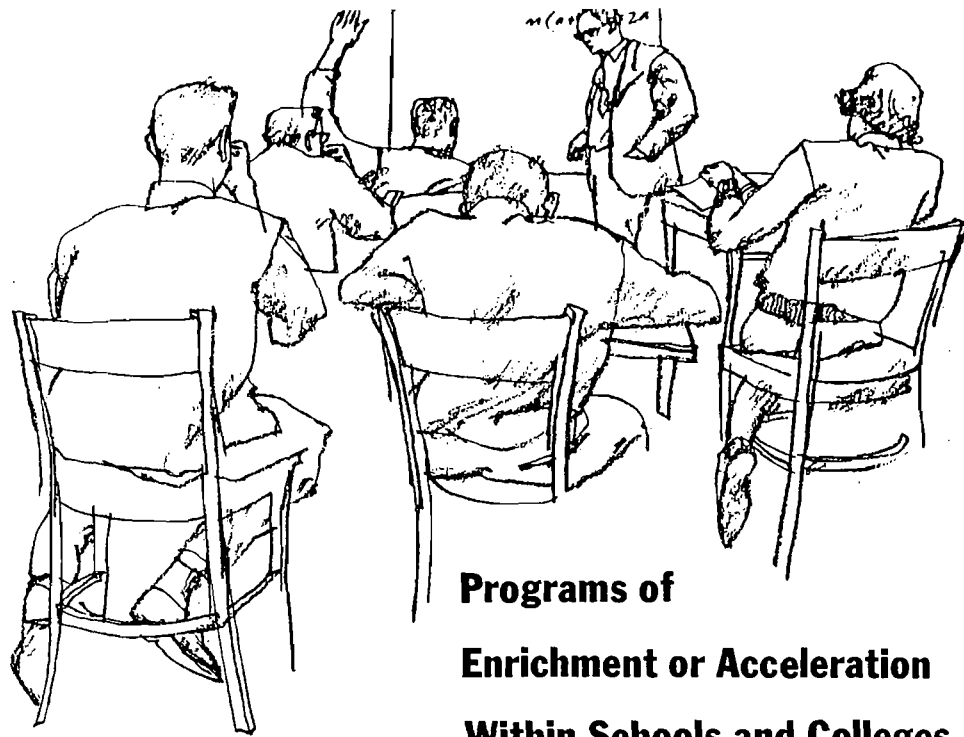
However these various questions may be resolved, there is striking evidence that special provision for able students to progress more rapidly than the average student does pay rich dividends in stimulating greater interest and better work on the part of able students and in raising the general academic level of schools affected by the program. As the number of students given an opportunity for advanced work increases across the country, there will no doubt be developments akin to those in the Westminster Schools which will increase the opportunity for able students, not only in the last years of high school but throughout their academic careers.

Early admission to college and admission with advanced standing have sometimes been thought of as rivals for attention of educators. A more accurate view is that they are good alternative ways of meeting the needs of able students in different kinds of situations. Advanced placement programs are more likely to be developed by the larger and richer schools which have greater resources for introducing college level work. Able students from less favorably situated schools may find the opportunity to move forward more rapidly by leaving high school early. Even in the schools which offer advanced placement courses, there are some students whose personal and intellectual development is such that they would gain more by going to college early than by remaining to graduate from high school.

HARVARD UNIVERSITY has accepted the principle that both provisions for able students are good and has set up as a part of its regular admissions procedure and placement policy the Program of Advanced Standing. The objective of this special office is to give able students the greatest possible flexibility in

their admission to and progress through undergraduate years. Students will be admitted to the freshman class without completion of high school work if they are of superior maturity and achievement and it is clear that work in college would be better suited to their needs than the final year of secondary school. Other students who have done work equivalent to college level work in three or more subjects in high school may be placed directly in the sophomore class of college. Such students can graduate and start professional training within three years, or they may remain for four years, taking additional undergraduate courses which would be missed in the regular degree program. Still other students may be admitted to the freshman class but be given the opportunity to take one or more advanced courses if they have completed the beginning work in such subjects in high school. In 1960, approximately forty-two percent of the Harvard freshman applied for advanced placement in one or more courses and about eight percent were eligible for full sophomore standing.

The Program of Advanced Standing is carrying on evaluation of various aspects of the program and its analysis of Harvard's experience will be valuable to schools and colleges throughout the country in assessing ways of providing adequately for the more able students.



Programs of Enrichment or Acceleration Within Schools and Colleges

In the preceding section, our attention was directed chiefly toward the discontinuity between school and college work and efforts to bridge the gap in ways which would improve the educational experience of superior students. In a number of schools and colleges, however, the focus of the concern for gifted students has been on the work within that institution or school system rather than on problems of articulation between segments of the academic experience.

Sometimes these special programs for gifted students have allowed acceleration within a school or college so that the total number of years required to finish that part of the students educational experience is reduced. More frequently, however, the programs have been designed to enrich the student's experience or to accelerate progress in a certain field of study without over-all acceleration. The educational community has been more prone to approve keeping students twelve years in the elementary and secondary schools and four years in college than to seek ways of shortening the time.

The programs taken up in this section are diverse in their emphasis on enrichment or acceleration and in the degree to which they provide for faster progress of the student through his formal education. They are all concerned, however, to provide definite opportunities for more able students, rather than leaving the question of their development to the uncertain, informal enrichment which some classroom teachers have always attempted to offer the brighter students.

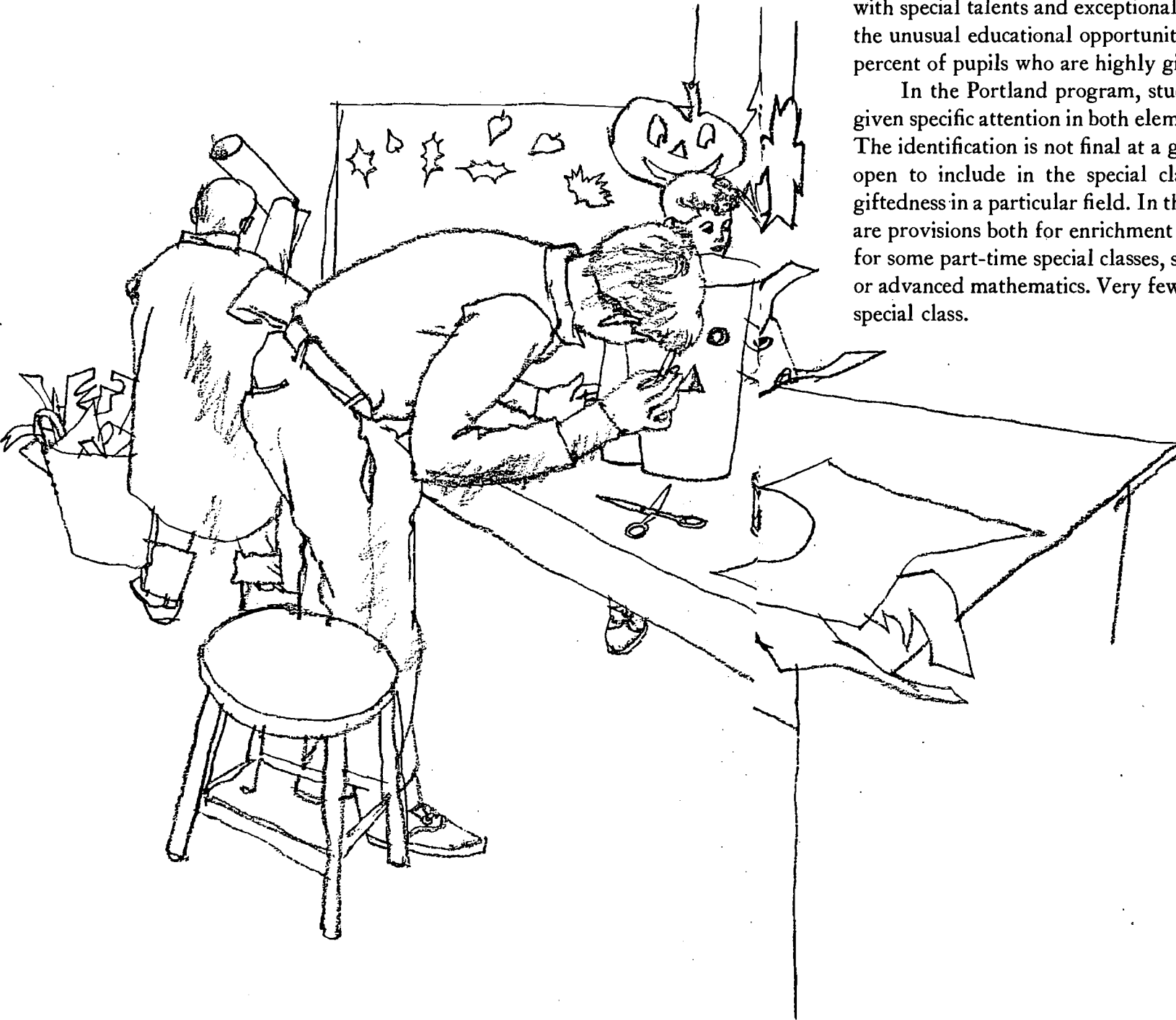
PORTLAND, OREGON, PUBLIC SCHOOLS

The program in the Portland Public Schools grew out of interest of teachers in developing experimentally better methods than they were able to provide individually for extending the educational experiences of bright students. Professors from Reed College had cooperated with Portland's high school teachers in offering some advanced work for able students even before Portland's Board of Education presented to the Fund for the Advancement of Education the plan for an experimental program which it wished to carry out. The experiment began formally in the fall of 1952, and has been extended and refined in the years since then. Since 1957, it has been supported entirely by the regular funds of the Board of Education. A detailed report, *The Gifted Child in Portland*, was published in 1959 by the Portland Public Schools.

From the beginning, the Portland program has been distinguished by the breadth of its definition of giftedness, which includes not only exceptional intellectual ability, but also creative talent in art, music, writing, dramatics, mechanical ability, dance, and social leadership. In practice, as might be expected, considerable overlap was found among the various talents, and some fifteen to twenty percent of the children in the school system have been identified for intellectual giftedness or for one or more talents. About ten percent are identified as intellectually gifted. In developing its criteria for identification of the gifted, Portland cooperated with the Quincy (Illinois) Youth Develop-

ment Commission, which has worked with the Quincy Public Schools in discovering ways to enrich the curriculum for children with special talents and exceptional ability, as well as to provide the unusual educational opportunities needed by the one or two percent of pupils who are highly gifted.

In the Portland program, students identified as gifted are given specific attention in both elementary and high school years. The identification is not final at a given date. The way is always open to include in the special classes students who manifest giftedness in a particular field. In the elementary program, there are provisions both for enrichment in the regular classroom and for some part-time special classes, such, for example, as German or advanced mathematics. Very few students take more than one special class.



The secondary school program for gifted students includes a variety of special classes, including advanced sections of regular classes, seminars in particular academic subjects, comprehensive seminars, and special talent classes. The emphasis is more on broadening and enriching the student's education than on making it possible for a student to cut time from his school years. However, joint conferences between high school teachers and professors in neighboring colleges have been fruitful in increasing the concern for better coordination of the student's school and college work.

As might be expected, principals and teachers differ in their appraisal of the difficulties and values of the program. Quite generally, they emphasize that the special work has been beneficial to the students and that it has not created problems of their social adjustment. The difficulties mentioned are more frequently administrative, namely interruption of home-room work in elementary schools and some problems of scheduling the special classes. Those teachers and administrators who have been associated with the program from the beginning are most likely also to point out not only that the more able students have benefited but that the general level of teaching and learning has improved as a result of the program.

Other students look up to the students in the special interest classes and there is lively competition to enter them, particularly in the schools in which a considerable proportion of students are college-bound. Sometimes able students or their parents are afraid that their grades may be lower in special interest classes in which they are dealing with more difficult material and are being compared with their intellectual peers. Since the competition to earn high grades and achieve a high rank in the class is a real problem to students who want to enter college, this fear is sometimes reflected in a reluctance to take the more challenging work. Administrators are confident that this problem can be handled by making clear to college admissions officers the difference between the kind of work students in special classes have taken and that taken by the student who may have an equally

high or higher grade but in a class in which he was performing far below his capacity. Indeed, many college admissions officers now ask what advanced placement or other special classes a prospective freshman has taken. Good counselling has usually overcome the students' fears of the more challenging work.

On the basis of their experience, teachers and administrators in the Portland Schools place great emphasis on the teacher's role in the program for able students. In every school, teachers for the special work are carefully selected and are given both additional time or a smaller number of students to teach and special training in workshops and assistance from consultants and supervisors who have been assigned to administer the program. The stress on improving teacher competence for work with exceptionally able students has been present throughout Portland's program and is a continuing part of the plans for the future. This has meant an added cost to employ additional teachers, provide in-service education, and, to a lesser extent, provide for consultation and supervision. However, the total cost of the program in Portland is less than one percent of the general budget of the district, and the good results which have been obtained have convinced the people of the community that this is money very well spent.

In connection with its experimental program, the Portland Schools carried on extensive research directed toward the procedures for identifying outstanding ability, the evaluation of the program, experimentation with teaching methods and materials, and discovering new information about the characteristics of gifted and talented students. In the latter connection, considerable attention was given to the attitudes of gifted students toward being singled out for special treatment and of students in general toward the gifted students. Particularly, questions were raised about the possibility of gifted children becoming snobbish or arrogant or of being unpopular because of their participation in special classes. Each year in which questionnaires were gathered, approximately eighty-five percent of the gifted students reported that they saw nothing different in the relations of

students in the special classes to other students. Some ten to fifteen percent felt that being in the special classes gave students an added prestige, and less than two percent reported that taking the special classes had made them unpopular. The informal opinion of administrators and teachers would place greater emphasis on the added prestige of being in the special classes than the answers students gave on the questionnaires. Judging from the eagerness of other students to get into such special classes, it seems likely that the eighty-five percent of students who reported that their being in special classes made "no difference" somewhat under-estimated the true feelings of other students toward them. That would lend additional weight to the general finding that a student's participation in a special class does not make him arrogant or snobbish.

SAN ANGELO, TEXAS, PUBLIC SCHOOLS

In 1957, the Fund made a grant to the school system of San Angelo, Texas, for extension and development of a program which had been started with the intention of providing maximum opportunity for the development of each child in accordance with his ability and capacity. The plan has been called the "three-rail" curriculum. The program of instruction through the twelfth grade is established on three parallel courses of instruction in the major academic subjects. The subjects for which the three separate curricula have been fully developed to date are English, sciences, mathematics, and foreign languages, and the social studies curriculum has been developed for three levels in grade twelve and two levels in grades seven through eleven.

The lowest "rail" in each subject includes the essential skills and knowledge which every child should have throughout his school years. The middle "rail" is made up of the same knowledge and skills, but with supplementary materials and additional library resources at the student's disposal. The work of this "rail" is equivalent to the standard curriculum for the grade, including college preparatory work for those students who expect to go beyond high school. The top "rail" covers the

work of the middle one but also adds exploratory and research opportunities. The proportion of students on this "rail" in any subject has been between ten and twenty percent of those taking that subject. Any given child may be on a fast "rail" in one subject and a middle or slow "rail" in one or more other subjects, depending on his capacity and achievement. Children may shift from one "rail" to another, even in the same subject, if it is discovered that the earlier assignment was inaccurate or that the child's performance had changed.

Within the early grades of school, the performance grouping of children is less distinct and the matter of being on one "rail" or another is usually a question of the rate of progress rather than introduction to a different curriculum. Differentiation of curriculum develops gradually through grade six. In grades seven and eight, which are regarded as a transition period, the identification of the ability of students is more complete and the children are in separate classes according to their placement on "rails" in different subject matters.

There have been some differences in the degree to which elementary schools in the city have practiced grouping of children within a given grade or have provided for separate instruction of children of varying abilities from larger groups drawn from combined grades. In one of the elementary schools, the top students from grades one and two were grouped together in one room with notable success, while in other schools children within each separate grade were informally grouped for certain work as is done in many school systems. One school, also, tried the experiment of having a group of fast learners taught by the same teacher in two successive years. The teacher reported that the progress of these children in the two-year period was greater than she would have expected from her previous experience with equally capable students who, as they passed from one grade to another, were taught by different teachers and who, consequently, had less coordination of their learning experiences.

A notable improvement in the science program for elementary grades was made possible by the development of port-

able laboratories for use in the first six grades. Throughout the program, special attention has been given to training teachers to deal with the special problems of the most able students and to meeting their need for additional materials to work with.

The San Angelo curriculum and some imaginative departures in school architecture there have attracted nation-wide attention. Although no final report has yet been published, many articles have been written and the school system has replied to an enormous volume of inquiries from schools throughout the country. A survey conducted by outside examiners during the summer of 1959 confirmed some of the informal opinion polls which the school system had gathered on the program. As might be expected, since there have been differences in method and experiences within individual schools, there are differences in the responses of both the teachers and the public toward some aspects of the program.

In the high school, where for specified subjects the "railed" grouping has operated more uniformly, there is general enthusiasm from the administrators and teachers. They expressed the opinion that not only have the top "rail" students achieved more under this program than would have been possible without such grouping, but also teaching has improved and the general level of work is higher.

Among the problems mentioned by teachers in the San Angelo system are some similar to those encountered in the Portland or San Bernardino programs. One is how to get agreement on uniform standards among teachers in the elementary and secondary schools with regard to the quality of work which will be considered "advanced." Recommendations from teachers in the lower schools that their best pupils be admitted to advanced classes or fast sections in high school may result in grouping students of quite different ability and preparation in a single course. The Portland schools have had meetings of high school and elementary school teachers to discuss standards. To some extent, San Angelo has met the problem by putting all children of seventh grade level into a single school where the

differences in standards of the elementary schools may be ironed out before the student goes into eighth and ninth year work. However, as the eighth and ninth grade children are given an opportunity to take advanced work in some subjects, new differences in standards may develop which present some problems to the teachers at tenth grade level. One of the problems under continuing study at San Angelo is that of increasing uniformity of standards within the "railed" courses.

As is the case elsewhere, San Angelo has had to confront the problem of grades for work of different "rail" levels and of interpreting to college admissions officers the meaning of grades given for work of quite different character in regular or advanced classes. Within the first six grades students in the top "rail" may be graded A or B, those at the middle level B or C and those at the lower level of instruction would receive C, D, or F. If the child's performance warrants a grade different from those set for the several "rails," he should be moved up or down accordingly. Beginning in the seventh grade, a student may make an A in any "rail" but his permanent record is marked to record the "rail" as well as the grade and this is taken into consideration in awarding academic honors. Students are permitted, on request of the parent, to attempt the work of a level higher than recommended, but if he cannot maintain a high grade, after six to eight weeks' trial, he is moved to a lower rail.

Although the administrators of the San Angelo School System are not prepared to make a final report of their conclusions from their experimentation to date, there is good evidence that the community as a whole is increasingly pleased with the achievement of the students and that satisfying new answers are being found to the perplexing administrative problems of making adequate provision for the challenging of each student, whatever his individual capacity, to achieve to his maximum. The basic principles of early and continuous identification of special ability and of flexible provisions for developing those abilities remain central to the program whatever changes may be made in the specific ways of achieving those goals.

SAN BERNARDINO, CALIFORNIA, PUBLIC SCHOOLS

Following several years of special interest, study, experimentation, and evaluation of ways of dealing with more capable learners, the San Bernardino Public Schools in February, 1959, began a special program designed to identify various intellectual abilities and talents and to provide educational programs suitably designed to develop those abilities and talents to the maximum.

The philosophy underlying the program is that the more capable learners differ in degree rather than in kind of ability, skills, goals, and talents. Therefore a program for these more capable students calls for more individual guidance and special curricular offerings, but should be flexible so that every student may benefit from the school's improved opportunities to the extent that he is capable of doing so.

The study began with seventh and tenth grades. Special emphasis was put on methods of identifying the more capable learners and on grouping students by ability in a limited number of subject areas. As in the San Angelo program, the scheduling in special classes is on a selective basis and it is possible for a student to be in an advanced group in one subject and a slow one in another field. Particular emphasis was given to counselling with parents as well as with students, and to the involvement of a large proportion of the faculty and administration, with in-service training to help teachers deal with more capable learners.

The schools will continue the work with the children initially identified in grades seven and ten as they move up and will add incoming seventh and tenth graders in succeeding years until there are special classes for more capable learners throughout all junior and senior high school years.

Building on some earlier work in identifying the "most capable," which had been rather narrowly defined in terms of IQ ratings, the San Bernardino Schools have extended the opportunity of entering special classes to about the top twenty percent of students in the grades included in the experiment in each

school. Students with high potential in special non-academic areas as well as those with high academic potential are included in the program. Identification of special capacity does not necessarily lead to a recommendation that the student be placed in an accelerated class in any subject or grade level. The identification assures him special guidance in choosing his program, but it may be found inappropriate for him to take accelerated work.

One of the objectives of the program was to extend the study of more capable students to include from a fourth to a third of the secondary school students. This has, in large part, been accomplished. When the students who have excelled in special talent fields or in leadership are added to the group high in academic potential, the list of "more capable learners" includes about thirty-five percent of the school population. There is considerable variation from school to school, but teachers are encouraged to add to the official list of students identified by tests, grades, and obvious achievement in special fields others who they feel would benefit by the counselling given to the group identified as more capable learners.

In the senior high schools, the emphasis in grouping more capable learners for special work has been on mathematics, science, and English, and more recently on modern languages. The junior high schools have modified ability grouping in English, social studies, mathematics, and in at least one junior high school in music. Schools have been given considerable freedom in developing their individual projects so that the entire system may benefit from the findings of diverse approaches to the problem of improving education.

San Bernardino intends also to increase the opportunities for capable students to enter college with advanced standing. This has already been done in the field of mathematics for some students, and faculty and administration are studying the possibility of offering courses that will meet advanced standing requirements of the colleges and universities in California as well as prepare students to take the examinations set by the College Entrance Examination Board.

A good deal of attention has been given to finding and helping develop teachers qualified to teach special classes for the more capable learners. The teachers themselves differ on whether they would prefer to teach only classes for more capable learners or to have both some advanced classes and some for less able students. While there is disagreement on that point, all the teachers believe that a load of five advanced classes would be too demanding and that, if teachers are to develop the kind of programs the school wants for its more capable learners, they should be given a lighter class load in order to have the necessary time for preparation and individual guidance of students.

The morale of the teachers in the program has been high. They have undertaken much extra work in summer workshops and in-service training, as well as in individual planning for their advanced classes. The kind of assistance which employment of additional teachers would provide, and which the Portland schools considers essential to the success of the program for gifted students, has not been available in the San Bernardino schools. Most of the teachers and administrators hope such assistance can be provided for in future budgets.

An interesting special project has been undertaken in one junior high school whose student body is largely drawn from a lower socio-economic group with low expectation of future college attendance. In this school, contrary to the experience in most of the others, capable students have resisted placement in special classes and parents were often unwilling to cooperate in urging their children to greater academic achievement. Through emphasis on counselling with parents, as well as guidance of students, the school has been making progress in challenging better work from able students whose cultural background is non-academic, and there is an increasing climate of respect for students who are admitted to the special classes. In most of the schools in the city, there is some prestige as well as greater intellectual interest for those who are in a class for more capable learners and relatively few students drop out of these classes voluntarily, even though they are required to work harder than

in the regular classes. Since the program in the San Bernardino schools is constantly being modified on the basis of experience, final evaluation of the experiment is not yet available.

HICKSVILLE, NEW YORK, PUBLIC SCHOOLS

Within the past few years, as a result of world events, the American public has become increasingly aware of the deficiencies of education in sciences and foreign languages. The concern of the country has been manifested through the enactment of the National Defense Education Act with its special subsidies for improving instruction in these areas. Even before the enactment of this law, the Hicksville Public Schools had turned their attention to new programs to improve their students' competence in these important areas.

In the experimental program, able students are given the opportunity to begin in the first grade study of one of four languages: French, Italian, Spanish, or German. The same language is to be continued for twelve years from the primary grades through high school. The expectation is that with an early exposure to the audio-lingual approach to language, followed by instruction in reading and writing the foreign language beginning at fourth grade level, the student will, by the time he enters high school, be ready to study foreign literature as such and to read in the original language works which the average high school student knows only in translation.

The Hicksville teachers have developed syllabi for the four languages through seventh, eighth, and ninth grades, and have been developing data on the basis of which selection of children for the foreign language programs can be made with assurance. They have been giving attention to such questions as the relationship between the child's ability to read in his own language and his mastery of a foreign tongue, the influence of a mastery of foreign language on other learning, and the degree to which competence in one foreign language facilitates a working command in another. Many of the written materials the

school has prepared have been made available to school districts interested in initiating similar programs.

The science program in the Hicksville schools is based on the concept that many students are ready for work in this field far earlier than schools have assumed in the past. They have developed a three-year sequence in chemistry for grades four through six which includes preliminary experiments and study of principles, and a two-year sequence in junior high school grades seven and eight.

In June, 1960, the students who had completed either of these sequences were tested by the American Chemical Society-National Science Teachers Association Examination in High School Chemistry Form 1959. The norms for this test are based on the scores of more than 8,000 high school students throughout the country who had completed two semesters of chemistry. The scores of the Hicksville pupils were compared with the norms for 3,600 high school juniors who had completed four to six semesters of mathematics but no physics before taking the chemistry course.

The results of the test were striking. Fifty-four of the ninety-three sixth grade pupils who had completed the three-year sequence did as well or better than the median grade of high school juniors. About nine percent of the sixth graders were in the 90-94 percentile rank. Thirty-six of the thirty-seven Hicksville eighth graders who had had the two-year sequence did as well as half the juniors in the norms, and twenty-seven percent were in the 95-99 percentile.

Also, in 1960, a group of junior high school students who had less than two years in the program took the New York State Regents examinations given to senior high school chemistry students. Ninety-seven percent passed it and the median and mean grades were about 85.

Similar elementary school and junior high school sequences are being prepared in physics and will be evaluated as the chemistry courses have been when students have completed the work.

The Hicksville schools believe that the most able students will be able to complete the usual school program plus two years of college work within a twelve year period when the curriculum has been changed to offer them opportunities to move ahead as rapidly as their capabilities permit. As a part of the experimental program, an effort is being made to determine the attitudes of all pupils in the pilot science courses and their own estimate of what contributed most to their success or failures within the program. This will help in revising the work for future classes.

BOARD OF COOPERATIVE EDUCATIONAL SERVICES, ONEIDA COUNTY, NEW YORK

An interesting and unusual program for students was started in the summer of 1958 by the Board of Cooperative Educational Services, First Supervisory District, Oneida County, New York. The First Supervisory District is composed of five school systems in suburban areas of Utica.¹ The Board of Cooperative Educational Services provides a number of services which can more efficiently or more economically be obtained on a cooperative basis than by each system separately.

In 1956, the Board employed a full-time coordinator of programs for the gifted, under whose direction the special program known first as "Summer Studies Program for Gifted Students," and later as "The Summer Program of Advanced Studies" was initiated. In 1958, this program was open to junior and senior high school students and in 1959, some opportunities were available for elementary school children also. Participation was, of course, voluntary, but permitted only for students of above average ability in the field of study. No school credits were given for this extra work. Nevertheless, far more applied for admission than could be accepted and daily attendance in classes averaged ninety-four percent.

The purposes of the program have been to help able stu-

¹ The group includes the high schools of Chadwicks, New Hartford, New York Mills, Oriskany, and Whitesboro.

dents find the joys of learning; to help them develop their potential abilities and talent; to emphasize objectives, knowledge, and methods not ordinarily a part of school work; to give them more freedom in the planning of their studies and solving academic problems than their usual courses give them; to expose them to scholarly, cultured, and talented persons in many fields of work; and to utilize the cultural and industrial resources of the region.

The summer work was kept flexible to accommodate family vacation plans. Some courses were offered in three units of two weeks each. A student might enter one or more successive units in a course as he pleased. Ordinarily, the classes met for an entire morning, five days a week, so that a student's participation in any two-week period was limited to a single subject. This introduced some difficult choices for students, who for example, had the option of taking a course in foreign policy, one in the Russian language, or a college course in logic using materials prepared for presentation by teaching machines. Language laboratories were available, and also a specially designed laboratory for work in electronics.

The faculty for the summer sessions has included some college professors, some exceptionally able high school teachers, some professional scientists loaned from corporations in the area to help with science instruction, and other laymen with special skills and talents they were willing to share with the eager and able students. Some of the faculty were from foreign countries.

Resources of the community were tapped to provide useful experiences for talented students in art, dramatics, and music, as well as in electronics and other subjects not customarily in the school curriculum.

Although the students were above average in ability, there was not a rigid selection, and classes were sectioned more for homogeneity of interest than for homogeneity of age or ability. The fact that students were studying voluntarily and were highly motivated to do the work which they undertook contributed to the good results obtained under this method of

grouping. In fact, Dr. Clarence W. Young, Professor of Psychology at Colgate University, who evaluated the 1959 program, stressed very highly the voluntary, non-credit aspect of the program as central to its achievement.

Questionnaires filled out by the students revealed an exceptionally high degree of satisfaction with the program and indicated that its objectives had been realized to a gratifying extent. The students appreciated the greater opportunity to study the "why" of many areas, to follow their individual lines of interest, and to work for concentrated periods on a single subject without the usual interruption of bells. They felt a closer rapport with their teachers and were glad to have intellectual experiences ordinarily closed to them.

The faculty attested strongly to the eagerness, industry, and exceptional performance of the students. The administration took pains to consult with the parents about the work students were doing and received good cooperation from them. The parents in turn organized an association to support the program and held workshops to discuss with the instructors the various programs and their goals. 207

During the winter months, since 1956, some after-school and Saturday classes have also been offered on a voluntary basis to permit the more able students to carry forward interests which they had pursued during the summer or to let them start developing such interests which cannot be satisfactorily handled in the regular class work. Some students have participated each winter for three or four years. "Graduates" of the program are strongly motivated toward higher education and have already experienced unusual success in college work.

Before the First Supervisory District began this program, the state had not included in its grants to Cooperative Districts any money for special programs for gifted students. In the spring of 1960, on the basis of the two years of experimentation, the New York State Department of Education agreed to make money available for this program as it does for other special programs of the Cooperative Board. With this state assistance,

and funds from the several school districts, the program is continuing in 1960-61.

**JUNIOR GREAT BOOKS PROGRAM—
LOUISVILLE, KENTUCKY**

In the fall of 1957, the Archdiocese of Louisville, Kentucky, initiated a Junior Great Books Program in the Catholic schools of the area. The Fund for the Advancement of Education made a grant in 1958 for the expansion and continuation of the experiment from the fifth through the eighth grade and the Ford Foundation has given it further assistance since then.

The purpose of the program was to offer to students with high ability and good reading comprehension, as evidenced by standard reading tests, the opportunity to read and discuss a number of selected books which would stimulate their consideration of important ideas, whet their appetites for more reading, and develop good taste in literature. The discussions, held after school hours, were led by volunteers, including businessmen, housewives, and teachers, chosen for their academic competence and experience and given a six-week leadership training course before they met with the student groups.

Although the experiment is still in process, it has been evaluated by observation of the discussion groups and on the basis of responses of parents, teachers, and principals to questionnaires. All those questioned have been warm in their praise and enthusiastic about the program. Teachers have noted improvement in the classroom work of the children involved in the discussion program, an increase in their comprehension, interest, and ability to talk thoughtfully in class. A number of parents have noted personality development in the children at home.

Although some of the children complained in the initial weeks about the difficulty of the books they were given to read, very few dropped out of the program, and as it has continued

there has been a notable pride of achievement in the participating group.

The plan is to continue participation in such discussion groups throughout a student's entire time in school, including high school, provided that he continues to be interested in reading the books and attending sessions. If an individual misses too many sessions without legitimate excuse, he is dropped from the group.

One evidence of the value of the program, noted by discussion leaders, is that those children who have been in it in previous years tend to be more capable of analyzing the books and discussing them wisely than children newly admitted to the group. Dr. Jack Ford, a professor of Bellarmine College, who led the initial discussion group, has continued to be concerned with evaluation. In his opinion, a student who enters college having had eight years in such discussion groups will be far ahead of the average student in the development of his critical thinking, in his appreciation of our cultural heritage, and in ability to defend his thinking in public discussion.

ESSENTIAL IDEAS SEMINAR—BRIARCLIFF, NEW YORK

On a more limited basis, the Briarcliff Public School sought, for gifted high school students, objectives similar to those of the Junior Great Books Program.

In 1957, the school began a seminar which, it hoped, might help bridge the gap between high school and college work by introducing students to abstract ideas and making them more competent to handle new methods and materials more difficult than those characteristically presented to high school students.

The "essential ideas" for discussion in the seminar were selected from those presented by Mortimer J. Adler in a series of films. They included such ideas as the existence of God, punishment, the nature and kinds of love, the nature of art, war and

peace, democracy, and freedom of speech. In a given week, the seminar students had an opportunity to see the presentation of the chosen subject on film, to read from suggested books on the same topic, and to join in discussing the ideas in a seminar which was led each week by a consultant selected for his ability to contribute to the topic under discussion. Leaders were initially drawn chiefly from college and university faculties.

During the first year of the course, the students' parents also saw the film and participated in their own discussion group of the same topic and, after separate discussions by students and their parents, there was opportunity for joint discussion.

Reaction of both parents and students to the seminar was very favorable. They found it a stimulating experience and one which opened new avenues of thinking and reading and helped develop the capacity for independent critical thinking. The quality of the leader was very important in contributing to the success of a session.

After the initial year of the experiment, during which the Fund for the Advancement of Education made available some funds for the extra expenses of the program, it was modified in some respects to reduce the expense but to retain essential values of the experience. Since the school did not have funds with which to employ outside leaders, the seminar was incorporated into the school program using regular instructors. In some cases, also, the seminars have used student leaders with good results.

This kind of experience shares with the advanced placement courses the objective of developing the ability of able high school students to grapple constructively with difficult intellectual concepts and to learn methods of study and discussion appropriate to college work. It differs, of course, from the advanced placement work in not having any prospect of acceleration in the student's academic course, and the values obtained from the kind of program continuing at Briarcliff are probably more akin to those achieved by the Oneida County and Louisville programs than to the Advanced Placement Program generally.

SUMMER PROGRAMS IN SCIENCE AND MATHEMATICS

Before extensive subsidies were available from the government through the National Science Foundation or the National Defense Education Act for training in science and mathematics, the Fund for the Advancement of Education had helped support three summer programs planned for gifted students particularly interested in these fields.

In 1956, the UNIVERSITY OF TEXAS began a program with twenty-eight chemistry students nominated by their high school principals. In the following year, other Texas colleges offered the courses in additional fields of science and in mathematics, and some 200 Texas high schools had the opportunity to send students to one of the summer programs. The TEXAS EDUCATION AGENCY assumed responsibility for coordinating the program. The students, carefully chosen for academic ability and interest in science and mathematics, attended the college of their choice during the summer session, took courses from college professors, used laboratory and library facilities which far exceeded those available to them in high schools, and chalked up amazing gains in knowledge of subject matter and ability to handle difficult intellectual problems.

When they returned to their high school classes in the fall, these students had an intellectual foundation which enabled them to profit more from the courses in physics and chemistry and to do individual work of high quality. Although this summer work was not taken for credit, students were often able to pass advanced placement examinations when they entered college and thus might accelerate their progress. High school teachers, as well as the college instructors, have been enthusiastic about the results of the program and the students themselves have demonstrated by their further work in high school and college the value of the summer experience. Many of them earned scholarships and other scholastic awards and some have made significant contributions in scientific research.

The Texas Education Agency published a report of the summer program for the first three years entitled *The Step Ahead*, which describes in some detail the evaluation of the program. Since 1958, it has been continued with assistance from the National Science Foundation.

THAYER ACADEMY (Massachusetts) began, in 1958, a summer program which is intended to increase general competence in science and mathematics, to familiarize students with the problems of initiating, planning, and conducting research, and to promote a better understanding of the work of scientists and engineers and the more realistic idea of the men and women who have chosen these professions. Each summer since 1958, academically talented eleventh grade students have been selected from a large number of applicants to participate in a ten-week summer program in science and mathematics. The program included two weeks of advanced instruction at the Academy conducted by visiting scientists, professors from nearby universities, and Thayer staff members. After the orientation sessions, students worked in university and industrial laboratories for the next eight weeks under the supervision of the cooperating scientists. Chemistry, physics, biology, and mathematics were the major fields of research. For most students, the laboratory work concentrated on a single independent research project, and the student was responsible for a formal paper and an oral presentation covering his work. A weekly seminar was held so that the students could discuss their research with one another and with the scientists who attended the seminar as guest speakers.

Preliminary evaluations of the Thayer Academy program were so encouraging that it has been continued with assistance from cooperating industries interested in the development of future scientists and from the National Science Foundation.

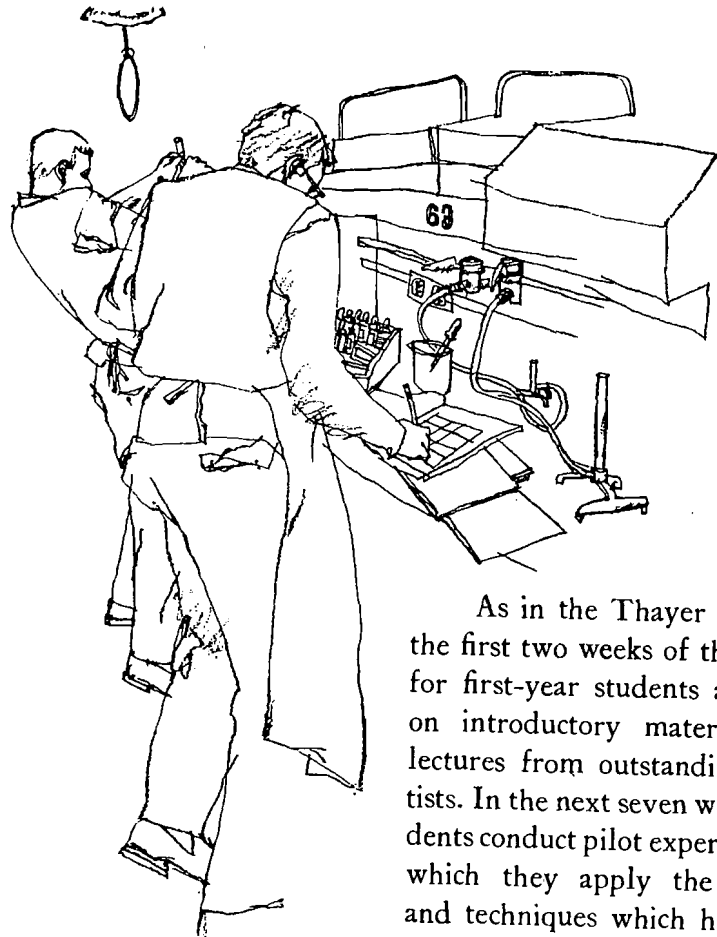
The program has been evaluated by William W. Cooley and Robert D. Bassett of the Harvard Graduate School of Education under a contract with the U.S. Office of Education. The forty-five students who attended the 1959 session were studied in the report made on June 30, 1960.

The summer's experience increased the realism of students' images of scientists and the field of science. They were clearer about the distinction between science and technology and more inclined to seek liberal education in college as a preparation for graduate study later. Their career plans shifted in the direction of greater interest in scientific research and college teaching which would include research. There were gains in their ability to screen hypotheses, interpret data, and engage in quantitative reasoning.

There was no evidence that students who had this advanced experience before their senior year in high school wasted their time in that year. On the contrary, improved study habits and greater seriousness of purpose were frequently reported. Some students were bored with their high school classes which were less challenging than the summer work had been. This might have been avoided had the curriculum been designed to meet the needs of more able students. They had, in any case, a sound foundation for undertaking independent study which would stand them in good stead in both their high school and college years.

Since 1955, the WORCESTER FOUNDATION FOR EXPERIMENTAL BIOLOGY in collaboration with ST. MARK'S SCHOOL, Massachusetts, has held each summer a nine-week pre-college science program for a selected group of unusually able boys and girls. The Fund for the Advancement of Education helped support this program in its early years. More recently, it has received grants from the National Science Foundation.

Students for the program are carefully selected on the basis of scholastic record, demonstrated aptitude in science, and recommendations from their schools. Two groups of students are admitted—the first-year division, and a few advanced students chosen from those who attended previously. The first-year students attend lectures and do laboratory work at St. Mark's School, and the advanced students spend their days at the Worcester Foundation under the sponsorship of a member of the research staff.



As in the Thayer program, the first two weeks of the session for first-year students are spent on introductory material, with lectures from outstanding scientists. In the next seven weeks, students conduct pilot experiments in which they apply the theories and techniques which have been demonstrated by members of the staff of the Worcester Foundation or of the school.

The pre-collegiate summer program has helped start a number of young people on careers in science teaching or medicine. The Worcester Foundation has carefully evaluated the program and believes that it is important to continue it.

SCIENCE HONORS PROGRAM—COLUMBIA UNIVERSITY

The Science Honors Program, a series of Saturday classes held on the Columbia campus for gifted high school students interested in the study of science has objectives similar to those of the three summer programs just described. It intends to supplement the regular science courses for a select group of

students and particularly to add an element of creative and rigorous investigation which the development of scientific gifts requires and which conventional school programs rarely provide. It also proposes to create a prestige of achievement in sciences analogous to that conferred by inter-scholastic athletic competition on other students, so that scientific and mathematical excellence may be honored in the schools. Further, it intends to demonstrate how fast and far able students can go in advanced scientific subjects, and to prepare and try out materials for supplementary high school science courses so that all students, and especially the more able, will have a richer and more modern range of scientific fields and materials presented to them in the regular courses.

The program grew out of the Joint Program for Technical Education which was established in 1956 by a grant from the Hebrew Technical Institute to Columbia University School of Engineering. The Science Honors Program was begun in 1958 with grants from the Hebrew Technical Institute and the Fund for the Advancement of Education.

Students are selected from a list of nominees from more than 300 schools within a hundred-mile radius of New York City. The nominees are given a battery of tests designed to disclose high intellectual ability and a keen, developed interest in scientific subjects. In addition to test scores, the high school teachers' evaluation of their students counts heavily in selection. The admissions committee, composed of high school guidance people as well as university people, recognize that the program offered at Columbia is more needed by the gifted students from schools which have less to offer in their science courses.

A great many of the science honors students have earned awards in such competitions as the Westinghouse Science Talent Search and the New York State Regents Scholarships. Some students have been selected through the program for special summer positions in academic and industrial research laboratories.

During the course of the year, the students attend advanced courses and laboratory sessions on Saturdays. Much of their

work is in the form of individual research projects. Their eagerness to continue this work has resulted in a number of professors keeping their laboratories open throughout the summer for completion of work started during the year. Often, former honors students attending college in New York return to the campus to give free assistance and instruction in the program.

The reaction to the program by Columbia faculty members, by the students, and by the faculties of the schools from which they came has been very favorable. In several instances, the schools have noted improvement in the entire science instructional program as a result of the work of the honors students in their regular school classes.

Information has been given about the program to a large number of universities throughout the country which have inquired. Columbia has recently invited colleges within travelling distance to send faculty members to join in teaching and administering the program, with a view to setting up similar programs in institutions in other communities. Six high school teachers from the New York area are selected each year as "teaching fellows" of the program, to give them training in the teaching of the gifted as well as in modern scientific methods. These teachers prepare "resource units" for eventual publication.

CATSKILL AREA PROJECT, "ABLE AND AMBITIOUS"

Special provision for gifted students need not be limited to large city systems, to private schools, or to wealthy communities. The staffs of rural high schools may be limited in size, but ingenuity may more than compensate for that limitation. The Catskill Area Project in Small School Design, combining in cooperative efforts the resources of twenty-two schools in three rural counties in New York State has found ways to enrich the curriculum and enlarge the experiences of the students. Among the special projects undertaken by this group since 1958 is a program of weekly seminars for "able and ambitious" students.

These students, identified as gifted by their high schools

assisted by the State University College of Education at Oneonta, are invited to attend seminars on Saturday mornings or in the evening. The courses have been taught by college faculty members either on the college campus or in one of the more centrally located schools. Work has been offered in science, mathematics, humanities, world affairs, and the Russian language. In 1960-61, a course in logic is being added. The class meets once a week with a college teacher, and student independently study materials programmed for use in a teaching machine. The content of the seminars is as close to college level work as the experience of the students permits. Emphasis is placed on developing individual insights and encouraging students to work independently as well as to improve their confidence in participating in groups of their intellectual peers. Thus, the exceptionally able student in a very small school is being given through the cooperative program an opportunity to share intellectual experiences which would otherwise be closed to him.

HONORS PROGRAMS IN COLLEGES

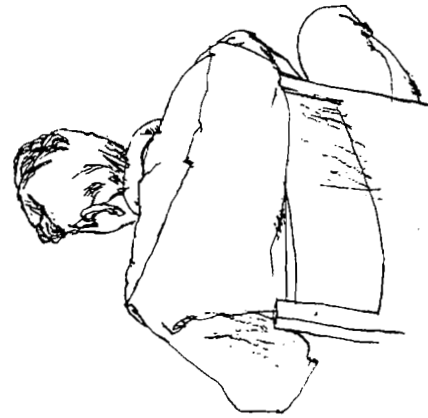
Within colleges, special provision for able students has usually taken the form of honors work—independent study with many of the features of individual tutorial programs. Characteristically, honors programs have been designed for students in the upper classes, often only the senior year, less frequently junior and senior years, and rarely in the lower division of college work. Within the past few years, there has been a growing concern for providing honors programs throughout the four-year course in order to challenge the most able students to full use of their capabilities at all times. Some of the new honors programs which do extend through all or most of the college period have been described in various issues of *The Superior Student*, the Newsletter of the Inter-University Committee on the Superior student.¹

¹ Published by the University of Colorado, Boulder, Colorado.

In general, the honors programs are intended to encourage more extensive study during the four-year period rather than to accelerate the progress of gifted students through the college course. Some, however, are sufficiently flexible to permit in college the opportunities which some students have had at lower levels to move ahead more rapidly in the formal educational program and thus to move into professional training earlier than is usual. In view of the lengthening of professional preparation in most cases, more attention needs to be given throughout the educational system to acceleration as well as to enrichment.

In January, 1960, the Ford Foundation made a grant to BROOKLYN COLLEGE to assist in the development of a special academic program for selected gifted students. Approximately two or three percent of the entering freshman class each year will be freed from all formal course requirements to pursue a program of studies especially tailored to the individual student. Each program will be worked out in cooperation with faculty advisors and will include heavy emphasis on individual study, as well as participation in selected regular courses. It is anticipated that many of these students will be able to complete the equivalent of the four-year college program in three years. A student will move ahead from stage to stage as rapidly as, in the judgment of the faculty members advising him, he is ready for such advancement, and he will be graduated when his record shows that he has completed the equivalent of the four-year college course. As a strong, non-residential, urban university, Brooklyn College is in a position to exercise leadership among similar institutions in improving the educational opportunities of able students who are not satisfied to follow the conventional four-year college course.

A new Honors Humanities Program at SEATTLE UNIVERSITY



study which will cover the first two college years places emphasis on an integrated study of four disciplines: thought, literature, science, and history, using the historical development of each discipline as the integrating theme. The philosophy underlying the program is more nearly akin to that of the School and College Study discussed earlier than to the pre-professional emphasis on early concentration in the student's field of special interest, which has often occurred in honors programs.

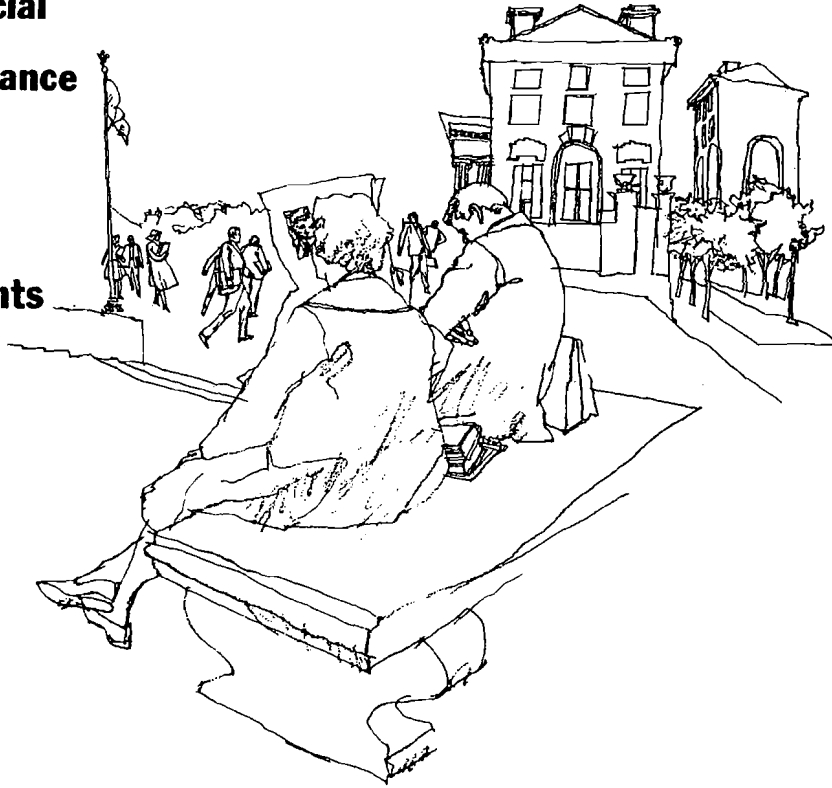
In its announcement of the program, Seattle University emphasized that it would concentrate on the development of the student's ability to read, write, listen, question, and speak discriminatingly, and to understand the cultural flow of ideas and attitudes out of the past which have prepared the present. The program is regarded as preparatory to a major field and the kind of background which would enable the student to move ahead rapidly in his field of concentration.

The basis of selection is both academic ability and appropriate personal characteristics. Honors students must have shown high achievement and evidence of intellectual curiosity and commitment to exploration of ideas. One requirement, which would exclude many college students, is that applicants have a reading knowledge of medieval Latin. They will also be expected to master a reading knowledge of a modern language during the two-year honors period, either by summer classes or by individual study.

The program is to be conducted largely on the dialogue method, with emphasis on the responsibility of each student to do independent research, to present and to defend his answers to problems supplied by the instructor. Weekly essays followed by private conferences place heavy responsibility on the student for independent work but give him tutorial guidance throughout the program.

A complementary Senior Seminar is available for upper division students who have not taken Freshman Honors but who decide during their first two years that they want a greater challenge than would be found in the regular University courses.

**Financial
Assistance
for
Able
Students**



FINANCING SPECIAL PROGRAMS

One question always raised when a program for more able students is being considered at any level of the educational system is whether it will cost more than the conventional methods of instruction. Although extra money has been made available in all states for work with "exceptional children," this has usually been spent for children who are physically or mentally handicapped and relatively little of it has gone to the exceptionally able. Sometimes the argument has been made that it is "undemocratic" to put extra tax money into the education of superior children since that would tend to create an intellectually elite class. Fortunately, in recent years we have begun to appreciate both that the intellectually able constitute an important resource in our total society and that as individuals they, as well

as less able children, deserve in a democracy a full opportunity to develop their capacities.

In some communities, the objective has been to plan special programs for the more able which in the long run would not cost more than conventional instruction for these students. In general, however, evidence is accumulating from the programs described above and in others around the country that adequate provision for the able students will cost something more than the average instructional program. Part of the extra cost is attributable to the need to give special training to teachers who are going to teach the gifted children and to provide more flexibility in their teaching schedules so that they have the time necessary to prepare the special work. Part of it comes from the need for additional library resources and laboratory equipment, if the gifted students are to have a variety of programs and access to materials which are intellectually challenging to them.

Honors programs in colleges need not be as extravagant with faculty time as many of them have been in the past if more emphasis is placed on developing the student's capacity to work independently, but at this level also it is doubtful that the best instruction for able students can be given at the unit cost anticipated for usual methods of instruction.

Compared with the results, however, everyone who has had experience with special programs believes that it is worthwhile to provide full opportunity for the gifted children to develop their capabilities, even if it costs somewhat more. Professor Iscoe of the University of Texas pointed out that the hidden costs of educating the poorest segment of the student body greatly exceed the money spent in a special program for superior students.¹ The counselling time spent on failing students, the expense of drop-outs from educational institutions because of poor performance, the cost of remedial work and of repeating courses, all go into the regular budget but are in fact costs incurred for students below average in competence and performance. These far outweigh the costs of instituting special

¹ *The Superior Student*, Vol. III, No. 2, March, 1960.

programs to challenge gifted students. In view, also, of the general improvement in the performance of average as well as superior students in institutions which have initiated special programs for the able, there seems good reason to incur the necessary extra costs.

One very real possibility of both improving the programs for gifted students and avoiding an over-all increase in school budgets for a given number of students lies in making better use of available resources. In a number of communities, effective use of teams of teachers, and employment of television, overhead projectors, and other modern technology to extend the reach of superior teachers has made possible the introduction of special programs fitted to the needs of various groups of children without either an increase in total cost or the imposition of additional burdens on teachers. When large classes for appropriate purposes are interspersed with small group instruction for purposes best served by that technique, a given number of teachers can give better attention to individual needs than if each always meets a group of middle size. When teachers are given clerical assistance to free their time for planning and effective instruction and salaries of the team members are appropriately adjusted to the duties performed, again there is a gain in the teacher's attention to the academic needs of children without greater cost per child taught. The Commission on the Experimental Study of the Utilization of Staff in the Secondary School has pointed the way to many such changes in school practice which will improve education without increasing costs.¹

SCHOLARSHIP ASSISTANCE FOR INDIVIDUALS

Very widely publicized in recent years have been varying estimates of the number of the most capable high school graduates who do not go to college. Although the estimates are not as large now as they were a few years ago, possibly because the

¹ J. Lloyd Trump, *New Directions to Quality Education: The Secondary School Tomorrow*. National Association of Secondary-School Principals, 1201 Sixteenth Street, N. W., Washington 6, D. C., 1960.

situation is improving and possibly because earlier estimates were inexact, it is still true that a substantial number of young people capable of doing college work do not have a higher education.

The extent to which this failure is the result of lack of motivation or of lack of necessary financial help is uncertain. Some recent studies indicate a considerable difference in the proportion of able students who do not attend college, depending on sex and on family background. One recent study¹ showed that about three-fourths of all boys in the top fourth in intellectual ability or rank in high school did go on to college whereas only about fifty-six percent of girls of equal ability did so. And, although some eighty-five percent of the boys and seventy percent of the girls from upper social class families did go to college, the corresponding figures for the lowest socio-economic class were ten and five percent. The higher proportion of able girls who do not go to college reflects probably their lack of motivation. Many of them, in our modern culture, marry young and do not want further school work. It reflects also the general cultural pattern in families without a strong academic background which dictates that, if there is a shortage of funds for helping the children to go to college, boys rather than girls should attend.

The unrealistic notions parents have about the cost of a college education and the inadequate provisions made for meeting it are apparent from a study made by Elmo Roper and Associates.² This showed parents' expectations that about seventy percent of children now under age eighteen would go to college. The median expense expected per year of college was \$1450. Only forty percent of the parents who expect to send a child to college had savings plans specifically anticipating college expenses, and the median amount of those savings was \$150. There was little evidence that families with young children were giv-

¹ Robert J. Havighurst, *American Higher Education in the 1960's*. Columbus: Ohio State University Press, 1960.

² *College Education: The Coming Demand and the Ability to Pay*, a Ford Foundation Survey conducted by Elmo Roper and Associates, 1960.

ing any thought to the possibility of greater costs by the time their children are of college age.

In 1952, the Fund for the Advancement of Education made a grant to the UNIVERSITY OF NEW MEXICO to conduct a pilot study of the degree to which able students from culturally different backgrounds might be motivated to go to college and to remain throughout the four years if they had scholarship assistance. The University was eager to undertake this exploration because it was aware that a considerable number of Spanish-American and Indian students in the state who were academically capable of college work did not go beyond high school. It was recognized that available scholarship funds are more likely to go to students whose family background would make it more probable that they would go to college in any case. This is true because such families encourage their children to apply for scholarship opportunities and also because competition for scholarship opportunities, being on the basis of academic achievement rather than of intellectual capacity as such, is more likely to be won by students whose cultural and economic backgrounds have been favorable.

The University of New Mexico, in order to assure that the scholarships in the pilot program would not be given to students who would go to college without such help, got from high schools in the state lists of students academically capable of higher education who had not indicated that they expected to go to college and waited until just before the fall term to offer scholarship assistance to these students. Awards were made on tests of ability, records of academic achievement, personal interview, and proven need. Twenty-five of the sixty-two students who were first awarded scholarships came from homes in which English was not ordinarily spoken. Twenty-three of them were from Spanish-speaking and two from Indian homes. The careers of these students and of those to whom fellowships were awarded in subsequent years through 1956, were carefully followed and studies were also undertaken of the correlation of scores of high school students on the standard college aptitude

test and their attendance or non-attendance at college with a variety of possibly relevant factors. A study was also made of students who, as juniors, scored in the upper fourth on the college aptitude test and who did not go to college. An attempt was made to discover the reasons.

The results of this experiment were reported in 1960 by the University.¹ In all, 193 students had received scholarship aid. Eighty-three of them failed to complete college. Financial difficulty was a factor in only four of those cases. Seventeen who dropped out were doing better than average work but lacked interest in further education. Lack of motivation appeared to be the cause also in a number of academic failures. The report says:

In much that has been said and written about the imperative need for greatly expanded scholarship programs there has been an assumption that the economic barrier is all that prevents capable high school graduates from enrolling in vastly greater numbers. There is no doubt that some capable students who earnestly desire college cannot afford it, but their number may be grossly over-estimated. The scholarship program described here uncovered two surprising situations: first, the number of applicants who could qualify on the basis of need and apparent ability was relatively quite small; second, many among those to whom awards were made lacked the essential motivation to do good work. Pending similar studies elsewhere, it is reasonable to conclude that a lack of orientation toward higher education, based on cultural factors, may be a greater barrier than financial need.

Another program involving work with culturally handicapped students was the Southern Project of the NATIONAL SCHOLARSHIP SERVICE AND FUND FOR NEGRO STUDENTS. In 1953, this group began a systematic "talent search" which had as its objective locating the most able Negro students in Southern high schools and helping orient them toward the requirements and procedures for gaining admittance to nonsegregated colleges where the educational opportunities would be adequate for their

¹ Sherman E. Smith, Howard V. Mathany, Merle M. Mills, *Are Scholarships the Answer*. Albuquerque: University of New Mexico Press, 1960.

potential achievement. The project recognized that both direct efforts to motivate and counsel the students and financial assistance were necessary if these able but culturally handicapped students were to receive the educational opportunities appropriate for their abilities. An important by-product of the project was the development of efficient methods and techniques for finding talents, not immediately obvious or discovered by the usual practice in the schools.

The results of the program have been very satisfying. About half of the students who took aptitude tests achieved at least the minimum score which would predict probable success in college, and more than ninety percent of those who completed their applications for college admission and scholarship help under guidance of the NSSFNS were accepted in colleges of their choice. A large proportion of those who went to college were successful, despite severe deficiencies in their backgrounds. A follow-up study of their progress and adjustment, which revealed achievement often greater than that anticipated, was instrumental in changing the attitude of many college admissions officers toward applications from other students of similar limited background.

The NSSFNS has published a booklet, *Blueprint for Talent Searching*,¹ to help communities that want to seek out and assist the able young people who otherwise might not have opportunities for higher education.

In 1955, the Ford Foundation made \$20 million available for the establishment of the NATIONAL MERIT SCHOLARSHIP CORPORATION, an independent non-profit organization, which has also received assistance from the Carnegie Corporation and from a number of business and industrial concerns. This large scholarship program on a nation-wide basis has both stimulated interest in providing more help for able students to attend college and given assistance on the basis of individual need to nearly 4000 students since it was established. Since it makes available to corporations which wish to offer scholarships a

¹ See Appendix, page 78 for address of NSSFNS.

method of selecting those to whom the grants will be awarded which could not easily be duplicated by an individual concern, it has greatly increased the number of scholarship awards available.

Reports of the National Merit Scholarship Program have been published annually by that corporation.¹



Better Education for All

The earlier pages of this report have described programs particularly designed to meet the needs of the more able students. In the course of these experiments, teachers and administrators have stressed repeatedly that special provisions of various kinds are necessary to challenge and fully develop the intellectual gifts and other talents of children who are above average in their potential. The excellent results being obtained in these programs and in a number of others being undertaken throughout the country testify to the soundness of this conclusion.

The special programs are not, however, the only way by which the educational experience is being improved for the

¹ See Appendix, page 78 for address.

able students. In a number of school systems, instructional programs are being affected by imaginative redeployment of resources, including the use of teachers' time. Under the guidance of the National Association of Secondary-School Principals' Commission on the Experimental Study of the Utilization of the Staff in the Secondary School, schools have varied the size of classes and used teams of teachers, combining the best skills of each, with gratifying effect on the quality of education. Large class instruction with the aid of modern technology such as television or overhead projectors, and individualized instruction with the aid of other modern equipment such as teaching machines or electronic tape which permit each individual to learn at his own best rate, have benefited the most able students as well as those whose pace is slower. For example, in the electronically equipped classrooms developed by Sisters of the Order of St. Benedict,¹ a teacher is able to conduct simultaneously classes for students of high, average, and low ability. This is possible because the students are using pre-recorded tapes of the lesson geared to their differing capacities and each student can also communicate directly with the classroom teacher over a private "intercom" system. Adequate provision for clerical and paraprofessional help in teaching teams has also made it possible for teachers to spend more of their time in planning and giving individualized attention to students, to the benefit of the more as well as of the less able.

One example of an experiment designed for general improvement of instruction which has also demonstrated its advantages for a group of gifted students is the use of teaching machines in a course in logic at Hamilton College in Clinton, New York. The programmed lessons were used by college students of all academic rank in four sections. The same subject matter previously taught in conventional manner was mastered more thoroughly than before and in two-thirds of the previous class time. The lessons covering certain topics of this course were also tried out with a group of gifted high school students in Oneida County,

¹ Mount St. Scholastica College, Atchison, Kansas.

New York,² who had no serious difficulty in mastering the fundamental principles of clear thinking when they were taught by this method.

Two of the advantages often noted by schools and colleges using television in direct instruction are that teachers prepare their lessons more carefully when they are to be widely seen over television and that other teachers, watching superior teaching, learn better ways of presenting their own courses. Consequently, the quality of teaching is generally improved. This improvement benefits students of all levels of ability. The fact that some of the most effective teachers are able to reach more students through the medium of television has also helped raise the quality of education, not only for the gifted group but for all.

New approaches to teacher education are being designed to attract into teaching larger numbers of capable persons and to give them the kind of liberal and professional education and internship experience which will enable them to function effectively in the new situations the experiments foreshadow. Teachers are the key to high quality education, and as more good teachers become available to the schools, both gifted students and less capable ones are benefited.

² See p. 47.

Conclusion

The unmistakable evidence both that the general level of education is improved when special programs for gifted students are initiated and that superior students as well as others benefit from basic changes in school practices in the use of resources and the acquisition of well educated teachers underlines some important findings about the nature of intellectual giftedness and other talents. Schools which have established special programs are convinced that giftedness in general intellectual capacity or in some special talent is far more widespread than they had originally supposed and that a substantial proportion of the children in each school need specific provision for the full realization of their capacities. It is recognized too that high talent and ability are not discovered by a single simple test or at a single age level. A variety of means are necessary to discover the children who should be offered special courses, and flexibility is needed to assure rapid correction of earlier decisions on placement which have proved to be mistakes. Children with cultural backgrounds widely different from the usual community culture present a particular challenge in identification of ability and talent not easily disclosed by the tests now available and in guidance which will encourage the development of these abilities and talents which may not have been highly valued in their cultural

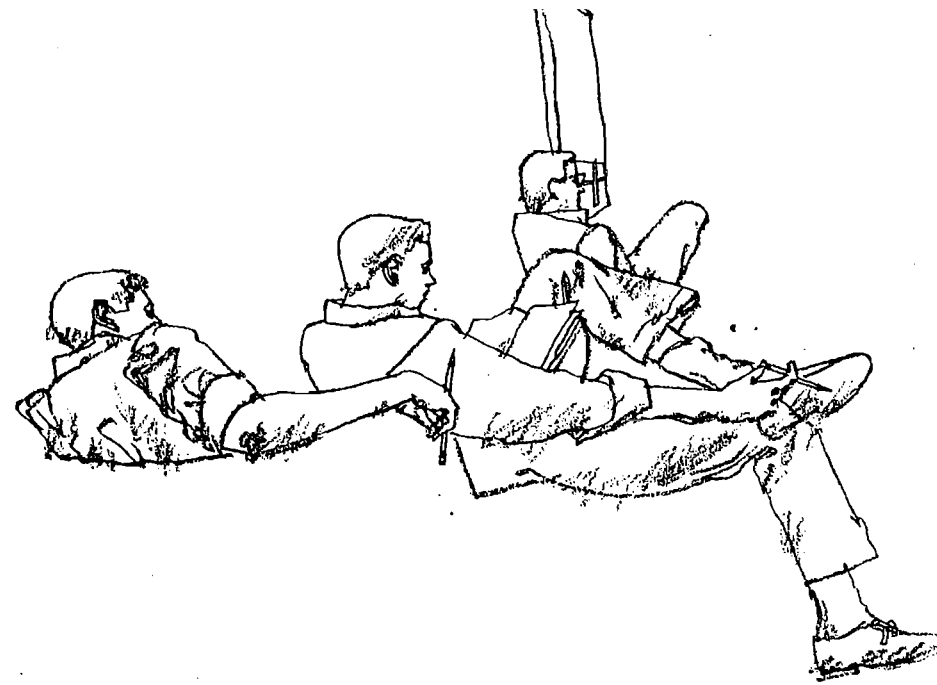




heritage. Yet, unusual ability and talent are found widely dispersed both culturally and geographically.

As we look back over the decade of the Fifties, the great strides being made in improving educational opportunities for gifted students are clearly discernible. A new concern for developing all potential talents has helped create these opportunities and a re-emphasis in a democratic society on the importance of each individual is sweeping away the mistaken notion that it is undemocratic for the schools to pay attention to the special needs of the brightest students. There can be little doubt that in the decade ahead the pioneering efforts, some of which have been described in this report, will contribute to new programs widely extended across the country. Although we have learned something about the needs of gifted students and ways to satisfy those needs in the school systems, much remains to be done in improving the articulation between all levels of the school system, in challenging gifted students to both broader and deeper study, and in making it possible for every student to move ahead at the pace best suited to his abilities.

It is clear that there is no sharp dividing line between students of varying levels of ability. There is a continuum in the range of ability, and a much larger proportion of all children



have unused capacities and special abilities than we have generally assumed. What is done for the most able will inevitably improve the opportunities and stimulate greater achievement of those somewhat less able. Likewise, programs which improve the curriculum generally, which make effective use of new resources for education, and particularly those which enable wise and imaginative teachers to reach more students and to encourage independent teaching, will benefit children of all ranges of ability. It is important that school systems in setting up new programs provide for flexibility both in identification of talents and abilities and in methods of encouraging their development which will assure maximum growth for each individual.

New curricula are needed to prevent wasteful overlap and duplication of courses and to take advantage of the new knowledge scholars have discovered in many fields which is not yet reflected in the materials presented to children in schools. Better preparation of teachers and more opportunity for capable teachers to reach large numbers of able students are also needed to challenge the brightest students. Above all, students at every grade of the school system should be taught how to learn more independently, so that we can make better use of the greatest of all educational resources, the capacity of the individual to learn.

Appendix

For more detailed information about the programs at individual institutions, inquiries may be directed to:

AKRON, UNIVERSITY OF

D. J. Guzzetta, Director
High School Senior College Program
Akron, Ohio

ATLANTA, GEORGIA PUBLIC SCHOOLS

John Letson, Superintendent
Atlanta, Georgia

BRIARCLIFF PUBLIC SCHOOLS

Forbes H. Norris, District Principal
Briarcliff Manor, New York

BROOKLYN COLLEGE

Naphtali Lewis, Associate to the Dean of the Faculty
Brooklyn 10, New York

CARNEGIE INSTITUTE OF TECHNOLOGY

Edwin Fenton, Department of History
Pittsburgh 13, Pennsylvania

CATSKILL AREA PROJECT IN SMALL SCHOOL DESIGN

Noble J. Gividen, Coordinator
Oneonta State College
Oneonta, New York

COLLEGE ENTRANCE EXAMINATION BOARD

Jack Arbolino, Director
Advanced Placement Program
475 Riverside Drive
New York 27, New York

COLUMBIA UNIVERSITY

Donald Barr, Executive Director
Joint Program for Technical Education
301 Engineering
New York 27, N. Y.

COORDINATED EDUCATION CENTER (*Pittsburgh Public Schools with
University of Pittsburgh*)

J. Steele Gow, Jr., Director
University of Pittsburgh
Building A, Schenley Quadrangle
Pittsburgh 13, Pennsylvania

EARLY ADMISSION TO COLLEGE

Write to Dean of Admissions of:

University of Chicago
Columbia University
Fisk University
Goucher College
Lafayette College
University of Louisville
Morehouse College
Oberlin College
Shimer College
University of Utah
University of Wisconsin
Yale University

HARVARD UNIVERSITY

E. M. Wilcox, Director
Office of Advanced Standing
Cambridge, Massachusetts

HICKSVILLE (L. I.) PUBLIC SCHOOLS

Donald F. Abt, Assistant Superintendent
School District No. 17
Hicksville, New York

LOUISVILLE, ARCHDIOCESE OF
(*Junior Great Books Program*)
Rt. Rev. Msgr. F. N. Pitt
Executive Secretary, Catholic School Board
435 South Fifth Street
Louisville 2, Kentucky

MIAMI UNIVERSITY
(*University Study Program*)
Office of the Associate Provost
Oxford, Ohio

NATIONAL MERIT SCHOLARSHIP CORPORATION
1580 Sherman Avenue
Evanston, Illinois

NATIONAL SCHOLARSHIP SERVICE AND FUND FOR NEGRO STUDENTS
Richard L. Plaut, President
6 East 82nd Street
New York, New York

NEW MEXICO, UNIVERSITY OF
Sherman E. Smith
Director of Student Affairs
Albuquerque, New Mexico

OHIO INTER-UNIVERSITY COUNCIL
Richard M. Mall, Coordinator
Advanced Placement Program
Ohio State University
Columbus, Ohio

ONEIDA COUNTY, NEW YORK
Madeleine F. Coutant (Mrs.)
Coordinator of Programs for the Gifted
Board of Cooperative Educational Services
First Supervisory District, Oneida County
Box 43
Yorkville, New York

OREGON COUNCIL ON ADVANCED PLACEMENT
Roland Bartel, State Coordinator
University of Oregon
Eugene, Oregon

PORTLAND, OREGON PUBLIC SCHOOLS
Clifford W. Williams, Director
Gifted Child Program
631 Clackamas Street
Portland, Oregon

ST. PAUL'S SCHOOL
Philip Hugny, Director
Advanced Studies Program
Concord, New Hampshire

SAN ANGELO PUBLIC SCHOOLS
G. B. Wadzeck, Superintendent
244 North Magdalen
San Angelo, Texas

SAN BERNARDINO CITY SCHOOLS
F. Eugene Mueller, Superintendent
San Bernardino, California

SEATTLE UNIVERSITY
Thomas L. O'Brien, S.J.
Director, Honors Program
Seattle, Washington

TEXAS EDUCATION AGENCY
(*with University of Texas*)
Lee Wilborn
Assistant Commissioner for Instruction
Texas Education Agency
Austin, Texas

THAYER ACADEMY
Gordon O. Thayer, Head
Braintree, Massachusetts

TRINITY COLLEGE
Robert M. Vogel, Dean
Hartford 6, Connecticut

WASHINGTON COUNTY PUBLIC SCHOOLS
William M. Brish, Superintendent
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WESTMINSTER SCHOOLS
William L. Pressly, President
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WORCESTER FOUNDATION FOR EXPERIMENTAL BIOLOGY
(*with St. Mark's School*)
Frederick R. Avis, Chairman
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CAMPUS 1980

The Shape of the Future in American Higher Education

EDITED BY

Alvin C. Eurich

AND THE STAFF OF

The Academy for Educational Development

PREFACE BY *Arnold Toynbee*



A DELTA BOOK

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Organizing for Better Instruction

EVERY GOOD TEACHER, including Socrates, has known that instruction should emphasize learning, not teaching. A problem arises as soon as formal education requires the instruction of many students of diverse interests and abilities in a group. Schools and colleges need to provide experiences that will help each individual student to learn and make him want to continue learning. How can institutions make instruction individual? And how can they clearly define the successive goals of learning and properly appraise a student's progress and ultimate achievement?

There is very little satisfaction in any quarter with our efforts thus far to meet these exacting requirements. But there are exciting prospects of greater success in the 1980s, because we have now at hand or under development the technical means of individualizing collegiate instruction even though our colleges and universities will then enroll more students than there are now in high school. The patterns of instruction predicted in this chapter will not, of course, be universally adopted. However, there is enough experimentation already in process to indicate certain directions for the future and ensure that many institutions will take these paths.

Other chapters in this book have focused attention on the dimensions of change in curriculum, in types and numbers of institutions, in the numbers and competencies of students seeking higher education, in the responsibilities of colleges and universities to their communities and the world—changes that will re-

make the campus of 1980. The instructional patterns which were tolerable on the smaller, more homogenous campuses of the first half of the twentieth century must change radically, too. The closed community, sheltered from the outside world, prolonging the adolescence of its students and fostering in them a romantic attachment to their chosen schools, has been invaded and exploded. As Rosemary Park, then president of Barnard College, said not long ago at a convocation on the university in America, "Alma Mater is dead."

Within the next 15 to 20 years many other symbols and arrangements of the conventional campus will follow Alma Mater to the grave. Traditional "classes"—freshman, sophomore, junior, senior—will, in the better colleges and universities, live only in the memories of old grads, though, of course, some laggard institutions will still cling to the old, outmoded patterns.

When, as at present, students must count credit hours to earn a degree, the four classes jog into an academic lockstep. If 120 semester hours add up to a degree, 30 hours must make a sophomore, 60 a junior, etc. In the 1950s and 1960s we have seen some breaking of the lockstep. Programs of early admission to college or admission with advanced standing have interrupted the academic tramp-tramp. In *early admission*, students not yet graduated from high school are accepted as college freshmen and are not required to make up such entrance requirements as they lack. The student admitted with *advanced standing*, by virtue of special courses taken in high school, can sometimes enter as a sophomore. More frequently, however, though exempted from certain freshman requirements and allowed to proceed to more advanced work, he still must amass the standard total of credit hours for graduation.

Despite these useful programs, we have not progressed very far toward a clear definition of the educational experiences appropriate to the college years, as distinct from the school years. Early in this century, bright children were sometimes allowed to skip one or more grades in elementary school. This crude device for permitting a student to move forward at his own pace has given way to ungraded classes in some schools. Like skipping a grade, the

early-admission program advances the student faster. But it leaves gaps in his learning and requires him to take a giant step in all his subjects at once. Admission with advanced standing, like the ungraded class, permits a smoother progression in learning and allows different rates of achievement in different subjects. Both programs suffer from the drag of the credit-hour approach to learning. They offer some escape for the capable student, but within narrow limits. Academically, they are more respectable than the noncredit remedial courses which many universities and colleges used to offer—some still do for students from segregated schools and educationally deprived homes.

These are small steps in the right direction. But the big task for higher education now is to abandon the credit-hour criterion, to make clear what a student must achieve in growth of knowledge, judgment, and intellectual competence to warrant his getting a degree, and to devise means to assess his achievement. It seems probable that within the next 20 years the baccalaureate degree will cease to represent completion of senior college work. The rapid growth of knowledge and higher employment standards will increasingly require at least that mastery of a field of study represented today by the master's degree. The success of the three-year master's-degree programs and the introduction of new programs, such as Yale's Master of Philosophy, are returning to the master's degree the academic respectability and status it has largely lost. The faculty of many good liberal-arts colleges are already pushing their institutions into offering master's degrees. By 1980 the baccalaureate will have lost status just as the master's has in universities which offer the Ph.D.

Eventually, the baccalaureate could become the terminal degree for junior or community colleges, which will also be faced with the problem of defining the competence required for graduation. However, given the present weight of academic prejudice against permitting community colleges to go beyond the Associate of Arts degree, probably only the stronger, more experimental community colleges will confer baccalaureate degrees by 1980.

When degree requirements are defined in terms of learning instead of credit hours, there should be better coordination of a stu-

dent's major field with his general liberal education. When colleges face the problem of evaluating a student's achievement in terms of his knowledge and understanding rather than time spent in classes, they will not be able to consider his comprehension of his major field complete unless he sees its place in the whole of human learning; and the student's "mastery" will be suspect if he has learned only a vocation. Newly defined, a college degree will also reflect the graduate's capacity to exercise his responsibilities as a citizen, to make good use of his leisure time, and to continue learning.

In the past, the growth of knowledge has fragmented the curriculum and hampered effective interdisciplinary instruction. Paradoxically, the remedy is at hand in the ever faster growth of knowledge, which already is beginning to disclose the interrelation of disciplines and the indispensability of men who are not merely learned but also wise and humane.

How will colleges organize instruction to produce such graduates? Each entering student, with help from his faculty adviser, will lay out a program that will bring him to the point of competence required for the degree he seeks. Throughout his college career, he will work with his adviser to appraise his own progress and to change his program when desirable. There will be no uniform sequence of courses, and the extent to which any student learns from books, from lectures, and from laboratory experience will depend on him. Only the goal will be fixed: the competence required for the degree.

Resources for study will not be limited to the college in which the student is enrolled. Already colleges are sharing information. By 1980 every first-rate college will extend its command over resources it does not own. And each campus will make its own resources more readily available to its own students.

No longer will faculty members spend class time giving factual information or attempting to discover what facts students have accumulated. It will be up to the students to acquire, outside class, all the data upon which to base understanding. Resources will be at hand in books, taped lectures, films and filmstrips, records, photographs, programmed texts, and computerized pro-

grams. Large regional libraries will form a network with computer systems for storage and retrieval of data, and transmittal systems that will make it possible for a student to get rapid access on his own campus to information available any place in the country. Microcopiers will put original manuscripts within reach of every student.¹ Already the campus library is becoming a learning-resources center with electronic equipment supplementing its collection of books, and with a large part of its space and resources arranged for individual or small-group study. This is the direction all libraries will follow by 1980.

Faculty will depend on these technological developments to free them from routine work for the more important tasks of helping students develop their capacity to organize knowledge, apply it to solving problems, and grow in wisdom. Since another chapter in this book deals in detail with new technology for teaching, only brief reference is needed here. Among the future resources available on all campuses will be taped lectures by the world's outstanding scholars, to be shown over television to large groups or a single student. The conference telephone hookup, with conferees' seeing as well as hearing one another, will make it possible for groups of students to ask questions and get immediate replies in conversation with outstanding persons in many fields of scholarship, the arts, government, industry, and organized labor. Pioneer work by Stephens College with a group of smaller institutions has demonstrated the feasibility of extending the campus in this manner.

For individual study, computers will provide programmed materials far more varied and flexible than those available today. The machine can answer questions put to it by the student, discern gaps in his knowledge, and present him with appropriate materials or questions for his consideration. Properly programmed, the computer can be used not only for drill, but also for tutorial work.

¹ The revolution in copying techniques and transmission systems has already sparked controversy over the copyright law, which protects writers, publishers, and others from unauthorized use of original materials. Clearly, a solution must be found which will assure the writer of a fair return for the use of his work but at the same time facilitate the widest possible dissemination of materials.

The techniques for programming such tutorial systems are known. Further development will be rapid.

There is no question that, by 1980, computer technology in instruction will make it possible for students of different abilities to arrive at the same level of competence in basic skills by different routes and in different lengths of time. When a student's faculty adviser discusses his progress and helps him plan his next steps, no time need be spent examining his grasp of material he has studied alone. The student's own knowledge of his accomplishment, which keeps him working at the material until he has mastered it completely, will allow both individual conferences and group discussions to concentrate on developing techniques of solving problems and encouraging creative thought.

The student will spend much of his time in independent study, guided in direction and purpose—but not closely supervised—by the adviser. Recent experiments in offering independent study to students far below the honors grade, with less than the usual faculty direction, justify the belief that by 1980 such programs will be an important part of the instructional pattern. In some, the student will study by himself; in others, groups of students will share the exploration of a common problem. By 1980 the experiments now in process with student-conducted seminars and laboratories, between-term noncourse study, reading periods, and the like, will have succeeded in refining the techniques and identifying the limitations of such programs. Hence, the faculty adviser can guide the student to the best mix of classes and independent study. Eventually a student may spend between 40 and 70 percent of his time in independent study.

In 1980, nearly every student will spend time away from his home campus, and not only in academic work. The spectacular growth during the 1950s and 1960s in the number of colleges and universities permitting students to earn credit for study abroad, and in the number of students going abroad, reflects the educated man's concern with the world today. This concern will continue to grow as faster means of travel and communication shrink the time-space between nations and by 1980 will color the education of every student. Particularly for the study of non-Western cultures,

experience abroad will be essential. In the instructional pattern of 1980, in which the student plans his complete program from the start to attain recognized goals, the role of foreign study will be defined in advance, and the student will prepare for it carefully. The guilty or frustrated reaction that many students have today on returning from a year abroad—that they did not study so hard or learn so much in academic courses as they might have done at home on their own campuses—arises from failure to understand what can be learned from diverse experience and to examine what sort of learning a student needs most at a given stage of his education.

In the future, some students will leave their campuses to study in other American colleges or in research laboratories such as the Argonne National Laboratory, whose resources are now open to faculty and students of the Associated Colleges of the Midwest. Cooperative arrangements among groups of colleges have grown rapidly in the past decade and are augmenting resources of each campus, large universities as well as small colleges. The huge college enrollment of 1980 will make cooperation among institutions even more important to survival and success.

Off-campus work experience, paid or volunteer, will play a larger role in the educational programs of 1980 than today. Work-study plans have been incorporated in some college programs since the first such plan was organized by the University of Cincinnati in 1906. Many of the programs developed since have placed more emphasis on the general education of the student than on acquisition of vocational skills. This concern will become increasingly marked in the future, as technological developments decrease dependence on simple human skills and increase the need for emotionally mature and intellectually alert men and women who are prepared for change in both their work and their leisure. The importance of preparing for these changes is emphasized by a recent estimate that 70 percent of the children now in elementary school will eventually work in occupations that do not now exist, and also by the steady decrease in the length of the work week under union contracts.

Off-campus work, intelligently chosen and related to broad

educational goals, undeniably promotes intellectual and emotional growth. The sticky problem of how much "course credit" to give for such work will disappear in the organizational plan of the 1980s which eliminates credit hours. Any off-campus experience, study or work, will be included in a student's program for its expected contribution to what he must learn before he can claim a degree, and it will be evaluated accordingly.

When a college program puts on a student the responsibility for learning outside class a large part of all he must master before its conclusion, one may well ask what the faculty are doing to make it worth his while to be enrolled in college. The student revolt in the 1960s has been attributed, in part, to the isolation of students from senior faculty, particularly in large universities. Professors are now in great demand as consultants to government and business, and often put their own research and outside work ahead of teaching. The problem has been most acute in the undergraduate colleges of universities, especially among students in the social sciences, who tend to be acutely aware of the gap between what is going on off campus and what they are doing in classes taught by graduate students little more experienced than themselves.

The flexible program envisioned for 1980 will help restore the important faculty-student relationship. It will make the professor not a purveyor of information, but rather the senior scholar in a joint intellectual adventure, and the adviser who helps direct the student's organization of his learning. The professor's experience off campus and his research interests will add to his value in this partnership, and the flexibility of his program of teaching will permit longer absences from the campus with less disruption of instruction.

Certain colleges have already discovered that even a limited approach to more flexible programs, such as a morning freed from classes and other meetings to give students and faculty uninterrupted time for study, has paid large dividends. The hold of the regular class meeting is hard to break, but new curricula and the move toward year-round operation of institutions are shaking it loose. To provide a faculty adviser for each student in 1980 will mandate the reduction of hours spent in class and the grouping of

class meetings to permit large blocks of free time. For example, a professor might give a series of lectures or conduct seminars several days within one week and not again for six to eight weeks. The lectures will be principally demonstrations of problem-solving in the professor's field. Students will then spend some weeks applying the demonstrated methods to problems on which they are working independently. Seminars will be devoted to criticism of the students' efforts. Thus, class sessions adapted to permit large numbers of students to get help in their individual programs of study will make an excessive number of individual conferences unnecessary. Experiments already undertaken by Antioch, Lake Forest, and other colleges offer assurance that independent study need not mean the substitution of 20 individual conferences for one class meeting. The new organization of instruction rests on a new role for the faculty.

Recognizing individual differences among faculty members as among students, institutions will not expect every professor to lecture, to meet classes, and to advise students. However, in undergraduate institutions, most faculty members will have personal contact with students as advisers. Each faculty adviser will help his group of students plan and revise their programs, appraise their progress, relate their new learning to their objectives as educated men and women, and above all grow in ability to ask the essential questions, solve problems, and make discoveries. In this faculty-student relationship rests the essence of the scholarly partnership—the apprenticeship of a young learner to a more experienced one, a true scholar-teacher.

Indeed, when instruction is organized in this manner, activities off campus will be as important for faculty as for students. Participation in the larger community—as consultant, member of a research team, lecturer on other campuses, or citizen actively engaged in political affairs—contributes to the professor's understanding of the place of his specialty in human knowledge. The cross-discipline approach to solution of problems, which is usual in the world of diplomacy, business, and industry, will become more common in colleges as professors continue their learning in applied as well as pure research. Freedom from inflexible

class schedules will allow professors to use the community for their own education as well as to serve it with their specialized knowledge, and to give students the example of truly liberal education, continuing throughout a lifetime.

Institutions will arrange for faculty as well as students to study and work abroad, and the campus will increasingly benefit from the experiences and insights of students returning from study abroad and of foreign students who will come to American colleges in increasing numbers. Too often, up till now, the student from one culture has been antagonized or baffled by his experiences in another country. When foreign experience is truly integrated into the whole learning pattern, the hopes for its beneficial effect on the student and the institution are more likely to be realized.

As projected, the college of 1980 will give the student great flexibility in how he reaches his goal and how long he takes. But the student's goal will be much more clearly defined than it is now in terms of knowledge, competence in using the knowledge, and maturity of judgment. This projection raises the question of how the student's achievement in relation to the goal set can be appraised. How does one equate the educational value of working for two months for a business concern in Quebec while living with a French Canadian family (as in Goddard College's comparative-cultures program) with that of a student-led seminar, a period of concentrated study in which the individual uses all the resources available in a well-equipped learning center, or class attendance on a regular basis for the same period of time? How does one decide that one student has achieved what is expected of him in two years, but another, not even in four? What weight should the student's own evaluation of his progress have, as compared with that of his adviser or of professors previously unacquainted with him who are asked to sit on his examination committee? Clearly, the function of examinations will be different in the 1980 educational structure.

One unlamented casualty of change will be the final course examination, made out and graded by the professor who taught the course, and whose recorded grade attests the student's completion

of three or five hours of the required degree work. To some extent, examinations in separate courses have already been subordinated to the comprehensive examination. The comprehensive is usually limited to a student's major field, and the student is still required to complete a given number of credit hours and pass individual course examinations. In some cases, more frequently for the ablest students, passing an examination on the content of a course he has not taken may give the student credit hours for that course. This procedure has introduced some flexibility into the instructional pattern. However, the practice of exempting from certain required courses any student who can pass an examination has been more common than that of awarding course credit on the basis of the examination alone. Faculties have generally been reluctant to admit that a student can do work worth credit without attending, or at least enrolling in, a class.

The difficulty of constructing examinations for credit purposes is in part responsible for the limited opportunity students have to move toward a degree by this method. Since 1963, the Educational Testing Service and the New York State Education Department have developed certain comprehensive and course examinations which colleges may use for assessing credit. Colleges in New York State, stimulated by the College Proficiency Examination Program, have given more thought to the use of such examinations than most colleges elsewhere. The experience gained in the use of tests of this kind and the increasing recognition that valid education takes place outside classrooms will ease the road to the flexible instructional patterns of 1980.

A number of years ago I sat in a convocation called by the president of one of the leading women's colleges for an important announcement. She said: "I congratulate the members of the freshman class, who will be the first members of this institution privileged to take comprehensive examinations." The hall was quiet for a moment. Then, in unison, the student body sighed, the noncongratulated in relief and the privileged freshmen in dismay.

Perhaps the student who enters college in 1980 will also doubt, at first, the privilege that will be his: to earn a degree dependent on examination of his total educational achievement at a given

time. But by this means he gains freedom from the lockstep of credit hours. And it will create a better atmosphere for joint intellectual inquiry by students and faculty. No longer will the student study the professor rather than his subject, in order to feed back on tests the answers he believes the professor will consider worthy of good marks. No longer will his sole motive for attending classes be the knowledge that some professors refuse a passing grade to a student who cuts classes. And no longer will professors have the uneasy feeling that some students seek conferences and ask questions not because they are interested in learning, but because they wish to make a favorable impression. A number of experimental colleges have observed improvement in the student's expectation and accomplishment when he assumes new responsibility for his own learning.

When instruction is organized to achieve the defined objectives in knowledge and understanding for which the degree stands, through programs designed by students in conference with their advisers, achievement should be determined by a comprehensive examination administered by scholars other than those whose courses the student attended. The adviser will, of course, sit with the examiners and have a voice in the appraisal, but he must not be handicapped in his relations with the student by being the determiner of "pass" or "fail." He and others called in from time to time at his suggestion will have made informal reports of the student's progress; and the student, appraising himself as he goes along, will have learned to do a better job of it by comparing his own estimate with those of his adviser and other professors. He will learn to criticize his own work intelligently and more honestly, freed as he will be from the bugaboo of grades at each stage of his progress. Since he will be able to choose the time for his degree examination, without regard to years spent in college, wisdom in self-appraisal will be a necessary part of his education.

The scope and content of the examination will depend on both the definition of the degree and the student's major field. For a liberal-arts degree, it will be broader than the present departmental or even divisional comprehensive examination. The objective of the examination will be not to discover the student's accumula-

tion of facts, but to determine how he organizes his knowledge in dealing with new problems and situations—whether, in short, his education has prepared him to assume adult responsibilities commensurate with his ability, and to continue learning throughout his life.

One might ask whether a person who has never attended college classes might not, on the basis of his experience and independent learning, stand for examination and receive a degree. Probably, by 1980, there will not be much demand for this privilege, because there will be relatively few people desiring a college degree who have not taken some class work. However, we may expect some experimental colleges to open their comprehensive examinations to any person whose learning, achieved by whatever means, is worthy of a degree. The faculty in such cases would probably want the applicants to spend an extended period, perhaps a fortnight or a month, on the campus in order to gauge their abilities properly. The campus of 1980 will be accustomed to the coming and going of its scholars, undergraduates, and faculty, and the presence of adult students in degree programs will cause no surprise.

By way of summary, we might follow the course of a high-school graduate of 1980. Let us assume that our candidate, Joe, chooses a liberal-arts college which has been in the vanguard of educational improvement.

Joe will be assigned a faculty adviser, chosen if possible from the field of his chief interest. The adviser may be changed later, on his own initiative or Joe's, if the change seems likely to further Joe's education. He will spend the first week or two in consultation with his adviser and in learning what will be expected of him before he can be awarded a degree. He will begin to plan a program to meet those expectations. He will enroll in some courses designed for entering students. If his previous learning and experience in a given field warrant it, he may enroll in advanced courses.

He will meet professors who follow different patterns in teaching, but probably none will meet classes three times a week for 15

weeks. Each will make clear to Joe and his colleagues what the course is intended to accomplish, what resources are available in the learning-resources center, and what knowledge they must bring to class sessions if they are to profit from what will be done there. In class, students will not be reviewing or repeating information, but will apply their knowledge to exploring new problems and to learning what questions are critical in the advancement of their education. If Joe finds the class meetings contribute less to his educational program than study outside of class, he will be free to cut them all. For most of Joe's fellows, however, the pattern will include some class instruction, especially in their early college years. Joe will need considerable experience before he can proceed entirely on his own, even though some of his previous schooling or work has prepared him for such independence.

Joe will have the option of staying on the campus throughout the year or of spending some time away from it in work or study, domestic or foreign. Probably before he takes his degree, he will have spent between one-fourth and one-third of his time off campus. Normally, vacation will be no longer than one month a year. The old pattern of summer-long vacations, laid down when most people were farmers, will have been buried by 1980.

Since the campus will be operating on a year-round basis, but with nearly all students away at least a quarter of their time, Joe will not march in step with all those who entered college when he did. He will attend lectures or seminars occupying different periods of time, some running for six weeks, others for ten or more. The irregularity in hours of course work will not create a problem because he will be working much of his time independently and can adjust to the classes he wants to attend.

Joe and his colleagues will learn to judge their progress, and examinations will be available by means of computer-based programs to help them determine gaps in their knowledge. Joe will not hesitate to test himself or to reveal his deficiencies to his professors, because there will be no record of grades to be held against him when he enters graduate school. Consequently, he has no incentive to cheat on examinations. When he has mastered one part of his program, he will move ahead without delay. He may

be ready for his degree examination in three years, or in five, whenever he can demonstrate the broad general education and mastery of one field which the college requires for its degree. This demonstration must satisfy scholars whose concern will be not with facts learned but with the student's ability to use his knowledge in unfamiliar situations and to relate his major field to learning as a whole.

Is this an impossible dream for 1980? Not at all. The changes between 1950 and 1965 in methods of teacher education, the use of new technology in instruction, the growth of off-campus experience, and attention to the needs of the more able students would have seemed equally impossible at the start of that period. Students who have had flexible and challenging programs in elementary and high school do not readily adjust to the college lockstep. They increase the pressure for change. Furthermore, changes forced on higher education by the rapid development of new knowledge and the greatly increased demand for education beyond high school will make change inevitable in methods of instruction.

In some institutions, the seeds of the future are already germinating, from extended emphasis on independent study to the use of television as a teaching tool. As noted earlier, the acceptance of the full range of technological aids to teaching—taped lectures by the greatest scholars of the world, programmed materials teaching all basic data and technical skills, original documents microfilmed and available by computerized retrieval systems for transmission to a student on any campus, language laboratories, telephone communication between small groups and persons too far away to be consulted face to face—will so free faculty from the chores of instruction that they can at last concentrate on the essential function of a teacher: helping the student develop his powers of thinking. It will be the chief occupation of faculty advisers in the 1980 pattern of instruction.

Under this pattern, the small college will not be at a disadvantage in its appeal to students and faculty members. With its resources extended by technology, by cooperative arrangements with other colleges and universities, and by its use of the off-

campus community, domestic or foreign, faculty can engage in research without sacrificing their teaching role. Similarly, the university can recapture the advantages of the small college, allowing students access to senior professors as advisers.

Colleges and universities can, through the use of technology and flexible arrangements for instruction, accomplish the "dual-purpose revolution" described by Frank Bowles in an address to the Annual Conference on Higher Education on March 14, 1966: the maintenance of high educational standards and the simultaneous democratization of higher education. When institutions define their degrees so as to make clear what each graduate must accomplish, and when, at the same time, each student follows his own path, long or short, to any given degree, colleges and universities can, with no sacrifice of educational standards, accommodate a flood of newcomers whose interests and abilities are widely different.

Abraham Lass, a high-school principal, recently said: "The joy has gone out of learning." The chief reason is that, at each stage in his program, the student is overhung with anxiety about admission to the next stage, about making grades high enough to keep him ahead in the competition for place. In a system which puts the emphasis on learning rather than on grades, with a faculty given time and motivation to help students achieve understanding and creativity, that joy can be recovered and the individual's continued learning assured.

The Late Life Creativity of Dorothy James Roberts

by Ruth Harriet Jacobs

Creative women generally have creative retirements, but we lack sufficient documentation of this for models. In old age, creativity takes new directions since women may have to adapt, in some cases, to physical limitations or disabilities. A prime example of creative productivity and adaptation in retirement is provided by the story of Dorothy James Roberts (1903-1990) who published thirteen books between 1942 and 1963.

Roberts stopped publishing in 1963, leaving the New York publishing area and arena because she did not want to lower her standards at a time when publishers wanted her to write in a lesser way. At sixty, she had to develop a new life style

and did so creatively despite increasing disability from an accident and arthritis. Her late life legacy from age 61 to 86 includes an important body of unpublished writing now available, as well as the mentoring of many women.

She was born in 1903 in Burning Springs, West Virginia, and had one brother and three sisters, one a twin. Her father was an oil producer; her mother a homemaker. Roberts

attended Barnard College and refused the restrictive dorms of those days. To cover the rules, she said that she would live with an older sister when actually she lived alone and explored New York.

After getting her B.A. in English in 1925, she did graduate studies in Old French at the University of Wisconsin and then for about ten years supported herself in what she described as "bread and butter jobs" which included some editing and teaching. By the early 1940s, she was able to support herself by writing, quite a coup in those days, especially for a woman.

Her first book, with Kay Smallzried, was *More Than You Promise*, a history of the Studebaker Automobile Corporation (Harper, New York, 1942). Between 1943 and 1963, eleven of Roberts's novels were published by major publishers and featured strong women characters in both historical and contemporary settings. The books won awards and were translated into other languages and re-published in Australia, France, Sweden, and India. In 1946, her mystery, *If A Body Killed A Body*, was published by Mystery House under the pseudonym Peter Mortimer, so she could keep the Roberts name for novels. Her *Enchanted Cup* (Appleton, 1953) was a Book of the Month Selection. Even her first novel, *Man of Malice Landing* (Macmillan, New York, 1943) was widely praised and serialized in *Liberty Magazine*.

For most of her writing life, Roberts lived in Mamaroneck, New York, near New York City. She did not marry. Perhaps she was like her heroine Glee Vanney in her novel *A Durable Fire* (Macmillan, 1947). Glee rejected several suitors,



With Night We Banish Sorrow
book jacket

.. — Essay — ..

even one she loved passionately and lived with despite the censure of the 1930s. Glee wanted to be an artist and felt that marriage would place limitations on her art.

Roberts herself devoted her life to writing and the research for her historical novels. One, for example, was set in ancient Iceland (*Fire In the Ice*, Little Brown, 1961). Then, at 61, tired of publisher's limitations on her choice of subjects for novels, she had to create a new life. She moved to Palo Alto, California, to share a house with her long-time friend, Elizabeth Paschal, who retired early to care for an infirm mother. Roberts helped care for Paschal's mother until she died. Roberts also continued a daily schedule of research and writing—she had loved doing the research for her historical novels almost more than writing them.

Until shortly before her death at 86, she would spend four or five hours daily in scholarly work. She spent nine years enlarging her knowledge of mythology and writing extensively on this. Her expertise in this field was such that the publisher of Joseph Campbell asked for her comments on some of his prospective books. She also spent five years studying and writing on Roman history.

But perhaps her greatest enthusiasm and effort went into the study of Shakespeare's work. She read every one of his thirty-six plays three times and wrote extensive commentaries in several book-length manuscripts with the aim of making Shakespeare accessible to non-scholars. Her intent was epitomized by the title of one of her manuscripts: "Shakespeare Without Bifocals." Roberts believed you could learn everything about human nature by studying Shakespeare, and she wanted to make that knowledge widely available. Her copy of Shakespeare's



Photo of Dorothy James Roberts

plays is crisscrossed with her tiny but comprehensive notes for her Shakespeare commentaries.

In addition, this successful writer set down two versions of her literary autobiography to help writers who would follow her. Then, before her death, she arranged for all her unpublished manuscripts to be made available by giving her papers to the Newberry Research Library in Chicago. They are now a treasure trove for scholars and others who share her important interests. Her late works especially are profound commentaries.

This impressive unpublished collection of her late productivity in the Newberry Library is only part of her old age contribution. Her research library was donated to the Oglala Lakota College on the Pine Ridge Reservation in South Dakota.

In addition, she did three things in the Palo Alto area to help others with their personal and intellectual development. First, she volunteered throughout her retirement in the English in Action Program of Stanford University. Though her physical handicaps made it hard for her to go out of her home, she was able to teach English and other useful skills to foreign Stanford students in her home.

Students who were aided by Dorothy spoke of her skill, kindness, unstinting availability and wisdom. Michiko Ogasawara, a Japanese student, for example, said, "She made me feel comfortable, like a second mother. I could call her at two A.M. if I had a crisis. She taught me how to speak English, but she also taught me how to cook American style, bake, celebrate Thanksgiving, and many other things. She loaned me books, helped with personal problems."

A main contribution of Roberts to women's life in the Palo Alto area was the Colloquium which still meets in the home Roberts shared

.. ——— Essay ——— ..

with Elizabeth Paschal. The Colloquium is a forum where women share the results of their intellectual endeavors. Some of the women in the Colloquium had academic backgrounds, but many of them turned later in life to independent scholarship. Dorothy was able to mentor them. Members of the forum in interviews reported how much they had learned from Roberts's reports on her work in myth, Roman history, Shakespeare, and other topics. They also said how preparing their own presentations for the forum was energizing and gratifying.

Perhaps Roberts's most notable and generous contributions to women were the writing seminars she taught in her home during those retirement years. She never charged for these seminars which met weekly for several hours. At first, she had so many women wanting help that she taught two seminars a week, but in later years, she taught only one. Some women published poetry, books, articles, and other writings as a result of these seminars.

Women from her seminars talk of how she taught them to write poetry in different styles, to revise and cut their own work, to write narrative instead of exposition, etc. What Roberts had learned in a successful long career as a writer was passed on generously and kindly. She was always considerate of the feelings of her students but also held them to high standards. One student said that Roberts regarded adverbs as a variety of cockroach and would not let her students weaken their work by unnecessary adverbs, adjectives, and redundancies. She taught by praising what was good. Hers was bountiful help that experienced writers so rarely give to new writers, especially at no cost and as unstintingly as Roberts.

The writing seminar participants also benefitted from Roberts's long years of studying human nature intensively so she could write her novels. She helped them both with their fictional character development and with their personal problems.

One woman reported, "Dorothy helped me resolve a problem with my daughter by listening carefully and giving me good advice." Another woman recalled, "I could always tell Dorothy my troubles and come away feeling better."

At the beginning of their home sharing in Palo Alto, Paschal and Roberts shared the housework

equally. As the years and Roberts's handicaps progressed, Paschal did more of the housework and gardening and all of the errands. Paschal and Roberts's home sharing in old age was beneficial to both. Their friendship was an example of the way women often contribute to each other at different life stages and in crisis. Paschal gardened and raised orchids in the courtyard that Roberts's window overlooked while she spent the bulk of her days indoors doing her research and writing.

Roberts's roommate, Paschal had been an executive in the Ford Foundation before her retirement and was associated with much innovation in higher education. In old age, she too was a founder of the Colloquium and taught in the English in Action Program and to this day does intellectual research. But she also helped to foster the continuing productivity of her writer friend. Paschal now lives alone but continues to host the Colloquium in her home. She is an example of the creative, active over-ninety women who are so rarely acknowledged by a society which tends to focus on the frailties rather than the triumphs of healthy long-living women.

Paschal's front yard has a beautiful orange tree bright with a heavy crop. Like Roberts, Paschal had a very productive work life, but retirement continued fruitful and satisfying growth. At the Wellesley College Center for Research on Women through my work and that of Rita McCullough of K.I.T. Press, Paschal is supporting a project to make Dorothy James Roberts' late life writing known to current and future generations.

For such women as Elizabeth Paschal and Dorothy James Roberts, the last decades of life certainly feed others as well as nurturing their own continued development and contributions.

[Ruth Harriet Jacobs, Ph.D., a sociologist, gerontologist and creative writer is affiliated with the Wellesley College Center for Research on Women and teaches part-time at several colleges. She is the author of seven books including Be An Outrageous Older Woman: A R.A.S.P. Remarkable Aging Smart Person. Dr. Jacobs is sixty-nine years old.]

“There are times when you can’t fight. But if a particular injustice seemed to apply to me, at a moment in time when I could do something about that, I did.”

— Elizabeth Paschal

Making choices when there were darn few for women

Retired executive, 92, speaks up for oral history project

BY S.L. WYKES
Mercury News Staff Writer

Elizabeth Paschal has every right to be angry.

The daughter of two college graduates, she was a Phi Beta Kappa graduate of Wellesley College, one of the country’s most prestigious academic institutions. She did half the work for her master’s degree in economics at Wellesley, the other half at Harvard University. Her Ph.D. thesis in economics from the University of Wisconsin was published in its entirety in the *Journal of the American Federation of Labor*.

Yet when she graduated and started looking for work, Paschal was told by a telephone company recruiter in 1924 that while he knew she could handle the company’s management training course, she would probably be left to sit at a lower-level job.

The man she loved wanted to marry her but refused to accept that she wanted to continue to work. So ended that relationship.

No bitterness

But as Paschal, 92, has spent the last few weeks telling a group of Wellesley grads her story for an oral history of her life, no bitterness is ever present in the telling.

Paschal, not a confrontational personality and wise to the social climate of her times, found ways to fight back when she could.

“There are times when you can’t fight,” she said. “But if a particular injustice seemed to apply to me, at a moment in time when I could do something about that, I did.”

When America became a participant in World War II, Paschal was urged to become an officer in the new women’s military divisions. She was eager to help, yet she refused on principle — because women were not being offered the same support for dependents as men.

Later, when she worked as the sole female executive for the Ford Foundation, she submitted a letter of resignation when she

learned she had not received the same raise as her male counterparts. The foundation quickly granted her the raise.

She sees young women now who have the same kind of education she had and she knows she could do the work they are doing. “You wish you could have had that experience, but you had other experiences,” Paschal said.

Interesting jobs

In spite of the discrimination she suffered during her career years, she managed an interesting string of jobs with the Depression-era Bureau of Labor Statistics, the American Federation of Labor, the Social Security Administration and the Ford Foundation.

She does not regret the choice she made not to marry, although she is happy for women of today who do not have to face that choice.

“In my day, I couldn’t possibly have done what I did if I had been married,” she said. “I think you have to cut your cloth as you can.”

Paschal, who has lived in Palo Alto since her retirement in 1967, has made of her cloth an excellent life. It was her decades-long perspective on American life and her unflagging curiosity that drew the interest of women like Sandy Eakins, another Palo Alto resident and Wellesley grad.

Eakins, who serves on Palo Alto’s arts and planning commissions, was fascinated from the first moment she met Paschal and heard her speak.

“She’s unassuming and self-confident,” said Eakins, who was happy to join in the effort to raise the \$20,000 necessary to produce Paschal’s oral history. When finished, it will take its place on the shelves of the collection of the University of California, Berkeley’s Regional Oral History Project.

“She’s a person you can’t help admiring,” said Mary Elizabeth Schmidt, another Wellesley grad who has taken part in the interview process. She still teaches, still goes on trips — on her 90th birthday she journeyed to

Russia — and as part of her ongoing self-education process, she has taken up physics.

History saved

What also emerges from Paschal’s memory are those small details of history that might otherwise be forgotten: The inch of dust that would form on window sills in Wisconsin as the agricultural devastation known as the Dust Bowl swept through the Midwest; the memo from government bureaucrats who said employees could destroy old files as long as they made copies of them first; the way a delivery man with a horse-drawn wagon used to bring the huge chunks of ice around to fill the first “iceboxes.”

Paschal told her interviewers about glitches she encountered in those early years of the Social Security administration and its division then called the Bureau of Old Age and Survivors Insurance. She was trying to help one man, whose physical appearance made it obvious he was old enough to qualify. Yet he had no papers to prove it. Paschal and others in the bureau were trying desperately to figure out a solution when they asked him about his first name, Defurz. Why had he been so named, they inquired.

Because he was born on the first day that his mother wasn’t a slave, he replied. The bureau workers issued him his payments and established he was born in 1862 — the year Lincoln signed the Emancipation Proclamation, freeing the slaves.

Paschal’s life has spanned so much change, she can’t answer what changes have been the greatest. But she says what bothers her most is what she sees as a deterioration in ideals. “I think people talk more now about my rights and less about my responsibilities and duties,” she said.

The most dramatic change, however, has been in the depth of scientific knowledge. “I took astronomy in college — and I don’t think anything except the basic mathematics of it is still true,” she said, with a laugh.

Benefits for the retired

Editor,

Mr. Merker's letter (June 14), "Abolish earnings test," is based on a misunderstanding of the intent of the Social Security system. It was never meant to provide benefits at age 65 without regard to one's employment. Indeed, the first version of the system provided for benefits only after the worker had "retired." Subsequent liberalizations of the concept of retirement permitted successively larger amounts of money to be earned after age 65 without the individual's being considered still employed, and the act permitted reduction of benefits instead of their complete loss for earnings in partial employment. Also, since relatively few people are fully employed after age 70, earnings after that age do not reduce or end benefits in any year.

Far from blaming Mrs. Eshoo for not working to end this provision of the act, Mr. Merker should be pleased that she expressed a desire to see the "earnings test" further liberalized. We who are drawing Social Security benefits (and I am one) are already getting far more than our contributions to the system would have bought in private insurance.

Anyone still employed and earning more than \$11,280 per year is better off than many workers whose taxes for the system are supporting the supposedly "retired" person's benefits.

With entitlement programs already straining the nation's budget, it ill behooves us seniors to beg for more "retirement" benefits when by a reasonable interpretation we are not really retired. There is no "age discrimination" in this, as Mr. Merker believes. Social Security benefits are not due at age 65 regardless of employment. Persons over that age are entitled to partial benefits if partially employed, and the definition of "employed" is a generous one.

I hope the seniors in Mrs. Eshoo's district will have the courage to support her opposition to changing the social insurance system from one which, as at present, provides benefits for retired persons to one which would provide them for everyone reaching age 65. Let's give the next generation a break!

Elizabeth Paschal
Patricia Lane
Palo Alto

Elizabeth Paschal's Photo Gallery



Elizabeth in the spring of 1903, Kansas City, Missouri



Elizabeth at 3

Postcard dated August 8, 1914
Colorado Springs, Colorado

Dear Aunt Cettie,

Here is a picture of me on a burro. I had it
taken in Manitoba today.

Love from,
Elizabeth Paschal



Elizabeth on her 16th birthday
Armistice Day (November 11, 1918)



Memorial Day, 1921

Elizabeth and friends from Lovewell dormitory wait for the train to take them to Mildred Coddings' family's beach house for a long weekend in Pocasset, Massachusetts.

"In my sophomore year [1921-22], the knicker suit came out... Mine was a pale green knicker suit. A group of us had gone to Rockport, in Maine, for spring vacation and we were all wearing our knicker suits. We were parading down the street with a bunch of children following us because we had some candy and were giving it away. There was a little boy walking along on the other side of the street. We said, "Come on over. We'll give you some candy." He said, "I can't," and we said, "Why not?" He said, "My momma told me to stay away from those college women that wear pants!"





1922

Elizabeth with her newly bobbed hair, posing by Lake Waban



Wellesley's archery team
(Elizabeth Paschal, Clare Sanford, Adelaide Blum, Mary MacFarland, Susanne Paxton,
Amelia Potter, Cynthia Lamb, Gladys Clark, Jean Wilder)



Agora Society
(Elizabeth is in the third row, third from the left)

The focus of the Agora Society was political science, history, and debate. Elizabeth was President of Debate and a member of the college government.



1924

Elizabeth in front of the
Norembega Cottage
dormitory.



Graduation Day
May 1924

Elizabeth in her graduation gown before receiving her B.A.
from Wellesley College.



Miss Elizabeth Paschal
Wellesley senior elected to Phi
Beta Kappa Society

Wins Highest Honors at Wellesley College

Miss Elizabeth Paschal, a member of the senior class at Wellesley College, has been awarded two of the highest honors at that institution within a week. She has just been notified of her election with seven other students to the Phi Beta Kappa society. On Saturday, she was awarded the only cup that is given for individual work in college athletics, her specialty being archery. Miss Paschal's home is in St. Joseph, Mo.

Eighteen Girls Initiated Into Phi Beta Kappa

Wellesley, May 5 - Eighteen members of the Phi Beta Kappa Society at Wellesley College were initiated into the Eta chapter of Massachusetts this evening at the Spring meeting of the society at Pomeroy Hall.... A business meeting and banquet preceded the initiation, which was followed by a Forum discussion on "The Scholar's Chief Responsibilities."

Professor Helen Merrill of the department of mathematics presided and conducted the initiation.



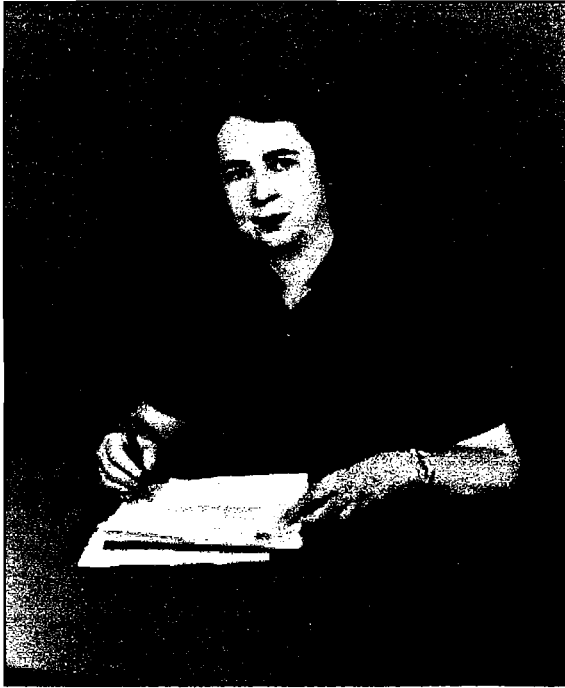
Graduation Day
May 1927

Elizabeth poses with her
mother before receiving her
M.A. from Wellesley College.

On the right, Elizabeth's
mother at age 48
(approximately).



Elizabeth, Assistant Professor of Economics and
Sociology, with Professor Robert Clark, head of the
Economics and Sociology department, at Marietta
College.



Elizabeth's professional photo,
Ford Foundation, New York

At the Annual Meeting of the Members of the
Fund for the Advancement of Education
 held on April 27, 1964, the following resolution was unani-
 mously adopted:

Resolved, that the Board of Directors of the Fund for
 the Advancement of Education learns with great regret
 that family circumstances have obliged

Elizabeth Paschal

to give up her position with the Fund and expresses its deep
 gratitude for her great contribution over the years to the work
 of the Fund.

In her dozen years with the Fund, Miss Paschal has carried
 a succession of increasingly responsible assignments. She has
 been a valued staff member, has played an ever enlarging role
 in program planning and in project negotiation, and in recent
 years has been a highly effective Secretary-Treasurer of the
 Fund. She has willingly taken on new responsibilities without
 being relieved of earlier ones and has thus constantly carried
 a mounting load of work.

The wisdom and skill with which she has managed this in-
 creasing load have won the respect and admiration of all of
 her colleagues, and her warmth and kindness have earned her
 the affection of all. She has combined in a way most valuable
 to the Fund a deep idealism with very practical handheadedness.
 She is truly irreplaceable.

Our best wishes go with her for the years ahead, and we
 are confident that her great talents will soon be discovered
 on the West Coast, to which she is moving, and that they
 will usefully be called upon in public service there.

Roy E. Larson
 Chairman

Clarence H. Faust
 President

A tribute given to Elizabeth upon her retirement from the Ford Foundation in 1964, signed by the
 Foundation's Chairman, Roy E. Larson, and President, Clarence H. Faust



1981

During a 1981 trip to China, Hong Kong, and Japan, Elizabeth visited her first partner in the English in Action program, Masa Tsugi, who graduated with a Ph.D. from Stanford in 1976.



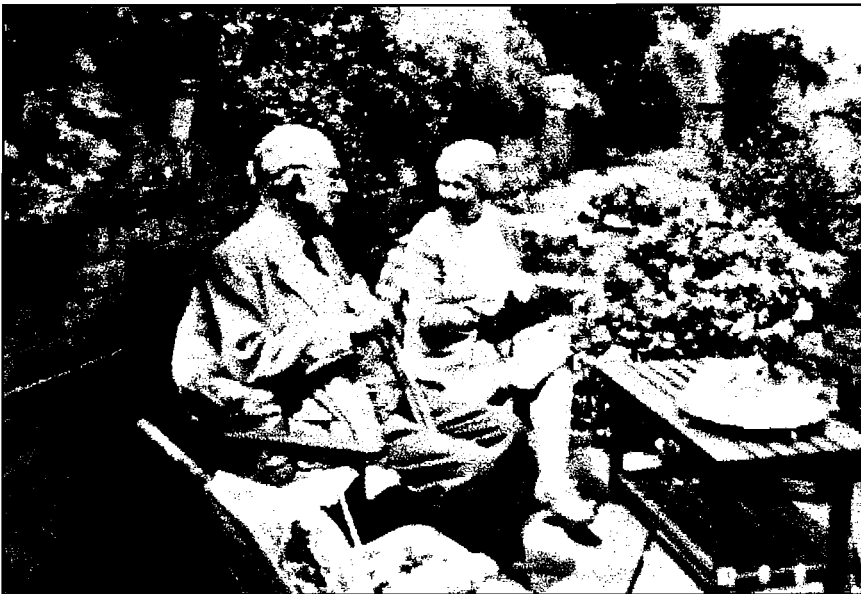
Elizabeth's trip to Japan included a visit to Masa Tsugi's parents' land, located in a village near Kyoto.

Masa is a professor at Osaka University now.



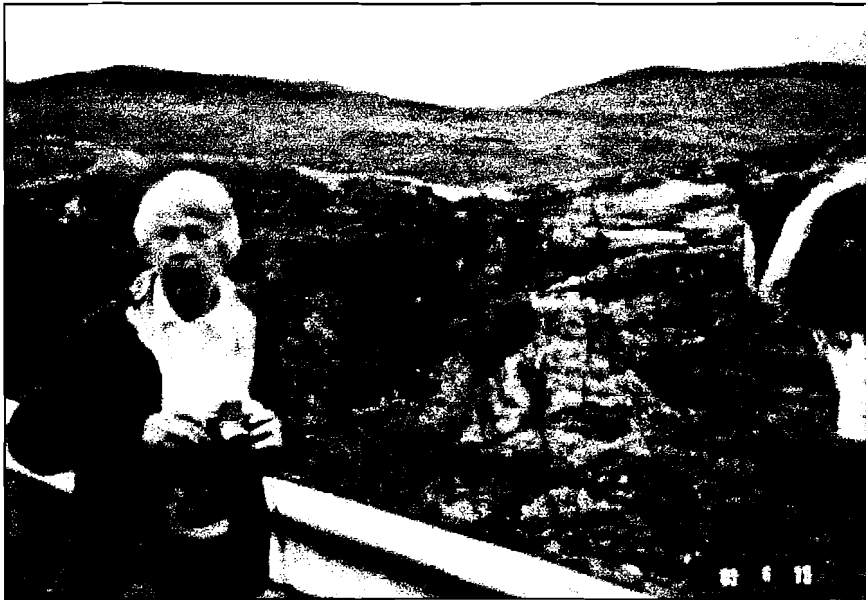
Elizabeth in 1982.

(Photo taken by Eva Walker of Baltimore during a visit with Elizabeth and Dorothy in Palo Alto, California)



June 9, 1983

Elizabeth with Geoffrey Snagge, a retired businessman and husband of Dame Nancy Snagge, at his house in England (near Winchester).



June 15, 1983

Elizabeth on a 10-day bus tour of the Scotland Highlands that she took with Michiko Ogasawara.



July 4, 1983

Elizabeth, in her garden, with Weiping Li, Hiroshi, and Hiroshi's wife Ayri. Elizabeth was a partner to both Weiping and Hiroshi in the English in Action program.



November 1990

Elizabeth celebrates her 88th birthday at Little House in Menlo Park with other members of Palo Alto's Senior Center.



November 1992

Elizabeth with Susan McGee Bailey, Director of Wellesley's Center for Research on Women, at a celebration of Elizabeth's 90th birthday held at the Palo Alto Cultural Center



Elizabeth, with fellow classmate, Margaret Nelson (Wellesley '24)., a member of the West Bay Wellesley Club's Arts & Letters group, at Elizabeth's 90th birthday party



June 1, 1994 - 70th reunion, Wellesley College

Elizabeth and classmates at a dinner party in Needham, Massachusetts

Left to right, standing: Polly *Pohlson* McCullough (RI), Cary *Millholland* Parker (LA), Elizabeth Paschal (CA), Marion *Eddy* Wheeler (MA), Marie Remien (IL), Emily *Wayland-Smith* Schmidt (NY), Hilda *Crosby* Standish (CT), Alice *Mills* Pierce (MA)

Left to right, seated: Marian *Gilchrist* Ingwersen (MA), Ruth Heller (NY)



June 2, 1994 - 70th reunion, Wellesley College

Elizabeth and classmates ride in the reunion parade.

Left to right (back seat): Polly *Pohlson* McCullough, Elizabeth Paschal, Cary *Millholland* Parker
(front seat): Ruth Heller



Elizabeth Paschal, 1995

(Photo taken for the Breast Cancer Survivors Wall of Hope project to promote breast cancer awareness and inspire women who are battling the disease)

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