

RIPON FORUM

DECEMBER, 1971

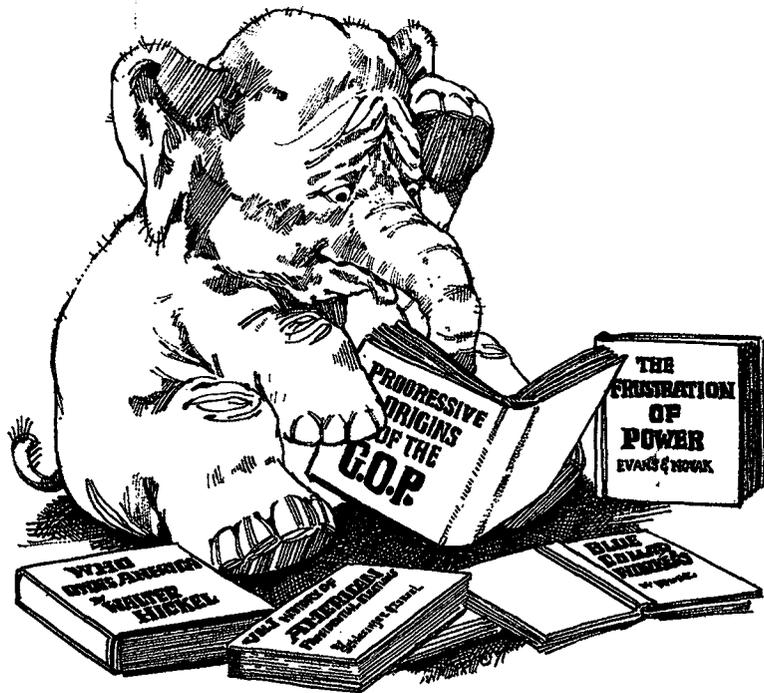
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ONE DOLLAR

Republican

Reading

1971



Reviews by: **A. James Reichley, William J. Kilberg,
Howard Gillette, Jr., Howard L. Reiter**

Also: 1971 Ripon Undergraduate Prize

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EDITORIAL POINTS

FINANCING POLITICS

In recent months there has arisen in American politics a new prohibitionism. Unlike the first, which originated in a mass movement on the fringe of the political order, this campaign finds fervent support within the most sophisticated centers of elite opinion. And its object is not some toxic luxury but what Jesse Unruh has called the very "mothers milk of politics" — private money in political campaigns.

The problem of prohibitionism is *metastasis*: the tendency of the prohibited substance to arise elsewhere in a different and unexpected way. Stringent regulations on the use of private money in politics are unlikely to diminish the influence of the most universally convertible form of power in America. They just require those with money to apply it differently: moving from television to the mails, from the two major parties to minor ones, from prohibited time periods and races to unprohibited ones, from electoral campaigns to registration drives, and from campaign contributions to other perquisites. A case in point is the Presidential campaign financing bill urged by Senators Ted Kennedy and John Pastore, with the encouragement of *New York Times*, the *Washington Post*, Lyndon Johnson, and a constellation of other Democrats. Designed to eliminate the party's 1972 fundraising problems, its real effect would be to shift funds to other related races and to wreck the two party system.

The bill on the surface looks reasonably acceptable: a one dollar tax contribution by every willing American to a fund for the financing of Presidential campaigns. The problem is that third and fourth parties must partake in the bonanza in proportion to their vote totals. This means, to begin with, that Wallace gets a cool \$6 million, and that any charismatic demagogue, ethnic separatist, regional crusader, best selling author, or advertising genius who can find a convenient wave of public sentiment, cresting in an election year, can ride it in and collect from the treasury — and perhaps then, even if the public sentiment has expired, take the ride again four years later on a wave of money. Any candidate, moreover, without wealth and unsure of winning a major nomination, would be a fool to enter primaries. He would immediately set to work, with the help of moralists and speechwriters, to detail the "bankruptcy" of the major parties — and assert that what the country needs at this critical juncture in its history is a new party led by himself.

The proposal was hardly worth consideration. Yet it was an appropriate outcome of the recent national discussion on money in politics. Some of the other specific reforms, supported

by the National Committee for an Effective Congress, are unexceptionable — fuller and more regular disclosure, cheaper and more accessible TV. But the debate took place in an atmosphere of emotional revulsion toward campaigning financing that obscured the deeper realities.

The problem of money in politics can be transmuted but not surmounted by legal technicalities. In Communist countries, as first popularly shown in *The New Class* by Milovan Djilas, this problem is only superficially removed by fusing economic and political power. In the United States economic power is inevitably important to political power but by no means identical. For one thing the two political parties are sufficiently large and broadly based to diffuse the influence of affluent minorities and to mount powerful countervailing campaigns against the demands of special interests.

There is so much money in the society, moreover, that any group with prospects for power can raise funds. Of course the system is not particularly logical; it depends on a variety of personal motivations and crochets. But the fact that political campaigns cost money and are heavily supported by rich people with a stake in political decisions is not exactly a shocking surprise.

The 11 Millionaires

Let us examine some of the more sensational arguments of the reformers. We read on every hand that in the nation's seven largest states in 1970, 11 of the 15 major Senate candidates were millionaires and that the four non-millionaires all lost. This seems genuinely alarming. But before giving up on our democracy as a thinly disguised rule of plutocrats, one should consider the extraordinary number and variety of the American rich. One should consider the significance of money in gaining and symbolizing status in many areas of American society. And one should recognize that as a high risk profession, politics invites men who have achieved some measure of personal security.

It should not be supposed, however, that the 1970 Senatorial elections, even as represented by these 15 candidates in the seven largest states, show a political system accessible only to the rich. Of the four non-millionaires two, George Murphy and Ralph Smith, both enjoyed the advantages of incumbency and equalled or exceeded the spending of their opponents. One, George Sessler in Pennsylvania nearly defeated Minority Leader Hugh Scott despite being heavily outspent. Only Charles Goodell might conceivably have overcome his other problems with more money. Only James Buckley can be seen as a candidate unqualified by previous

public service. Four of the millionaire winners in the seven states — Scott, Hart, Taft and Stevenson — were exceptionally qualified by any standards.

The eighth largest state, moreover, was New Jersey where Nelson Gross vastly outspent Harrison Williams and lost; and the ninth was Florida, where William Cramer hugely outspent the winner Lawton Chiles. In fact a real lesson of 1970 races is discovery of a law of countervailing returns in campaign spending.

Preferable to Yachts

If we conclude that millionaire candidates do not themselves pose a major problem — that in fact on balance our political order has benefited from their participation — the issue of the donations of wealthy men to others comes to the fore. Joseph Califano in the *Washington Post* attempts to stun us with a list of the nation's 46 richest families and their 1968 campaign contributions, which Califano totals as some \$1,700,000, almost all to Republicans. Since total spending was over \$300,000,000, however, this amount does not seem disproportionate. Nor does the similar amount contributed in more bipartisan terms by officers in firms of the Military Industrial complex. In any case the Administration's commitment to an excessive and foolishly apportioned level of military spending is unfortunately a matter of obtuse but deeply held conviction. And the 46 families in general do not bother the recipients of their money; in fact, the political order would be better off if they gave more. It is a great disservice to represent large political contributions as somehow culpable. Why should we not prefer them to the usual investments in yachts and football franchises?

A morality play often cited by the reformers is the drama of Fred Harris' forlorn Presidential campaign. Harris and some charitable journalists would have us believe that the Senator's problems stem from a bold and original populist program for redistributing the nation's wealth. A more realistic, if ungracious analysis would suggest that if Harris — a Senator ducking a difficult primary in his home state — could raise as much as \$250,000 to run for President (almost all from one source, incidentally, a Wall Street banker), then the problem of campaign financing is not as serious as one had supposed. As for the Harris program, George McGovern has adopted most of it already, along with almost every other idea in current fashion on the left (can Muskie be more than six months behind?) and has advocated redistribution of at least several times the nation's wealth, all without either attracting major popular support or estranging his sources of money.

It seems that candidates with truly intense or

wide support can raise money in one way or another. It should not be supposed, however, that either relatively penurious candidates or marginal dark horses or independent and rebellious figures will benefit from extremely stringent spending reforms. It is the poorest and most controversial candidates who have the smallest range of options and flexibility in their fundraising, who often have to depend on relatively small number of key contributors, and who will have the greatest difficulty satisfying more onerous stipulations. If a law were enacted in New York State, prohibiting gubernatorial candidates and their families from spending money on political campaigns and specifying that contributions must be notarized and made in small change from all 78 counties, one somehow guesses that Nelson Rockefeller would be better than Paul O'Dwyer at precipitating the requisite flood of nickles and dimes. Efforts to limit or restrain contributions are more apt to hamper the fundraising efforts of poor than rich, controversial than establishment, independent than corruptible candidates. As a matter of fact, at a time when conservatives dominate the Republican party organization, it may be unwise for progressives unduly to impede the use of outside money for challenges to it.

Focus on Presidents

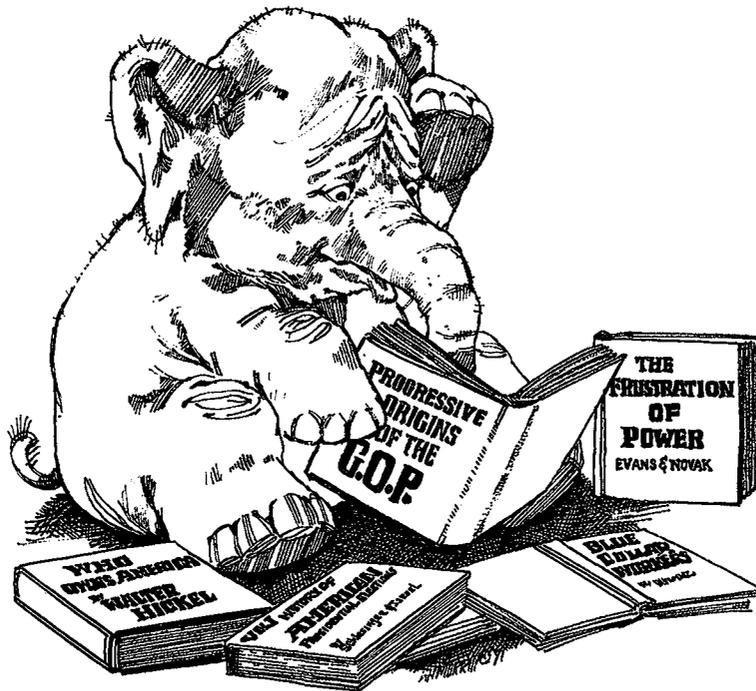
A further problem with many of the recent proposals is their focus on Presidential campaigns. Money in politics plays its most seamy role in the lower level races to which limits on higher races will divert funds. But it should be understood that on this level the most widely employed alternative to fund raising from wealthy constituents is called, in reform circles, a "corrupt political machine."

The role of money in politics is redoubtably complicated. One of the effects is to impose a degree of seriousness on candidates for political office. People who are spending money they have to raise themselves behave very differently from people spending government funds automatically available. Politicians who find fundraising demeaning might consider the degradation of our politics that might attend the emergence of six or seven sectarian parties, often with an interest in sharpening the issues and conflicts in the society and hampering the major party leaders in their necessary work of reconciliation and compromise.

A consideration of the problem of wealth and property in America thus should not start with political parties, which are among our more broadly based and accessible organizations, but with the maldistributive impact of the tax structure and of large bureaucratic institutions, both private and public. We will turn to this question in future issues.

— GEORGE F. GILDER

REPUBLICAN READING 1971



Nixon: The Frustration of Punditry

by A. James Reichley

The Nixon White House, for most of us, has succeeded in remaining almost as inscrutable as the Kremlin. The bits of gossip and inside stories that used to flow into the press during the Kennedy and Johnson administrations have largely disappeared — or have been replaced by items that seem to owe a good deal to journalistic imaginative license. The

leading personalities in the Nixon administration remain vague and unformed in our minds. The Attorney General is a known figure, but what, really are his views, his tastes, his private inclinations? The Vice President has certainly acquired a vivid public image — but can we be sure that the opinions associated with this image have much relationship to the inner man? Haldeman, Ehrlichman, Flanigan, Shultz — they hurry in and out of the corridors of power, but who are they? What do they really think? Can anyone remember which of them at any given moment is reputed to be on top?

Even the President himself, after twenty years of national celebrity, is still as enigmatic to most Amer-

NIXON IN THE WHITE HOUSE
THE FRUSTRATION OF POWER

by Rowland Evans Jr. and Robert D. Novak
Random House, 410 pp., \$8.95

icans as the anonymous companions they face each morning in the commuter cars or elevators on their way to work. To the Nixon haters, he has acquired characteristics of Satanic malevolence and cunning. But for the rest of us, he is as unreadable as the austere family lawyer. We may trust him, but we do not know him. Probably the administration personalities most fully realized in the public mind have been those of Kissinger, Moynihan, and John Connally — the one a former Rockefeller vassal and the other two Democrats!

This relative obscurity has of course to a great extent been intentional. The President, essentially a private man, positively disapproves of exposing much of the inner deliberations of government to public view. He wishes to be judged only by the results he achieves for the country. Letting the public in on how these ends are being pursued — except for an occasional splash of cosmetic television — might seriously and unnecessarily interfere with their fulfillment. Quite naturally, he has gathered around him aides and associates who share this view — or at least are willing to subdue their own inner yearnings for publicity in the interests of holding their positions at court.

But the press has been at fault, too. It is not so much that the Washington press corps is anti-Nixon — though it is — as that it has not bothered to take the trouble to get close to the Nixon men. At the time of his election, Nixon, astonishingly, had around him no body of experienced Washington hands comparable to the crews gathered around Rockefeller or the Kennedys, or the old retainers who comprise the capital's Democratic establishment. His associates from the Eisenhower years, with most of whom his relationship had not been very satisfactory anyhow, were largely over the hill. His campaign, to an amazing degree, had been run by technicians who might be pretty good at putting over a candidate, but had little knowledge of the intricate folkways of Washington politics.

The inner circle of the new administration, therefore, was composed mainly of non-politicians who had proven useful to Nixon at one time or other, or whose name happened to pop up at the Pierre Hotel in New York between the election and the inauguration. These men were of course largely unknown to the Washington journalists, most of whom, after a few stabs at intimacy, fell back on the alibi that the Nixon people were colorless and dull and therefore unreportable — hoping, no doubt, for the day when cocktail parties and tennis courts would once more brim with quotable tidbits about who was knifing whom and what the President really thought of the Secretary of State.

Better, perhaps, than any of their colleagues,

the redoubtable columnist team of Rowland Evans and Robert Novak have pursued the Nixon men into their inmost lairs, and come back with valuable facts. Their daily column, despite the sometimes breathless prose in which it is written, has provided a better guide to what is going on within the administration than any other regularly published source that I know. Their work has perhaps been assisted by the considerable ideological sympathy they seem to feel for the Nixon Republicans. Their criticisms of the administration, which have been many, implicitly call for a more consistent and clearheaded conservatism. But also they have applied with unflagging energy and resourcefulness the rudimentary skills of journalism that get the story, whether in town hall or White House.

Now much of the inside dope that has appeared in the Evans and Novak columns, plus a considerable amount of material that is new at least to me, have been brought together in an exhaustive chronicle of the Nixon presidency to date. They have organized their findings around a theme: Richard Nixon's performance as president, though skillful in some particulars, has been fatally hampered by the lack of a well thought out philosophy of government. As a result, he has had little basis on which to choose between conflicting policies and advisors. Governmental initiatives and programs, in many cases, have been taken up almost by chance, later abruptly abandoned if the political reaction was unfavorable. Nixon's interests and objectives seem almost entirely, in the narrow sense, political. He reaches for votes wherever he can find them, without much thought of developing a general governmental strategy.

The book transcends the style of the Evans and Novak daily column, but it is not without technical imperfections. It is frequently repetitious, and sometimes tells us more than we need to know about the inner joustings at the White House. Particularly in its account of the 1970 campaign, it includes much detail that is already familiar to the ordinary reader of a daily newspaper.

The book's chief shortcoming, however, is that it has been caught in an embarrassing time switch. It purports to be a chronicle of failure — while the Nixon presidency, for the moment at least, has taken on an appearance of success. Evans and Novak set out to relate how the seeds of defeat for this or that policy were sown. Until last summer, that approach seemed plausible enough. Perhaps it soon will again. But, just now, some of the policies whose demise the book diagnoses have suddenly burst forth with new flowers of health. In the long run, Evans and Novak may be shown to have been right enough. At publication, their book's analysis seems awkwardly dated.

From Wallace to Where?

BLUE COLLAR WORKERS
A SYMPOSIUM ON MIDDLE AMERICA

Edited by Sar A. Levitan
McGraw-Hill, 393 pp., \$12.50

Reviewed by
WILLIAM J. KILBERG
Associate Solicitor, U.S. Department of Labor

On May 16, 1968, Richard M. Nixon, candidate for President of the United States, made a radio address to the nation calling for a new political alignment. "Middle America" was to be part of a new Republican majority. The blue collar segment of Middle America did not quite complete the journey to the Republican camp in 1968, however; many stopped off at the Wallace wayside. And in 1970, in spite of a strenuous attempt to attract those Wallace voters to the GOP, according to a National Broadcasting Company poll, only 31 percent of blue-collar workers who voted for a major party candidate voted Republican; 69 percent remained loyal to the Democratic Party.

What happened? Where did the grand Republican strategy to divest the Roosevelt coalition of its most fluid members go wrong? Sar A. Levitan's new book, *Blue Collar Workers: A Symposium on Middle America*, holds some clues.

Levitan, Research Professor of Economics and Director of the Center for Manpower Policy Studies at the George Washington University, has brought together nineteen disparate and disagreeing individuals to discuss "the American working class and to examine the nature of the problems they are sharing." Workers are dissected sociologically, economically and politically. They are hailed as a new American phenomenon and as the successors to a continuing class conflict. The authors agree on no single defini-

tion of "working class" and there is no consensus as to the extent of the alleged "blue collar blues." Some important conclusions may, however, be drawn:

(1) Blue-collar workers do not face an economic "crisis," in that their share of the American economic pie has not shrunk in the past decade; the income tax and social security systems come in for mild attack, but are dismissed as minor alienation-producing factors for blue-collar workers.

(2) There is a restiveness among blue-collar workers resulting from societal changes and unmet expectations. The blue-collar worker may feel less able to cope with these changes than his white-collar and professional counterparts.

(3) This restiveness is reflected most clearly in a shift to the political right and a desire to secure new political alliances; but there is also a growing alienation from the traditional political parties, a desire to vote for the man.

(4) Blue-collar workers display no greater intolerance for minority group members than do other Americans; indeed, the blue-collar group is more receptive to equal employment programs than are most Americans.

In sum: The blue-collar voter finds himself caught in the middle during a period when the nation as a whole is undergoing a reassessment of basic values — in social outlook, economic planning and foreign policy. The blue-collar voter is reacting to these changes by loosening his ties to the Democratic Party, but not necessarily developing new ties to the Republican Party; he increasingly views himself as a political independent.

What must be done to woo this voter into the Republican ranks? One thing is clear: a hard-line, negative appeal will not work. It did not work in 1970; apparently it did not work in 1971 either. The victories of Ralph Perk in Cleveland and Frank Rizzo in Philadelphia are more the result of

ethnic ties than of negative appeals. Kevin White's success in his rematch against Louise Day Hicks in Boston is likewise inconclusive; White had actively appealed to the large Italian vote during his mayoral term and the campaign lacked the issues and fervor of four years ago. Perhaps the most significant victory was that of Henry Howell in Virginia, who ran an anti-establishment "populist" campaign and was elected as an independent.

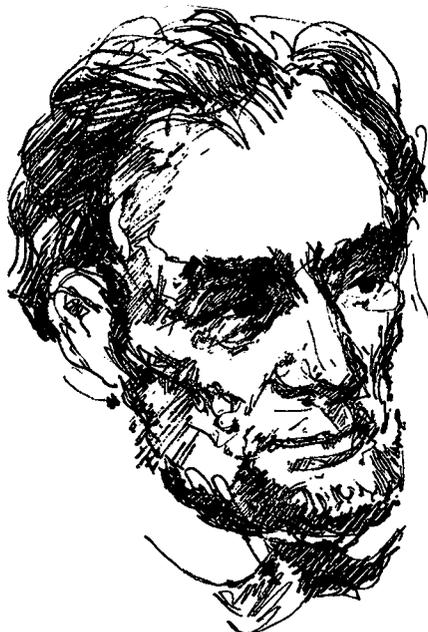
This book leaves no doubt that the blue-collar vote is open to competitive bidding; the worker's feelings of alienation are not irrational, if not clearly economic. As Howard Reiter expresses it: "Too much of the writing about the working class depicts alienation as an irrational, mischievous phenomenon rather than a logical response to a plausible view of political reality. . . . What the worker needs is politicians who will act not like politicians but like statesmen."

This desire for leadership — for an effective spokesman — is pronounced among younger workers, a group only superficially dealt with in this book. It is the younger worker who feels most estranged from his union and is most receptive to new leadership appeals. The failure to deal with young workers as a distinct group is the major failing of an otherwise thorough analysis. Much of the disagreement among the authors centers around the seriousness of the workers' economic plight. A separate analysis of young workers would have made the "economic squeeze" more apparent and the task of drawing up recommended programs easier.

But one thought does come through clearly: blue-collar workers face a leadership crisis. The party which can fill this vacuum in a positive way in 1972 will be the party which wins the blue-collar vote. *Blue Collar Workers* is recommended reading for every Republican candidate in 1972.

A Guide to the Early Republicans

by Howard Gillette, Jr.



Several years ago Kevin Phillips argued in a speech before the Yale Political Union that the South had played a major role in every progressive movement in the history of American politics. To prove his point he cited the Southern bases both of the Populist and New Deal coalitions, forgetting of course ever to mention the formation of the Republican party as evidence contrary to his thesis. Phillips' omission, unfortunately, is all too symptomatic of a party that has practically lost sight of its roots.

As a group which takes its name from the birthplace of the Republican party and whose masthead bears the profile of Abraham Lincoln, Ripon's concern with the past is not merely academic. With the age of Phillips, Clif White and James Buckley we have to ask whether, in fact, we are still in the party of Lincoln.

The early Republicans, we learn from this set of excellent studies of the formative period of party growth, were reformers, responding in large part to the social and economic demands of a society which was rapidly passing from a simple pre-industrial age to the complex urban-industrial society we know today. The party's remarkable rise in strength from its modest beginning in 1854 to a credible national campaign in 1856 revealed just how relevant its ideology was to the mass of voters. For such leaders as Carl Schurz the new party represented nothing less than "the onward march of civilization."

Indeed, according to Eric Foner, the Republi-

cans' anti-slavery drive "was not merely a negative doctrine, an attack on southern slavery and the society built upon it; it was an affirmation of the superiority of the social system of the North — a dynamic, expanding capitalist society whose achievements and destiny were almost wholly the result of the dignity and opportunities which it offered the average working man." Such faith derived from the personal experience of Republican leaders, who having overcome early poverty through self-education, hard work and migration, looked to government activism for assurance that like opportunities would accrue to succeeding generations. "Most (Republicans) had been intimately concerned with the fortunes of fast growing communities in which the rural flavour was still strong, but which depended for their growth upon the resources and skills of a developed capitalist society," W.R. Brock writes in *An American Crisis*. "Expansion, growth, mobility, equal opportunities, and moral certainty were the pivots upon which their personalities turned; personal and public experience led them to the point at which that older, stratified and socially assured society — personified by the Southern gentleman, the poor white and the oppressed black — was utterly repudiated."

Moral and Material Progress

Despite its emphasis on material as well as moral progress, the Republican party did not fall into the clutches of big business. The cast of the party was distinctly hostile to corporations. A common complaint among Republicans, Foner reports, was that of Israel Washburn of Maine who expressed the fear "that the money-power will be too much centralized — that the lands and property of the country in the course of time may come to be held or controlled by a comparatively small number of people." Foner traces the Republican attack on the "Slave Power" back to earlier egalitarian criticism of monopoly control of the banks. Both the banking interests and later Southern aristocrats, Republicans believed, had used the Congress to thwart legislation in support of human needs. "The picture of the South as the enemy of economic progress," Brock writes, "completed the picture of the South as opposed to that government whose object was the betterment of mankind."

With the absence of Southern representatives, Northern Republicans implemented the full course of their legislative program during the war, including the high tariff, free lands through the Homestead Act, land-grant colleges and emancipation. Northern resistance to a rapid restoration of Southern representa-

tion in the Congress stemmed in part from a desire to protect hard-won legislative victories. But, Brock says, it also revolved around the broader question as to whether the South would accept the basis of civilization as valued in the North. The crisis of reconstruction developed when former Democrat Andrew Johnson, clinging to his states' rights philosophy, refused to accept moderate Republican programs to reconstruct the South peaceably. Johnson's vetoes of the Freedmen's Bureau and the Civil Rights bill energized Republican opposition and solidified the party as no previous issues ever had. "Never before had Congress overridden a President on a major political issue," Brock reports, "and there was special gratification in feeling that this had not been done to carry some matter of material interest, such as a tariff, but in the cause of disinterested justice."

The rest of Brock's book documents the tragic transition from moderate civilian to radical military measures for reconstruction, generated under the pressure of the battle between the President and the Congress. By 1870 Radicals appeared to have triumphed in the Congress, and yet as one party leader, George Julien, noted, Republicanism seemed at that point a spent political force. "While the issues of the war were retreating into the past the mercenary element of Republicanism had gradually secured the ascendancy and completely appropriated the Presidency." As an instrument of power — with its efficient organization, attractive slogans and tremendous achievement — the Republican party remained strong, Brock concludes, "but it ceased to be a dynamic party of change and became a highly integrated and successful mechanism for the defense of the existing social structure and the emergent economic order."

Although he focuses on the mass of voters which made up political constituencies rather than on their

leaders, Paul Kleppner's study confirms Brock and Foner's interpretation of the early Republicans as a coalition of reformers "united in support of a political party through which they could use the power of government to impose their canons of behavior upon the broader society." These Republican voters, which Kleppner describes as "pietistic," were as interested in eliminating un-American parochial schools as in abolishing slavery. In fact, Kleppner argues, their religious moralism was more important than any single economic identification, either personally in occupation or broadly in the debate over national economic policy.

Party of Prosperity

The decline in Republican party strength following reconstruction resulted more from a failure to hold moralistic voters, Kleppner says, than any sense of alienation from business ascendancy in the party. The nomination of William Jennings Bryan as the Democratic candidate in 1896 attracted pietistic voters from the Prohibitionist and Populist parties and drew the last ranks of moralists out of the GOP. On the other hand traditional Democrats who had resisted Republican attempts to interfere in their personal lives, particularly Catholics, turned to the party of McKinley, which was no longer, in Kleppner's words, "the agency of rabid evangelical Protestantism that it had been for temperance, sabbatarian and abolitionist crusaders of the 1850's." This "cross of culture" turned the GOP from the "party of piety" to the "party of prosperity."

Kleppner's analysis, which he would never project outside the limits of his data, still appears to support the wisdom of certain Republican strategists, among them Kevin Phillips, who would build a major party around appeals to social and cultural biases which override economic interests.

Such appeals for a modern-day "cross of culture" which would draw Northern Catholics and Southern Protestants into the Republican fold as a solid middle class coalition might actually work if the Democrats limited themselves to the narrowly moralistic doctrine of a modern-day Bryan. But as of the moment the Democrats exemplify too much the success of the party of McKinley, in Kleppner's words, as "an integrative mechanism whose leaders overtly and primarily sought to minimize the latent cultural animosities among its subcoalitional elements in order to broaden its social base of support." As long as the Democratic party manages to cope with its internal inconsistencies, the Republican party had best look to its early history for direction. Instead of remaining a defender of the existing social structure and an economic order which has not yet adapted to post-industrialism, Republicans ought to resume the challenge of their forefathers as agents of a dynamic party of reform.

**FREE SOIL, FREE LABOR, FREE MEN
THE IDEOLOGY OF THE REPUBLICAN
PARTY BEFORE THE CIVIL WAR**

by Eric Foner

Oxford, 336 pp., \$8.50

**AN AMERICAN CRISIS
CONGRESS AND RECONSTRUCTION
1865-1867**

by W. R. Brock

Harper Torchbook (1966), 305 pp., \$2.25

**THE CROSS OF CULTURE:
SOCIAL ANALYSIS OF MIDWESTERN
POLITICS 1850-1900**

by Paul Kleppner

Free Press, 402 pp., \$9.

Carnivals of Buncombe, 1789-1968

by Howard L. Reiter

In the year 1900, Charles Francis Adams, Jr., said of William Jennings Bryan, "He is in one sense scripturally formidable, for he is unquestionably armed with the jaw-bone of an ass." And after the election of 1936, one wag wrote, "If the outcome of this election hasn't taught you Republicans not to meddle in politics, I don't know what will."

Gems like these, provided by a stellar group of historians assembled by the editors, are to be found in Arthur Schlesinger and Fred Israel's four-volume history of the quadrennial scrambles that Mencken called "a carnival of buncombe." The authors of these essays are the cream of American historiography — scholars such as Marcus Cunliffe, Roy Nichols, John Hope Franklin, George Mowry, Arthur Link, and William Leuchtenburg — as well as some of the best of the younger historians — Joel Silbey, David Burner, and Barton Bernstein. For recent elections, we leave the academy to hear from former Presidential aides Malcolm Moos (1956) and Theodore Sorensen (1960), diplomat John Bartlow Martin (1964), and journalist David Broder (1968). Rounding out the book are the full texts of all the party platforms, as well as election statistics, speeches, and assorted documents, from Hamilton's letter urging Washington to consent to become President to Hubert Humphrey's nod to the doves at Salt Lake City. (But where is Gene McCarthy's nominating speech for Stevenson in 1960?) We are also provided with an introduction by Schlesinger and a piece on campaign financing by the nation's leading expert thereon, Herbert Alexander.

None the less, I must confess to some confusion as to the work's purpose. The historians' vignettes are generally first-rate, but they comprise little more than a third of the four-volume work. Presumably few are going to find these four tomes, which are going for a cool \$135, in their Christmas stockings. Apparently the editors wanted to produce a reference work indispensable to every library, but this raises some questions. Why, for example, reprint all those verbose platforms (even the Prohibitionists and Greenbackers get theirs enshrined) when the library is also likely to have Porter and Johnson's *National Party Platforms*? Why fill up 30 pages (more space than most essays got) with a piece of scurrilous anti-Lincoln propagan-

da from the 1864 campaign? Why fill 24 with undigested economic and demographic tables from 1860? Why not give the results of all the elections in percentages as well as raw figures? It sometimes looks as though the authors and editors were influenced by the garbage-can school of historiography, in which *everything* is worthy of inclusion.

Far more serious than these misuses of space is the failure to serve the inquisitive reader who wants to explore the subject further. Incredibly, *there are no footnotes!* I for one would like to know who told the GOP to stop meddling in politics; what Republican Senator called for an American Mussolini in 1932; when and where Joe McCarthy said of Truman, "The son of a bitch ought to be impeached"; and to whom Eisenhower said of McCarthyite Senator William Jenner, "I felt dirty from the touch of the man." More to the point, I would have liked to have had substantiation for some of the troublesome interpretations of events to which every historian is prey. Instead, there are brief bibliographic notes in the fourth volume, which barely scratch the surface and certainly do not reveal the source of many of the facts and allegations.

Well, enough of the format. The major substantive disappointment stems from the fact that most of the significant work on the place of Presidential elections in our political development has come from political scientists, not historians — especially the late V. O. Key and Walter Dean Burnham. Burnham, who is mentioned by several authors (including Schlesinger) but does not appear in the index, has produced a landmark study of the role of the "critical" elections that have helped to realign the electorate, *Critical Elections and the Mainsprings of American Politics* (Norton, 1970).

Schlesinger draws heavily — very heavily — on Burnham for his introductory notes, which attempt to delineate the historical periods that begin with one or more critical elections. This is indeed the proper mission for an historian, to synthesize many discrete events into a coherent overview of the subject. It is perhaps an indication of the state of historiography that a political scientist provided such an overview for Presidential elections.

This is not to say that even with Burnham's help, Schlesinger succeeds at his integrative task. His essay is filled with misinterpretations — our parties were *not* generated by Presidential elections, but by Congressional disputes (see Joseph Charles, *The Origins of the American Party System*); conventions were *not* a democratic innovation, but a decentralizing innova-

HISTORY OF AMERICAN PRESIDENTIAL
ELECTIONS 1789-1968

Arthur M. Schlesinger Jr., Editor

Fred Israel, Associate Editor

Chelsea House, 4 Vol., \$135

tion; the voters did *not* "balance off" Eisenhower with a Democratic Congress, but merely gave his personal popularity its due while retaining their normal Democratic proclivities for lesser races. (Here, Schlesinger relies too heavily on Samuel Lubell.)

Nor do the critical-election authors handle well their responsibility to relate the events of the campaign to longer-range political development. Elting Morrison (1860) spends most of his essay discussing the traditional historian's themes of slavery and the breakup of the Republic; nothing on the new political epoch ushered in by Lincoln's victory. Here, fans of historical debates will be interested: Roy Nichols and Philip Klein (1856) seem to blame the War on the new Republican Party, "without experience or restraint" (yet most of its officeholders were men of considerable experience), while Morrison seems to blame it on the South, nursing an image of a past that never was. He is on shakier ground with his depiction of Lincoln as a fire-breathing abolitionist. Lincoln, in fact, was a very moderate Republican whose abolitionist image derived from his association with other Republicans. (See Don Fehrenbacher, *Prelude to Greatness*.)

Conventional Views

The election of 1896, perhaps the most significant watershed in American history, is treated conventionally by Gilbert Fite. Fite concludes that the election was significant because it (1) destroyed the silver issue, (2) doomed the Populists, and (3) led indirectly to reforms. There is no discussion of the new era in American politics, a time of declining political participation among the lower classes and business control of national policies. For such insights, we must turn to men like Burnham, Gabriel Kolko, Samuel Hays, and Robert Wiebe. Or to Walter LaFeber's essay on 1900, which provides some material on the new political age.

The elections of 1924, 1928, and 1932 provided the Democratic Party with its New Deal majority. David Burner's essay on 1924 (which includes verbatim passages from his *The Politics of Provincialism*) deals with some long-term trends, but his assertion that LaFollette hurt Democrats more than Republicans is contradicted by his data. LaFollette, in fact, served as a rallying-point for disaffected Republican farmers and laborers who would be converted to the New Deal.

Leonard Fuchs, like most historians, treats the 1928 campaign as significant primarily because of the displays of bigotry it provoked. Only at the end does he deal with its real impact, the wooing of ethnic minorities into the Democratic Party.

Frank Freidel deals practically not at all with the new political age ushered in by the election of 1932. Nor does he adequately explain the deal that created the New Deal — the FDR-Garner alliance

at the Democratic convention. Garner agreed to a great extent, because of pressure from William Randolph Hearst, who feared the nomination of old political foe Al Smith or internationalist Newton Baker. And Joe Kennedy served as a go-between. But Freidel neglects Hearst's motives and does not tell how FDR got the phrase "New Deal" (from Moley, via Rosenman — see Richard Oulahan, *The Man Who*). In fact, the best treatment of the New Deal realignment comes from William Leuchtenburg (1936).

The more recent elections may be of most interest to casual readers. The 1948 article by Richard Kirkendall is excellent, and it gives proper treatment to Strom Thurmond's Dixiecrat movement. Either because more historians are on the left than are racists, or because leftism is more interesting intellectually than racism, most historians, in dealing with the minor parties of 1948, spend considerably more time with Henry Wallace's Progressives. But Thurmond polled higher than Wallace, and his campaign had a greater impact on American politics in the long run. Barton Bernstein, one of the best of the revisionist historians, does a generally creditable job on the events of 1952, though spending a bit too much time on what-ever-became-of-the-Henry-Wallaceites.

How do the four non-historians — Moos, Sorensen, Martin, and Broder — fare? I may be accused of favoring non-Democrats, but Moos and Broder cop the honors. Moos should have discussed the Democratic Vice-Presidential nomination (where John Kennedy nearly defeated Kefauver) more, and the Democratic Congressional victory was due not to LBJ and Sam Rayburn but to the electorate's Democratic leanings; Broder might have dealt more with the 1966 elections. But I quibble.

Ted Sorensen apparently thought he had another speech-writing assignment, for his essay on 1960 is long on rhetoric and short on analysis. What were the dimensions and the impact of the 1958 election, which is merely termed "tremendous"? Why not more post-election analysis? How about the background of Lodge's Harlem speech? And why not more about how and why Lyndon Johnson was added to the ticket?

John Bartlow Martin performs a disappointing job on the rollicking events of 1964, beginning with a capsule history of the GOP straight out of Theodore White and highly distorted. His discussion of the California primary is colorful but unilluminating — he never assays why Goldwater won. And his post-election analysis is scanty.

What Schlesinger has provided is a useful source for the casual reader; what is still needed is a work that will set these elections within the framework of the development of American politics, and demonstrate how the critical elections earned that designation. And next time, don't forget the footnotes.

Kennedy's Romantic Futilities

THE SECRET ARMY
THE IRA, 1916-1970

by J. Bowyer Bell

John Day, 384 pp., \$8.95

Reviewed by

DORIS J. WHITE

"Mr. President, I am pleased to join with Sen. Abraham Ribicoff in introducing a Senate Resolution calling for the immediate withdrawal of British troops from Northern Ireland and the establishment of a united Ireland. . . The struggle today in the ghettos of Londonderry and Belfast is the age-old story of oppressed minorities everywhere. . . Tragically, the Government of Great Britain fails to realize that the presence of British troops in Ulster is compounding the violence instead of contributing to peace. . . The conscience of American cannot keep silent when men and women of Ireland are dying.

— Statement by Sen. Edward M. Kennedy, October 20, 1971

Like most Americans with an ounce of Irish blood in them — particularly if joined with Irish spirits and political followers — Senator Kennedy has an easy solution for the Irish problem. Most Americans, however, do not display their passionate ignorance in Senate resolutions.

Senator Kennedy's statement doubtless stirred the heart of many an aging IRA volunteer both here and in Ireland. But fifty years of struggle have not changed the situation in Ulster, and boisterous proclamations from several thousand miles away will not affect the Ulster Protestants or the government at Westminster, the two powers which alone hold the key to peace. By diverting attention from the crucial question of political and social equality for Ulster Catholics to the elusive quest for inclusion of the six counties in a united Ireland — a quest which fifty years of civil war have not brought any closer to realization — Kennedy

has only confused the issue.

The Secret Army provides the kind of background information necessary for a complete understanding of the near hopelessness of the present situation. Unfortunately, however, Bell has managed to transform this saga of one of the most romantic revolutionary movements in modern history into a drab, confusing, complicated and boring collection of names, numbers, dates and events, enlivened only by descriptions of violence and massacre and an occasional spark of humor. Significant men and events tend to get lost as one incident after another tumbles onto the page. Until the relatively brief epilogue Bell nowhere stops for reflection or summation at any length. Only those with a special interest in the subject, therefore — or Senators heady with gaelic *angst* — will find much of this book useful or interesting.

The story begins with the seizure of the General Post Office in Dublin on April 24, 1916. The momentous event, witnessed by "a scant crowd of the curious," was totally unexpected and met with little resistance: "The whole affair reeked of farce."

Overwhelmed by the better organized and equipped British troops, the revolutionaries surrendered five days later. England, preoccupied with the war on the continent, decided to deal with the Irish upstarts in the swiftest and easiest way — mass arrest, mass execution.

Up to this moment, Irish revolutionary republicanism had had a history of failure, martyrdom, bad luck and poor judgment. The revolutionary spirit had been kept alive more by exiled Irish Americans than by any concrete developments at home. Now, with the Dublin rebels safely dead or in prison, the British assumed that the events of that April were simply another chapter in a hopeless chronicle of failure. This was the inauspicious beginning of the IRA's history.

But by a combination of good



luck, British blunders, and a general intensification of nationalist consciousness among all Irishmen, the foundering IRA continued to function after 1916. "A pattern developed . . . : assassination, indignation, retaliation." The brutality and violence escalated on both sides to the point that a whole new generation of Irish martyrs was created during the 20's and 30's, with scarcely a pause to celebrate independence for the South in 1925.

The IRA trod its path of isolated terror, romantic idealism and suicidal resistance for fifty years — its ranks continually depleted by imprisonment, disillusionment, and death; continually replenished by new recruits when economic stagnation, boredom, or British intransigence inspired a new generation to join up.

What did the IRA offer these new men? Aside from the risk of death, "long, long hours after work pedalling through the bleak, wet countryside to meetings sparsely attended or abruptly cancelled . . . small outdoor rallies, too often held in a constant drizzle before an apathetic audience, and smaller indoor protests, too often held in a cold, empty hall before the same old faces." That the IRA survived under these conditions of bad

weather, continual harassment and the disdain of its enemies is a minor miracle.

Recent events, however, have forced a change in the ideology and approach of the Republican army. The patience and endurance of old are virtues irrelevant to the present political needs of the undoubtedly oppressed Catholics in the North. Since the elder Republicans have clung fast to their ancient traditions, a split has appeared between the old, military IRA and the new breed of movement activist typified by Bernadette Devlin (a woman who, by the way, has been grossly misrepresented in the American press as some sort of Bernadine Dohrn of Bogside). Devlin's chief concern has been to work for concrete political and economic advances while preaching toleration.

Bell does not foresee the movement for a united Ireland ever petering out, but one wonders whether he has not become rather infatuated with the colorful revolutionary antiques he spent several years interviewing. He neglects to consider fully the implications of the Ulster Protestants' fanatical allegiance to the Crown. Nonetheless his account of the IRA alone shows that a summary solution of the sort that Kennedy proposes would only provide another sanguinary chapter in a long and bitter story. The Protestants, after all, have been in Ulster for as many centuries as the "Americans" have been on this continent.

Senator Kennedy's call for a united Ireland thus is an attractive idea but futile. His ultimate solution for the Protestants ("Just as DeGaulle opened the arms of France to welcome home those Frenchmen who felt they could not live in a free Algeria, so . . . Britain could open its arms to any Protestants in Ulster who feel they could not live in a united Ireland") suggests, unrealistically, that Dublin could in fact establish its rule

over the Protestant majority in the North.

His call for the withdrawal of British troops however, while imprudent, may yet be vindicated by a creeping British paralysis similar to that which afflicted the U.S. in Vietnam. Perhaps in time enough British soldiers will be killed to convince Westminster, finally, to release its grip and — unless the UN can somehow be induced to intervene — abandon the hapless Ulster Catholics to the brutality of Protestants whipped into a frenzy of fear that they will be ruled by the papists in Dublin. Is this what the Senator has in mind for his long-suffering kin?

Wally Lives!

WHO OWNS AMERICA

by Walter J. Hickel

Prentice Hall, 328 pp., \$6.95

Reviewed by

E. JACK HALL

Who Owns America addresses itself to who has America, who should have America, and how America is being had. And intentionally or not, it is a revealing self-portrait of its author: a talented, guileless man who is so much a populist it is no small wonder that he ever made his way so far in national establishment politics.

After reading *Who Owns America* it is difficult to call this man anything but Wally, for he makes us privy to his every triumph and defeat. In his cornball style we learn how he came to dine on Chicken Delight dressed only in his bath towel the night he was confirmed by the Senate as Secretary of the Interior. In less happy times, we also share his agony of uncertainty during the last days in November 1970 when "backgrounders" on his departure from Interior abounded, and Nixon finally expressed a "mutual lack of confidence."

Hickel's book serves many purposes — as a brief but comprehensive autobiography, as a sketchy treatise on his view of national environmental policy, as a chronicle of his twenty-two months at Interior, and as a vehicle to expound all too weakly his own political weltanschauung. He also unintentionally displays his own shortcomings as a Republican establishment team member.

Throughout the book one gets the feeling that Hickel has more than a slightly inflated sense of the power and influence of his own logic. For example, two days after Nixon's announcement on the Cambodia invasion, Wally said to his staff, "I have to get my thoughts to the President to help him," as if his boss might gratefully embrace his views on Cambodia.

It is apparent that this same naive sense of how the decision process works also contributed to the friction between him and other members of the cabinet and the White House Staff. Hickel always seemed to be bursting with ideas about how to run the economy, how to attack problems of transportation, or how to conduct foreign relations, and we read in his own words how he made sure his ideas were heard.

Although Hickel proudly relates his accomplishments as Secretary of Interior, the more poignant accounts describe his many frustrations with the Nixon administration. From his point of view the Administration, bolstered by its feeling of establishment superiority, hid behind a veil of secrecy, while his own approach was to open the lines of communication with the public at large. Wally and twelve hundred Interior staffers spread out across the nation's campuses on the student-proclaimed Earth Day of April 22, 1970, while the administration unofficially ignored it for such reasons as that it was chosen to be on the same day as Lenin's birthday (as well as Arbor Day).

Although Hickel's literary style is frequently rough and sometimes confusing, he has, perhaps inadvertently, by simply telling his story, made a strong case for more openness, dialogue and decentralization in the conduct of the Presidency.

Nonetheless the book is weak in its final chapters — a condensed series of political propositions which at best hang loosely together. Hickel rambles from describing what he calls "the Searcher," his version of the renaissance political man, all the way to suggesting a sweeping new approach to U.S. foreign policy. Fortunately, however, his living example has proven to be far superior to his attempt to express his ideology in his book.

Interest Group Liberalism

THE POLITICS OF DISORDER
by Theodore J. Lowi
Basic Books, 193 pp., \$6.95

Reviewed by
WILLIAM S. NOBLE

"Running the country through broad grants of authority to administrators is no less irresponsible and undemocratic than running a country through broad grants of authority by the king to his representatives or through divine grants of authority to the king himself." Not historical description, this is part of a political scientist's picture of the United States today. Professor Theodore J. Lowi of the University of Chicago began to delineate his vision of the American dilemma in *The End of Liberalism: Ideology, Policy, and the Crisis of Public Authority* (New York, W. W. Norton & Co. Inc., 1969); now, he continues the disquisition in *The Politics of Disorder*. Dispelling the fog of mystification, Orwellian language, ambitious rhetoric, and plain

lies shrouding our political process, Professor Lowi focuses his attack on our public philosophy of pluralism.

Although socially useful, even productive, pluralism as a principle of government, contends Professor Lowi, justifies a counter-productive decentralization and, by rationalizing delegation of governmental authority, a rule of policy-without-law. Under this ideology, which he aptly calls interest group liberalism, a community group often turns a loosely defined program and federal funds to its own ends, effectively blocking national intent. Non-members receive no voice in community decisions; even rank and file members may not get a say. Nevertheless, interest group liberalism pretends that providing representation to groups is the same as providing it to individuals. Is it? Is wage and salary policy for Phase II being determined democratically by President Nixon's Tripartite Pay Board? The clear answer, according to principles from *The Politics of Disorder*, would be that it is not, and that those who feel it is, have been misled into accepting group representation for themselves.

But Congress has done the most to create the arenas where policy-without-law transacts the nation's business. Under interest group liberalism, which has made delegation of authority its jurisprudence, Congress passes laws conferring large grants of poorly defined authority, which, with few exceptions, go unchallenged by the Supreme Court. The process works, says Professor Lowi, because it is usually backed by a powerful *ménage à trois*: a pressure group, a public agency, and a congressional committee. All three want the latitude of policy-without-law to protect their own special interests. It is already clear that this legislative procedure, unless checked, leads straight to a final tragedy. The odd man out, of course, is the citizen.

Predictably, all this lowers the

credibility and legitimacy of government by committing its coercive power to the enforcement of pressure group policies. It also erodes traditional democratic rights. For, where a citizen sees group membership, connections, or political clout as the only way to get things done, he begins to look on voting, for example, as theater.

In solution to it all, Professor Lowi urges a straightforward return to formal democracy, "juridical democracy," and the rule of law. Recognizing that our system favors any *status quo*, he would use social movements as the best existing alternative to interest group democracy: movements, as he maintains, both provide minority participation and produce social change. He finds that public confrontations, open congressional deliberations, clear findings of unconstitutionality by the Supreme Court for laws enabling broad delegations of authority (revival of the Schechter ruling), along with a tolerance for diversity will all help make more effective laws.

He contends that the university, if it can remain out of mesh with the rest of society will be a good regenerator of constructive disorder and producer of counterbalancing alienation. But, Professor Lowi warns against over-legislating: "In a juridical democracy, chaos is better than a bad program," thereby demonstrating both his faith in the constructive possibilities of disorder and his sense of how much energy, lives, and time have been wasted on the bad ones. It may be questioned, however, whether Lowi's solutions, in all their paradoxical diversity — greater centralization *plus* more disorder; a greater role for social movements, a lesser role for special interests — do not merely restate the continuing problems of U.S. government. Though sweeping and original in formulation, Lowi's ideas, in fact, may be seen to reiterate the familiar dilemmas of freedom and authority.

Political Notes

THE NATION: could Nixon-Connally win?

One meets them everywhere and reads of them frequently: political observers who are sure that Richard Nixon will sweep to reelection with John Connally as his running mate. Some are enthralled with Connally's style; others are convinced that he is the logical culmination of Nixon's alleged Southern strategy. Few, it seems, have seriously examined whether a Nixon-Connally ticket could win.

Joseph Alsop came close in his Washington Post column of November 12, entitled "Nixon's Power Base." He noted that both the Gallup and Harris polls show the President outstripping George Wallace in the Deep South and ahead of all Democratic contenders in the Peripheral South. Connally's presence on the ticket would cement this advantage — worth 147 electoral votes, if we follow Alsop in adding Kentucky and Oklahoma to the old Solid South. We might as well throw in Missouri and Indiana as honorary Southern states. This would leave the President only 98 votes short of an electoral majority.

Unfortunately, Alsop did not consider where these additional votes would come from. Let us first see where they would not come from.

1. New England (37 electoral votes). Vermont and New Hampshire were the only two states in this region to favor Nixon in 1968, and their seven electoral votes are not likely to go Republican if the Democrats nominate a New Englander while the GOP embraces the kind of Texan Yankees blame for their high fuel bills.

2. Democratic carry-over. New York, Pennsylvania, Michigan, Maryland, Minnesota, Washington State, West Virginia, Hawaii, and the District of Columbia went for Humphrey in 1968. They are not likely to switch to Nixon-Connally, which Democratic campaigners could successfully portray as a regionally polarizing, anti-union, anti-minorities, anti-youth, rich man's Protestant ticket. Add 131 electoral votes to the Democrats.

3. Democratic inroads. The same sort of partisan Democratic rhetoric would probably shift Ohio, New Jersey, Wisconsin, Iowa and Oregon into the Democratic column. These five states went for Nixon in 1968, but four of them with margins of less than five percent. If Spiro Agnew graciously withdraws from the ticket, it will be because the 1970 elections and subsequent polls have shown that his strident style alienates moderate middle class people essential to a Republican victory in all these states. Among such voters John Connally has few advantages over Agnew. So add 67 to the Democratic tally, for a subtotal of 235, 35 short of a majority.

What remains for Nixon? Twelve farm, plains and mountain states with 54 electoral votes. John Connally is no great help here since in many of these states the traditional Republican constituency is deeply suspicious of oil, cattle and high finance. But all twelve chose Nixon in 1968 and ten of these were with him

in 1960; they are his old power base, and if farm prices hold, they should be his gain, no matter who is his running mate. To make it a close finish, we should also add six electoral votes from Alaska and Delaware, which gave narrow margins to Nixon in 1968. This brings the Republican subtotal to 232, 38 short of a majority.

Only two states are left: California (45) and Illinois (26). Though California alone is sufficient to give either side a victory, both parties must compete for both states to protect against the inevitable errors and slippages in the subtotals we have projected here. California and Illinois gave Nixon only three percent margins in 1968; the 1970 elections and recent polls suggest they are toss-ups now. In both states, normally Republican, college-educated voters have begun to wander from their party. In 1970 Nixon-Agnew suburbanites voted for Adlai Stevenson III in Illinois and split their tickets to vote for Ronald Reagan and John Tunney in California. Secretary Connally does not now attract these ticket-splitters, and will not unless he becomes undisputed Hero of the New Prosperity. Illinois will be particularly hard to win if the Democrats name a popular Catholic.

At this point, then, we cannot give a Nixon-Connally ticket better than 50-50 odds in either one of the two crucial swing states, which means a less than even chance of winning both, and hence doubtful prospect for victory.



Mr. Nixon, as an incumbent, should try for better odds. If he has succeeded in broadening his base from the plains and mountain states to include much of the South, he doesn't really need a Southern running mate. True, he may not carry the full Solid South by himself (the South has not been solid since Roosevelt-Truman in 1944). The extra electoral votes that a Southern running mate can bring him in the region are too few to compensate for losses elsewhere. He

will have forfeited much of the industrial Midwest and have written off Eastern states like New York and Pennsylvania, which he lost by less than five percent in 1968. John Connally may bring more to the ticket than Spiro Agnew, but neither is a good risk in a close election.

When a television reporter recently asked about his presence on the ticket, Secretary Connally said: "I don't think it is in the cards, I don't think it is something the President will want, I don't think it is something the Republican Party wants to do. I personally have no ambitions."

This statement is reassuring. It shows that among his other gifts the Secretary of the Treasury can add.

ILLINOIS: the polls say Simon

Two independent straw polls taken in November indicate that Governor Richard Ogilvie (R-Illinois) will not be reelected to a second term if his opponent is Democratic Lt. Governor Paul Simon. Joseph Reilly, who has directed a number of political surveys for the *Chicago Sun-Times*, reported in the November 14, 1971 *Sun-Times* that Simon is the choice of 50.4 percent of voters interviewed compared to the 34.1 percent who preferred Ogilvie. The remaining 15.5 percent had no choice.

Surprisingly the state wide statistics revealed that Simon was favored over Ogilvie by downstate and Chicago suburban voters who usually are predominantly Republican. Simon was also strong in Chicago but didn't match the 60 percent standard which is generally necessary if a Democratic candidate is to win statewide.

Ogilvie was leading the other major hopefuls for the Democratic nomination; former U.S. Attorney Thomas Foran, State Auditor Michael Howlett and Daniel Walker. However, each of the Governor's possible opponents benefited from widely expressed anti-Ogilvie sentiments: he has been severely criticized for the imposition of a state income tax and more recently for large cuts in welfare assistance programs.

A second poll published by the *Prairie Farmer* magazine gave Paul Simon almost a 17 percent preference over Ogilvie among southern Illinois farmers. The *Prairie Farmer's* editors were quoted as stating "It is axiomatic that if a Republican candidate for governor does not have substantial support in rural Illinois he is in serious trouble. The record shows it is almost impossible for a Republican to win state office without downstate support."

The Lt. Governor already has been endorsed by the AFL-CIO — which could hardly happen without Mayor Daley's acquiescence.

DELAWARE: no shy incumbent

Delaware's 1972 gubernatorial race is gathering steam well ahead of schedule. In recent months Governor Russell W. Peterson has achieved successes in no-fault insurance and anti-pollutant coastal zoning. But he has been damaged by overestimates of revenue that led to an unexpected deficit and a July special session in which Republican majorities in the General

Assembly were given the odious task of slashing the fiscal 1972 budget. Particularly significant for the 1972 race was militant opposition to school cuts from the education lobby, a group instrumental in Peterson's 1968 victory.

A thorough airing of the fiscal issues was assured when former budget director F. Earl McGinness was fired from his administrative post in the Department of Health and Social Services and announced for the Democratic nomination. A more likely Democratic candidate for the June Convention, however, is Lieutenant Governor Sherman W. Tribbett, who formally announced in September with a broad base of Democratic support.

Threatening the progressive course of Delaware Republicanism are rumblings of discontent with Peterson from within the GOP. House Speaker William L. Frederick has commented that he would be available should Peterson withdraw; and Former Republican Attorney General and interim Governor David P. Buckson, a top vote getter hustled into retirement in the wake of Pete duPont's 1970 rush to Congress, announced his desire to enter the fray even if he had to run as an independent.

Peterson's renomination may be further jeopardized by the return to state activity of Greenville executive John W. Rollins, a longtime Buckson supporter, recently on assignment as chairman of the RNC's simultaneous November fund raising dinners. But having taken the resignations of his Secretaries of State and Finance in September, and lacking the temperament to play the role of shy incumbent, the Governor seems to be preparing for a fight. Within days of Tribbett's announcement, Peterson suggested he was the candidate of special interests — implying that the Minority Leader's opposition to coastal zoning was prompted by Shell Oil Company.

THE NATION: youth should be heard

Those with long memories and a fondness for the back pages of newspapers will recall that last April, the White House held its decennial Conference on Youth. The staff, under the direction of Stephen Hess, did all it could to prevent embarrassing the Administration, from carefully selecting a "cross-section" of American youth as participants to holding it in Estes Park, Colorado, one of our major news capitals. Despite these precautions, the conference produced a series of fairly radical resolutions.

Now the White House has produced the conference report, and once again there is an attempt to obscure the events in Colorado. The vote tabulations are tucked away at the very end, and even there the resolutions being voted on are referred only by title. For example, the group voted 3-1 for "Foreign Relations Recommendation 6.2," which 143 pages earlier is revealed to be a rejection of the Administration's Vietnam policy and a call for total withdrawal by the end of 1971. And it passed "Drugs Recommendation 2.8" by a 2-1 margin, which 248 pages earlier is seen as a call for legalizing marijuana.

When will the Administration stop trying to disguise the fact that even a carefully selected group of young people are calling for basic changes, and should be heard?

NEW JERSEY: A Nixon-Cahill Ticket in 1972?

Tony Imperiale, the pudgy vigilante from Newark's North Ward, tried unsuccessfully to get the Republican nomination this year for the New Jersey State Assembly before running as an independent. So some observers were surprised when Republican Governor William Cahill brusquely declared that the GOP would not deal with Assemblyman-elect Imperiale even if his vote was needed to give Republicans control of the closely divided New Jersey Assembly.

In contrast, State Democratic leaders promptly stated that there would be no problem in making common cause with New Jersey's most prominent white militant. Democratic Chairman Salvatore Bontempo said he had detected "Democratic tendencies" in Imperiale (apparently substantiated by his recent unsuccessful race for Democratic County Committee and his leading role in the Presidential campaign of that well-known registered Democrat, George Wallace). Newark's black Democratic Assemblyman George Richardson derailed the budding entente at least temporarily by promising to bolt if Imperiale was accommodated by the Democrats. None the less, the contrasting reactions of Cahill and Bontempo are symbolic of a fact that has important implications for President Nixon in 1972: the Republican Party in New Jersey, consolidating its moderate suburban strength, is increasingly divorcing itself from Imperiale's back-lash politics and his white ethnic power base.

Conservative Republican optimists saw in Cahill's 1969 landslide victory a foreshadowing of a major realignment of the two parties in the industrial East. Cahill ran up astonishing majorities in traditionally Democratic blue-collar areas, including Hudson County, even as he lagged by comparison in traditionally Republican bedroom communities. In retrospect, however, this success was built less on conservative ideology than the successful exploitation by Cahill, a Catholic, of the parochial school aid issue and pervasive dissatisfaction with 16 years of Democratic control of the State House. One year after Cahill's 500,000 vote victory, Nelson Gross managed to lose by 250,000 votes to the colorless Senator Harrison Williams by queuing after the white ethnic vote with an Agnewesque campaign. He ended up trailing everywhere.

In 1971 the Republicans ran on Cahill's record with a well-funded statewide advertising campaign. Since Cahill's record has been generally progressive and popular, the Democrats could develop no compelling state issues. Acknowledging Cahill's popularity, the Democrats directed their fire at Nixon's economic policies.

The Democrats made substantial gains, especially in conservative blue-collar areas of the industrial counties of Essex, Passaic and Middlesex, in Hudson County, and in the Southernmost part of the state, a conservative, traditionally Republican region which lies South of the Mason-Dixon line.

The analysts had predicted that the GOP was in danger of losing the Senate, whose members are elected at-large from each county. The Assembly — elected from smaller districts — was seen as secure. In the end, however, the GOP easily kept the Senate and had its heaviest losses in the Assembly. In the big diverse counties, the Republicans were generally able to muster enough strength in the outer suburbs and exurbia to elect their countywide tickets, but they lost in the Assembly because recent redistricting had tended to concentrate their moderate suburban constituents into single districts. So, even though the GOP polled a majority of the overall Assembly vote, it lost its majority in the Assembly (pending recounts).

Though Cahill denied that the disappointing elections constituted a vote of confidence in him, the fact is that his strongest supporters were generally successful and the most notable incumbent Republican losers such as Atlantic City's Senator "Hap" Farley, 69, were not closely associated with the Governor.

The machine-oriented Democrats elected in 1971 will bring a conservative coloration to their party. For instance, even before the election, the rightward drift of the Democrats was foreshadowed in Republican Bergen County, where Democratic leaders had begun trying to recruit GOP Sheriff Joseph Job, Imperiale's soul brother, who had run as an independent in the 1970 U.S. Senate campaign, warning that Gross was a dangerous leftwinger.

There is a message in the 1971 returns that President Nixon should heed if he hopes to take New Jersey in 1972 as he narrowly did in 1968. There is a potential Republican majority in the Garden State, but it is based in the progressive suburbs, not among the white ethnics. Nixon cannot do without the support of the progressive suburban swing voters, especially if the Democratic Presidential candidate is a Catholic like Muskie or Kennedy, or if Wallace runs another strong campaign. But Nixon could have it both ways in New Jersey and other big urban-suburban states by choosing a running mate who can attract swing suburbanites with progressive stands on the issues while pulling blue-collar votes with a tough style and strong ethnic appeal. That is why the President might do well to consider a Nixon-Cahill ticket.

INDIANA: The Lugar Landslide

Indianapolis Mayor Richard G. Lugar roared to a stunning victory in municipal balloting November 2, but Republicans had little else to cheer about as a nearly 2-to-1 control of Indiana's 114 city halls was completely reversed. Beginning January 1, Democrats will control 66 local governments, including 20 of the 25 largest cities in the state.

Lugar's shattering 53,797-vote margin (60.5 percent), which was the second-largest Republican victory in the history of Indianapolis-Marion County behind President Eisenhower's 63,000-vote triumph in 1956, was widely viewed as endorsement for recent city-county consolidation. Dubbed "unigov" by the press, this Lugar-backed program — along with busing — was the focus of campaign attacks mounted by the 34-year-old challenger, John F. Neff.

In rolling to victory, Lugar shattered some myths long prevalent in political circles in the capital city. Among them:

— that unigov was necessary for a Republican to be reelected. Lugar carried the "old city" by a greater margin (9,279 for 53.3 percent of the vote) than he had in his first time out.

— that unigov was an attempt to minimize black effectiveness in local politics. With the help of dissident black Democrats who rejected the racist overtones of the Neff campaign, Lugar rolled up 30 percent of the black vote, a feat unequalled by any Republican in Indianapolis since the New Deal.

Non-Polarizing Strategy

— that Republicans can best win by pursuing a "hard line Scammon and Wattenberg strategy." Lugar's middle-of-the-road approach gained him 69 percent of the suburban vote, 30 percent of the black vote, nearly 50 percent of the Catholic vote, almost 50 percent of the union vote, and 80 percent of the Jewish vote. Lugar ran over 12,000 votes ahead of the aggregate vote for the 25 Republican council candidates running in districts throughout the county. One Democrat observer commented, "He's got so many different groups supporting him that he can't even get them into the 'one big tent' — he needs two or three."

The unprecedented win was accomplished with better than a 64 percent turnout, higher than last year's general election, despite the conventional belief that a small turnout helps the GOP. Lugar carried the four at-large councilmen with him, also helping substantially in the victories of 17 of 25 GOP standardbearers in the single-member districts.

Council races which might normally have gone 8-1 or 10-1 Democratic in black areas went 2-1 or

3-1. Mark Bell, a young white attorney running in a heavily black district nearly 12-1 Democrat, garnered almost 40 percent of the vote in a campaign which reflected his drawing power as well as Lugar's.

In the Sixth District race, Republican Stephen West overcame a 2,000-vote 1970 Democratic plurality to edge James Beatty, a prominent local Democrat, former county chairman, and 11th District chairman by 22 votes out of 11,800 cast. Observers note the fact that Lugar worked closely with West to maintain the area as an integrated and viable neighborhood.

Neighborhood Power

These two district races are typical of the all-out effort and the strong candidates fielded by Marion County Republicans. While critics suggested that the unigov system would mean strong centralization of power and dilution of concern for small subareas of the community, the Republican team drew its strength from concern for and attention to the neighborhoods. The leaders of nearly two-thirds of the city's neighborhood associations took the unusual step of endorsing Lugar personally. This strength was also reflected in the Republican ticket, which included Fr. Lawrence Voelker, former president of the United Southside Community Organization and first Catholic priest to be elected to the Indiana General Assembly.

Although the Republicans clearly had the candidates and the issues, credit must also go to the tireless organizational abilities of County Chairman and National Committeeman L. Keith Bulen.

Through it all, however, the Indiana GOP remains badly fragmented, and with the municipal elections out of the way, it would appear the party is more interested in continuing fratricide than in preparing a united party for next year's election. Ironically, one of the targets of some of the factions seems to be Bulen's post as National Committeeman.

Among the Republicans casualties in 1971 were Fort Wayne Mayor Harold Zeis, defeated by Allen County Democratic Chairman and mayoral candidate Ivan Lebamoff after a celebrated visit from John Lindsay; Terre Haute Mayor Leland Larrison; Anderson Mayor Edward Flanagan, defeated by former Lieutenant Governor Robert Rock, unsuccessful 1968 gubernatorial candidate; and John Hooker, beaten in an effort at a third term to Francis X. McCloskey, who had strong support from the 18-to-21 age group attending Indiana University.

Only in Evansville, longtime pillar of Democratic strength, did the Republicans score a strong out-state victory, with Republican Russell Lloyd scoring a surprisingly heavy victory.

RIPON PRIZE ESSAY

New Laws for Farm Workers

by Ruth L. Glushien

I am in favor of giving the agricultural workers every protection, but just now I believe in biting off one mouthful at a time. If we can get this bill through and get it working properly, there will be opportunity later, and I hope soon, to take care of the agricultural workers.

— Representative William Patrick Connery, 1935, commenting on the Wagner Act.

It has been 36 years since the Wagner Act extended federal protection of the right to organize and bargain collectively to workers in interstate commerce. Contrary to Representative Connery's hope, the opportunity "to take care of the agricultural workers" has not yet come. Farm workers still are excluded from coverage under all federal legislation protecting unions. Of 13 states with labor relations acts, only three include farm labor.¹ Farm unions are frequently the target of unfriendly legislation; Idaho and South Dakota, for instance, forbid primary product boycotts and "union solicitation" on private farm property. Colorado forbids agricultural strikes unless 30 days notice is given, 10 days longer than the notice required in industry.

Except for the extension of the Fair Labor Standards Act in 1966, there has been only limited success in securing benefits for farm workers. Present legislation covering busing of migrant workers, licensing of labor contractors, and migrant housing standards is widely acknowledged as inadequate amelioration of the problems of farm workers. The President's Commission on Migratory Labor concluded as early as 1951 that self-organization was "the method by which agricultural workers can best improve their working conditions." The 1960 Democratic platform pledged to extend the "protection of existing labor and social legislation" to farm workers. The Republicans failed to mention coverage under the National Labor Relations Act, but did acknowledge the need for "improvement of job opportunities and working conditions of migratory workers." The 1966 Manpower Report of the President noted that the low income and intermittent employment of agricultural

workers "create a substantial need" for their inclusion in federal labor legislation. In 1967 Labor Secretary W. Willard Wirtz condemned "the consignment of millions of people to poverty while they work to make the rest of us fat — literally. . . ."

What are the merits, thirty-six years later, of extending the principle of collective bargaining to agricultural workers? The Wagner Act stated its policy objectives without shyness. It cited two aims: to quiet industrial strife and to restore equality of bargaining power.

The first policy objective — to reduce industrial strife — is as much needed in agriculture as in industrial business. Certainly unrest can only be multiplied when there is no obligation by either party to bargain.

The NLRA's second objective — to equalize bargaining power between employer and employees — also recommends collective bargaining rights for farm workers. Many of the consolidated corporate farms in Texas and California wield economic power as formidable as large industrial bargainers. In the 25 eastern states 41 percent of corporate farms gross over \$100,000 a year. According to USDL estimates, most hired farm employees are employed on the larger farm units; former Secretary of Labor Shultz has estimated that 48 percent work on farms grossing above \$250,000. Even more formidable as bargaining opponents are the county and state growers associations. It has been common practice, as Carey McWilliams reported in 1939, for these associations to meet in advance of the season and fix among themselves standard wage rates to prevent competition for labor among farm employers which might drive wages up.

The inequality of bargaining size between farm employers and farm workers is accentuated by the difficulty of forming any collective organization at all among field workers. Organizing the migrant workers — who make up 10 percent of the farm labor force — is especially difficult because of their transience.

Even among the farm workers who do not migrate, organizing is hindered by the casual nature of 80 percent of the work force. Only 700,000 of the 3.5 million farm workers are employed more than 150 days a year and over half are housewives and students, who do not depend on farm labor as their prime source of income. Farm workers are dispersed

The 1971 Ripon Undergraduate Prize was awarded to Ruth L. Glushien, a student at Radcliffe College. This article is an abbreviated version of her essay entitled, "Collective Bargaining Legislation for Agricultural Workers."

in unusually isolated groups, preventing discussion of common work problems, needed to develop interest in collective action. In the nonagricultural work force, only 4.5 percent of the workers are employed in shops with fewer than two hired men. Over 59 percent of the agricultural workers are employed in such small groups.

The ethnic homogeneity of regional farm labor markets also makes cohesion difficult for a national farm workers union. Within a homogeneous group, such as the Mexican workers in California, social isolation from the surrounding community may facilitate organization. But in a national union it would be difficult to find leadership acceptable to the West Coast Mexicans, the East Coast blacks, and the New England Caribbean workers.

Inequality Accentuated

Inequality of bargaining power is accentuated when employers have a strong position in the market place. Coverage of farm workers under labor legislation is thus also justified as a sort of counter-balance to decades of federal aid to farm operators. The Commodity Credit Corporation of the U.S. Department of Agriculture now supplies \$4 billion subsidy aid each year to farm operators, yet in general it does not require them to pay a minimum wage to their workers. Only the Sugar Act of 1937 conditions its price support benefits upon payment of a minimum wage. The Federal Employment Service also aids farm employers by placing workers for jobs, (868,000 placements in 1957), yet requires no minimum wage. Such one-sided federal aid would seem to obligate some aid to restoring bargaining equality.

The policy objectives of the National Labor Relations Act would thus seem to have as much urgency in agriculture as in industry. Agricultural laborers also require administrative recourse and an encouraging legislative climate in order to sustain collective organization against disabling conditions. The government's active role in the creation of farm employer's associations in the 1940's, in the importation of foreign agricultural labor and in the subsidization of agricultural production generates some additional obligation to encourage countervailing bargaining power.

But are there special problems in agricultural industry which outbalance the positive need for NLRA coverage? Coverage of farm laborers is often alleged to be inappropriate because:

— No administrative agency such as the National Labor Relations Board could effectively supervise transient seasonal employment.

— Acquiescence to the use of strikes as a bargaining weapon would cause irreparable property damage at harvest.

— Farmers already have a low margin of profit and would be unable to pass on increased labor

costs to the consumer.

— Unionization would adversely affect the interests of the workers themselves by accelerating mechanization.

The criticism of the capacity of the NLRB to supervise transient workers has little merit on the testimony of Labor Board members themselves. In 1967, Ogden Fields, Executive Secretary to the Board, denied that there would be any undue difficulty in supervising agricultural labor.

Dread of harvest-time strikes is a more legitimate fear for farmers. But there is no reason to suppose that establishing a stable bargaining relationship would increase the incidence of strikes. The opportunity to begin negotiations in advance of each season would, in fact, increase the likelihood of settlement. Other industries, such as ladies' garments and automobiles, that have highly vulnerable seasons when designs are completed and ready for production have prospered in bargaining relationships. In any event, if deemed necessary, harvest-time strikes could be prohibited or limited by law, though this would seem unwise since striking is one of the few means by which farm workers can compensate for their lack of bargaining muscle.

The third argument — that farms have an exceptionally low profit margin — does not seem to be true in light of a 1967 Senate report that analyzed the return from investments in farming. Farmers grossing over \$20,000 a year were found to earn from 107 to 167 percent as much as they could have by investing the same capital and labor in another sector. Farms with sales between \$10,000 and \$20,000 achieved returns from 81 to 98 percent as high as alternative employment of the same capital and labor. One must also question whether the larger vertically integrated operations, such as Seabrook or Heinz, really are unable to pass on increased labor costs to purchasers. Though it is probably true that smaller operators are less able to pass on labor costs, unions in other industries have learned to manage their wage demands with enough circumspection to avoid driving their employers out of business. The threat of mechanization would check any wild increase in labor costs on farms large enough to use machinery efficiently.

Some farm worker allies fear that mechanization will prevent even a reasonable increase in wages. Any wage increase won by an agricultural union, it is sometimes thought, would only destroy members' jobs. This has happened on occasion. In the lower Rio Grande Valley in 1960, the rate for cotton picking rose from \$2.05 to \$2.50 per hundredweight, a rise sufficient to make mechanization profitable. In 1960, 30 percent more of the cotton crop was gathered by machine than in 1959. There is a great deal of unused technology in areas other than cotton. The

U.S. Department of Agriculture estimates that if farmers used all presently available technology, the demand for labor would decline by 91 percent in cotton, 82 percent in dairy, and 56 percent in wheat. There has been less progress in the mechanization of soft-skinned fruits and vegetables, but even here it appears that wide mechanization will be possible.

But impending mechanization does not validate the fourth objection to the extension of collective bargaining, which contends that farm unions would either destroy jobs or else provide no benefits to their members. No agricultural union would deliberately bid its members' jobs out of existence unless its leadership were entirely divorced from the interests of most of its members. Certainly elected leadership will be at least as concerned as the self-appointed crew leaders with a successful adjustment to mechanization. Besides, it has not been shown that labor costs in all crops are already as high as possible without making mechanization profitable. There are numerous fringe areas, apart from wages, in which a union could effectively improve its members' conditions without affecting growers' costs adversely. For migrants, a union might seek improvement in crew leader relations, working conditions, and sanitary facilities. For instance, a contract signed on April 1, 1970 between Cesar Chavez's United Farm-workers Union and the David Freeman Ranch in California raised the wages of grape pickers by only 22 cents per hour including fringes, but included other contract provisions making the settlement important. It banned the use of chlorinated hydrocarbon pesticides, such as DDT, DDE, and Aldrin, which are cumulatively toxic to workers handling sprayed fruit. The contract also required that a union member be paid for four hours work if he shows up in the morning, thus preventing the grower from soliciting more workers than he has work for.

It would seem that none of the four objections to the extension of collective bargaining protection to agriculture is valid. Of alternative proposals for coverage, then, which is best designed for agriculture?

Extend Taft-Hartley

The most obvious proposal for covering farm labor is simply to delete the exemption of "agricultural laborers" from current labor laws and include farmworkers under the Taft-Hartley Act. This would extend to farmworkers the right to have the National Labor Relations Board determine proper unit size, conduct secret elections for a collective bargaining representative, and require employers to bargain in good faith. Two special features unique to the construction industry would be appropriate in agricultural coverage. A union could be recognized without a certifying election and a contract agreement be reached prior to hiring. Union membership would become compulsory after only 7 days employment, instead of

the customary 30 days.

Until 1969 farm labor organizations seemed to be well satisfied with this proposal. But in April, 1969, Cesar Chavez stunned many liberals by announcing that the AFL-CIO United Farm-workers was opposed to the extension of the Taft-Hartley Act. The union argued that it would be worse off under the act than outside it. "Coverage under the present NLRA would not give us the needed economic power and it would take away what little we have," Chavez claimed. The only economic power the union possesses, according to Chavez, is the secondary boycott. The boycott of stores handling disputed crops won nine contracts with wine grape growers, California table grape contracts, and several with lettuce growers who signed "sweetheart" contracts with the Teamsters. The Taft-Hartley Act would outlaw continuation of the boycott and also would forbid the union from engaging in jurisdictional picketing if the growers signed up with company unions or the Teamsters.

Chavez' Special Provisions

Chavez asked instead for legislation "along the lines of the original Wagner Act." Specifically, Chavez asked for exemption for farm unions from:

- 1) the Taft-Hartley ban on secondary boycotts.
- 2) the Taft-Hartley ban on recognition picketing.
- 3) Taft-Hartley section 14(b) which makes state "right-to-work" laws operative on all commerce originating in the state.

Chavez also asked that it be made an unfair labor practice "for any grower to employ anyone during a strike or lockout who has not actually established a permanent residence in the United States" — that is, the Mexican "green-carders" who are permitted to enter the United States upon certification of their intent to become permanent citizens. Chavez justifies such special treatment by noting that unionization of other unskilled and semi-skilled workers in industry took place in a more solicitous climate than the present one. "We too need our decent period of time," Chavez has noted, "to develop and grow strong under the life-giving sun of a favorable public policy which affirmatively favors the growth of farm unionism."

Former Labor Secretary Shultz made a third proposal in 1969 in testimony before the Senate Labor Subcommittee. Shultz would extend Taft-Hartley coverage to farm workers with several major changes. A Farm Labor Board — appointed by the Agriculture Department — would interpret the law, unbound by NLRB precedent. This Farm Board would conduct elections for bargaining agents among the farm workers and would adjudicate all unfair labor practices. In addition, Shultz sharply criticized the use of boycotts "directed against an employer's merchandise in order to get a union contract," implying that his plan would

include a ban on primary as well as secondary boycotts.

The major innovation of the Shultz plan is the proposal for a 30 day ban on agricultural strikes in exchange for employer compliance with the recommendations of a federally appointed factfinder.

The most conservative proposal has been made by former Senator George Murphy, who would outlaw all strikes dangerous to the production of a crop (in practice, at harvest and planting). Murphy would establish an Agricultural Labor Board, as in the Shultz proposal, to conduct elections and find unfair labor practices. In addition, Murphy would forbid all secondary boycotts and even primary boycotts.

These four proposals raise a number of common questions:

— What is the proper limit to the government's involvement in the substantive matters of bargaining?

— In which body — the Department of Agriculture (via an appointed Farm Labor Board) or the NLRB — is jurisdiction properly placed for conducting elections, adjudicating unfair labor practices, and undertaking fact-finding and recommendations for settlement?

— Is a ban on agricultural strikes justified during harvest period or Shultz's critical periods?

— Should the present Taft-Hartley ban on secondary boycotts be changed to allow farm labor to use the tactic, or should both primary and secondary boycotts be prohibited?

Federal Imposition

It does not seem justifiable to have the federal government intervene in agricultural disputes with substantive "recommendations" for settlement whenever invited by the party threatened with strikes or lockout. "Compulsory" terms of settlement are presently used in no other industry on a regular basis. Even in strikes that threaten national health and safety, substantive settlements are imposed only rarely and then through ad hoc legislation. Shultz's proposal for unilaterally binding arbitration would thus invoke extraordinary governmental powers in an area not clearly of federal concern. In addition, if intervention were forthcoming, real bargaining could well be delayed until after "recommendations" were invoked. The party with the greater prospect of favorable recommendations might well resort to the fact-finding period before considering a private settlement.

Denying the NLRB its traditional jurisdiction over elections and unfair labor practice disputes also seems doubtful policy. The wide experience of the NLRB in handling migratory and seasonal industries would be valuable in handling agricultural disputes. In any case, the Department of Agriculture is not a suitable substitute body. To successfully manage disputes, an arbiter should have the trust of both labor and management. The argument for impartiality mil-

itates equally against giving the Department of Agriculture control over any part of farm labor collective bargaining. The Department of Agriculture has often been accused of favoring the needs of large growers. This need not be a deprecating observation, since the USDA was designed to serve a constituency of farmers. It casts doubt, however, on the Department's ability to adjudicate impartially between growers and farm workers. The better alternative would be inclusion of agriculture under NLRB jurisdiction, perhaps with a separate General Counsel for Agriculture appointed by the President.

Harvest Time Strikes

The third controversy is the admissibility of harvest-time strikes. Since the Shultz and Murphy proposals would ban secondary boycotts, one could approach cautiously the prospect of limiting the other economic weapons of farm unions. It should be noted at the outset that in no private industry are strikes presently prohibited on grounds that they will work economic hardship on the *employer*. Yet strikes in businesses covered under NLRA can come at extremely inconvenient times without legal prohibition, when new automobile models are ready on the production line or when department stores face Christmas. Even industries that deal in the same perishable commodities, such as canning, are without special protection. The Supreme Court has held that the hardship of a harvest-time strike was not sufficient to justify *judicial* injunction against farm walk-outs.² Similar restraint in injunction by legislation would seem advisable until farm organizations can prove the disproportionate hardship of harvest-time strikes.

Harvest-time strikes have not been part of the farm workers organizing strategy so far, of course; all contacts with wine and table grape growers were secured through secondary boycotts. But if boycotts were illegal, it is hard to see what other weapon besides strikes would be left to farm unions to secure contracts. Farm employers can replace unskilled field workers with ease, making the success of any agricultural strike problematical. To restrict strikes to non-critical periods or to delay them 30 days would destroy their efficacy altogether.³

In light of the government's obligation to restore some bargaining equality to agriculture, the hardship of harvest-time strikes does not seem to outweigh the importance to farm unions of an unlimited right to strike. A ban or restriction on agricultural strikes — such as Murphy or Shultz propose — would not be justified.

Shultz's suggestion of a ban on primary boycotts would not be wise legislation either, for it is of doubtful constitutionality. There is no "innocent party" injured by the tactic and it is extremely hard to differentiate the promotion of a boycott from the pro-

tected exercise of speech and press. The widest ban that would probably stand up is a ban on picketing in support of a primary boycott.

The question of secondary boycotts is less easily disposed of, for any bill that includes an exemption for farm labor from the Taft-Hartley ban is liable to be defeated in toto. Chavez has some justification for demanding exemption from the boycott ban, for the growth of the CIO unions did take place in a warmer climate than the 1947 act. From their experience in the last few years, the UFWOC might well conclude that boycotts are more effective than striking. Boycotting won all the current wine grape, table grape, and lettuce contracts of the United Farm Workers Organizing Committee. The table grape boycott inflicted a \$5 million loss on the Coachella Valley. Chavez thus can justifiably argue that the NLRA's good faith bargaining requirement would not outweigh the cost of the ban on secondary boycotts.

Strike or Boycott?

Nonetheless, Chavez is overestimating the long-range efficacy of the boycott weapon. Even in grapes, effective use of the boycott has grown more complex as selected ranchers settle, for Chavez must now exempt union employers from boycott if the other growers are to see any advantage in negotiating a contract. It will be even harder to use a boycott on crops whose origin is not so obvious as grapes and lettuce: who knows where his cauliflower was grown or by whom? Though the strike may not have been the most efficient weapon in Chavez's past experience, there has never been a chance to test the extent to which growers will evade settlement once forced to bargain. A few contracts in other groups have been won without the boycott weapon. The Farmworker's Organizing Committee of Northern Ohio — an outfit independent of the AFL-CIO and Chavez — won 23 contracts with small tomato farms in Lucas County after a two day strike in 1968. Obreros Unidos — an independent group in Madison, Wisconsin led by Manuel Salas — won an election for recognition in 1967 under that state's baby Wagner Act and negotiated a contract. It is possible that the NLRB will interpret "good faith bargaining" in a way stringent enough to prevent the year-round stall that Chavez fears.

Between extension of the original Wagner Act, proposed by Chavez, and inclusion of farm workers under the Taft-Hartley Act, which should be preferred? As noted before, Chavez is probably overestimating the advantage of retaining secondary boycott rights. Though the Taft-Hartley Act does outlaw secondary boycotts, it preserves the equally important rights of unit determination, secret elections for representation, and good faith bargaining.

Essentially the choice is between Taft-Hartley Act extension or no collective bargaining legislation

at all. There is no real chance of securing the original Wagner Act for farm workers, when the less generous proposal for Taft-Hartley extension has been stalled for years. If the Senate will not grant farm workers the same protection as other unions, it will hardly grant them special advantages. If farm worker allies attempt to accord them the original Wagner Act on grounds that they never had their "place in the sun," overwhelming opposition would be forthcoming from employers in textiles and other non-union industries in the South and elsewhere who fear similar Wagner Act extensions. The only long range workable measure for encouraging organization among farm workers is the inclusion of farm workers under the Taft-Hartley Act.

FOOTNOTES

- 1 Kansas, Puerto Rico, and Wisconsin include farm labor in collective bargaining legislation. Hawaii seems also to include farm labor, for its statute specifically excludes milk handlers.
- 2 In a 1953 strike of 2000 sugar cane workers in Louisiana, Judge J. Louis Watkins of Terrebone Parish enjoined the strike (as did other parish judges) because "a preventive to serious property losses transcends for the moment any right the defendants might have. . . ." The Louisiana Supreme Court upheld the injunction a year later, explaining that the "guarantees of freedom of speech, even if picketing and speech are held to be identical, cannot be maintained in the face of such irreparable damage to property. . . ." In 1955, however, the Supreme Court dismissed the lower court injunction. *Godschaux Sugars, Inc. v. Chaisson*, 78 So. 2d 673 (La. 1955), *vacated and remanded sub nom. Chaisson v. Southcoast Corp.*, 350 U.S. 899 (1955).
- 3 The Shultz 30 day fact-finding period amounts in practice to little more than a total ban on agricultural strikes. There is a slim chance of a successful strike if an employer can interrupt the stoppage at the very time when it begins to cause him damage. According to Shultz's statement before the Senate Labor Committee, a grower could invoke the 30 day moratorium at any time within a "reasonable period," defining reasonable as "not 1 1/2 years away." In many crops, the 30 days period would be enough time to complete the planting or harvesting. The President's Commission on Migratory Labor notes, for instance, that there are about 20 days of intensive employment in North Carolina potatoes, 20 days in Michigan peaches, 45 days in Ohio and Indiana tomatoes.

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Washington Viewpoint

Knee Jerk Partisans

In late October, the Americans for Democratic Action "revealed . . . that 40 conservative congressmen (30 Republicans and 10 Democrats) can be defeated by the newly enfranchised college students in their district." The ADA also stated that it was heavily involved in registering college students for these electoral coups. Incredibly — or perhaps predictably — the ADA's list of "conservatives" marked for oblivion included Republicans Marvin Esch, Bill Frenzel and Fred Schwengel.

Implicit in the press statement was the ADA's aim of electing liberal Democrats in each of these 40 districts with large student populations; the liberal challengers were to defeat the conservative Democrats in the Democratic primary while the Republican incumbents were to be challenged only in the general election. Thus it was clear that the ADA intended to register students as Democrats, and to encourage them to vote Democratic in the general election.

Apparently it was inconceivable to the ADA leadership that it could "liberalize" the 93rd Congress by helping progressive Republicans replace conservatives from either party. No, it would never occur to the ADA to register Ohio State students as Republicans to provide a progressive base for a more moderate candidate to challenge Samuel Devine in the 12th District primary — even though the Columbus, Ohio district is so Republican that it gave Devine 58 percent of the vote in November 1970 and hasn't sent a Democrat to Congress since 1936. Nor, it appears, would the ADA ever stoop to support a Republican in the general election against, for example, Louise Day Hicks if the Congresswoman makes it past the ADA's liberal primary challenger in her new half-suburban district. No, the ADA doesn't think that way.

Fred Schwengel and Robert Drinan (D.-Mass.) were perhaps the two Congressmen who assumed the biggest leadership role for November's liberal *cause celebre*: defeating the prayer amendment. Drinan's stand didn't hurt him with his liberal suburban constituency, but in rural Iowa, Schwengel's outspoken leadership role won't be received as warmly. Still, Drinan remains an ADA hero, while students are registered to unseat Schwengel. Incidentally, in the 91st Congress (1969-70), Schwengel voted for the Family Assistance Welfare Reform, and the Philadelphia Plan (to eliminate racial discrimination in federal construction projects) and against the SST and the War. It is easy to see why the ADA wants him knocked off.

The same can't be said about Bill Frenzel,

since he has only been in Congress since last January. Nevertheless, the GOP freshman from Minnesota has established himself as something of a Congressional expert on campaign reform. As of this writing, three campaign reform bills have been reported out of committee onto the floor of the House. At this late hour of the 92nd's first session, the one most likely to become law is the bill that has already been approved by the Senate. And while everyone else was worrying about the other two, Frenzel somehow got the Senate-passed bill out of the Rules Committee. But when was the ADA ever concerned about effectiveness?

Like Schwengel, Marvin Esch of Michigan has voted for Family Assistance and the Philadelphia Plan, and against the SST and the War. Esch has introduced his own amendment for a fixed-deadline in Southeast Asia with provisions for economic (not military) assistance after American troops withdraw. On the domestic side, he has been a major advocate of manpower (employment) reform, and of day-care and child development legislation. Esch was the co-author of a Manpower Development bill providing public service employment with preference for Vietnam veterans. Still, Esch represents the University of Michigan student body, and that naturally intrigues ADA strategists looking for a target.

Knee-jerk liberal Democrats have a habit of promoting to the rank of public idol anyone who speaks out compassionately for each and every liberal cause. And the more passionate the rhetoric, the higher the pedestal. In contrast, there appears to be an almost cavalier disinterest in any certified liberal's capacity to realize his lofty objectives.

This attitude often squeezes political leaders in a liberal-conservative popularity vice. Richard Nixon, for example, is under constant attack from the right, for conservatives believe that they have only the Presidential — and Vice Presidential — rhetoric while the liberals control Nixon's policy initiatives, particularly welfare reform. At the same time, liberals focus their attention on Nixon's hard-hat slogans, rarely bothering to recognize or support his much beleaguered Family Assistance Plan.

Naturally, it is easy to understand why liberals would prefer someone like ADA founder Hubert Humphrey to Richard Nixon. After all, during 1971 Humphrey has been publicly recorded as favoring all the right liberal causes: the SST, Frank Rizzo's election as mayor of Philadelphia, Mayor Daley's constructive role in 1968 and Lester Maddox's rightful place in the Democratic Party.

ROBERT D. BEHN