

THE STATE OF THE UNION

THE TEACHERS' UNION

BY GERTRUDE DIAMANT

New York City

ON JUNE 8, 1934, 1500 teachers employed in the public schools of New York City gathered at a call of the Teachers' Union to protest the Board of Education's campaign against academic freedom, and the persecution and repression of militant teachers. In a profession notoriously unpoliticized and passive, this represented a mass turnout. The immediate occasion for the meeting was to discuss the cases of four teachers brought up on charges, and to organize plans for their defence. A unanimous vote was taken for the right of teachers to hold their own political views. Resolutions were also passed, calling for the reinstatement of all teachers brought up on charges, and condemning Superintendent Campbell's pronouncement on the ousting of teachers who hold radical views.

Not since the era of suppression during the World War, and the period of Luskism, has there been a drive against academic freedom and the rights of teachers as citizens comparable to the present. The nation-wide attack on education has expressed itself not only in retrenchment programs that bring the state of American education to a level lower than education in the poorest European countries, but also in repressive measures that amount to a reign of terror in the public schools. A spectre is haunting the schools, the spectre of radicalism. In his last annual report as Superintendent of Schools, Dr. O'Shea said:

The radical group has slowly grown in number by the accession of young teachers of like temperament, who find in the destruction of established customs and principles, keen satisfaction. . . . No teacher who ardently holds an extreme view can avoid injecting it into his teaching. A sneer, an intonation of voice, an imperceptible gesture, a one-sided presentation, will carry their meaning to the impressionable children in the class.

Answering an inquiry about the case of a teacher under charges, the Board of Superintendents went on record to the effect that:

There rests upon every teacher in the employ of the Board of Education a duty to defend the Board against unfounded, wild and reckless statements . . . [The teacher] made no protest against these statements. Quite the contrary. She joined in a denunciation of the Board of Education, and she urged the audience to take part in mass action against the Board. Her failure to protest, and her attacks upon the Board, were acts of disloyalty to the educational system. The Board of Education may not be subjected to attacks by one of its employés.

According to these statements every teacher must watch her facial expressions while teaching, lest an unconscious lift of the eyebrow or curve of the lips give her lessons a profound Marxian twist. And any teacher—as pointed out by the American Civil Liberties Union—who was ever present at a meeting during the last mayoralty campaign, when LaGuardia commented unfavorably on the administration of city departments (including education) was guilty of disloyalty, and deserving of punishment.

Teachers who demand their rights, according to Dr. Schlockow, district superintendent, are "a dissentious minority, deficient in good manners and in temperateness of speech," and seeking "to inject into the schools, among other things, the Marxian class struggle." To achieve this, the group "foments dissension among different service groups, and attempts to erect an artificial barrier between supervisors and teachers,—the horrible oppressors and the innocent victims—a ludicrous analogue of the economic class distinction between capitalist and proletarian."

On the ostensible charges of incompetence, lack of coöperation, disloyalty to the principal, etc., teachers have been persecuted for activity on salary committees, organization work among unemployed teachers, defending the rights of victimized colleagues, and rousing public opinion against the inhuman conditions of crowding in the schools. The academic peonage of teachers was recently illustrated in a vivid form by the case of two substitutes in Brooklyn. "They should not," said Dr. O'Shea, "have gone out parading through the street and arousing the ire of people against their employers." When reminded that parades are an American institution, Dr. O'Shea replied: "Not for teachers."

This drive against academic freedom is opposed by the Teachers' Union with a campaign that seeks to educate teachers about their rights, to train them away from their time-honored passivity, and to promote such legislation and amendments to the Board of Education's by-laws as will raise the status of teachers to that of all free-born American citizens. The Union raises the question: Are teachers citizens? And it points out that according to the proposed Moffat Charter Revision Bill (recently defeated) they are not. This bill would have provided that:

No officer or employé of the city . . . appointed from the classified service and not in the exempt class . . . shall make any subscription or contribution to any political party committee or organization . . . No such employé shall serve as a member of a committee of any such organization, or take part in a political campaign . . . or act as a worker in favor of or in opposition to any candidate for public office, party nomination, or party position.

At a meeting of its Delegate Assembly in May, 1933, the Union attacked the whole procedure by which a teacher's case is tried, and passed resolutions calling for a complete revision of the rulings that now govern a teacher's hearing. Under the present regulations the hearing is held behind closed doors. The teacher is denied both the right of friendly help, and the right of counsel, and may not have a stenographer of his own choosing present to take an accurate and impartial record of his trial. He is subjected to a form of inquisition that has no parallel in American public institutions. The Union demands that henceforth teachers receive a statement in writing of the purpose of the hearing, and a stay of one week in which to prepare a defence; that they be permitted advice of counsel, and the right, if they so desire, to have their own stenographer present to make a transcript of the proceedings; and that all hearings be public, and limited to the discussion of the charges preferred. In the Feld Bill, which was introduced in the State Legislature in March, 1933, but which failed of adoption, the Union also attempted to secure for teachers the right of appeal to the Supreme Court from the decision of the State Commissioner of Education, whose verdict on dismissal is now final.

Other points of attack by the Union are those provisions in the State Education Laws and the by-laws of the Board of Edu-

cation which serve to abrogate the right of free speech. These statutes, while seeming to give ample protection to the teacher's tenure, contain two elastic clauses that may be used as a basis for intimidation and dismissal. The first of these clauses is Article 20 of the State Education Laws, calling for the removal of any teacher who is guilty of "the utterance of any treasonable word or words, or the doing of any treasonable or seditious act or acts." This is tantamount to vesting the Board of Education with powers of policing and defence, functions that pertain legally to the Federal and State authorities. In this connection the Union opposed the recently vetoed Ives Bill, which would have required an oath of loyalty from all teachers, on the ground that such an oath would become the implement for gagging the teachers and promoting a reign of terrorist espionage in the schools. Some seven hundred teachers (later branded in a New York *American* editorial as "protestants who must be Communists, enemies of social order, enemies of the country") petitioned against the passing of the bill.

The second elastic clause condemned by the Union is section 40, 2C of the Board of Education by-laws, providing that the Board shall hear and determine charges against any teacher found guilty of "conduct unbecoming his position." Because of the questionable uses to which this indefinite phrase may lend itself,—consider that at one time smoking by women teachers was considered "unbecoming conduct"—the Union demands its excision from the by-laws.

The Teachers' Union of the City of New York, organized in 1916 as Local 5 of the American Federation of Teachers, a member of the American Federation of Labor, differs from all other teacher groups in that it is the only teachers' organization

affiliated with the labor movement. Its program at the time of its organization was to fight for academic freedom, for economic justice for the teacher, security of tenure and sound pension laws. During the war hysteria of 1917-1918—the period of the Union's greatest militancy—it defended those teachers dismissed from the city schools on charges of disloyalty. It has sought in the past to stand between the parents and teachers, and those business interests in the community that masquerade as cultural movements.

In 1924 the Union was the first teachers' organization to call public attention to the objectionable character of the saber-rattling and chauvinistic American Education Week program—a product jointly of the United States Bureau of Education, the National Education Association, and the American Legion. In 1926 the Union enlisted the aid of the American Federation of Labor in opposing the militaristic possibilities incorporated in the National Education Association bill for organizing a Federal Department of Education. When the National Association of Manufacturers issued an "educational program" relating to the employment of children, the Union exposed the program as a drive against the child labor laws in all progressive States. Within the last half year the Union has opposed the Brownell Bill, which would have placed New York City teachers under local control, and the Board of Alderman's Residence Ordinance, requiring residence within the city limits of all city employes. It has circulated a petition for 300,000 signatures, calling for a special session of the Legislature to provide full State aid for education. It has proposed the nationalization of banks and credits, approved the Wagner Senate bill on section 7a of the N.R.A., the Costigan-Wagner anti-lynching bill, and the Wagner-

Lewis Unemployment Insurance Bill. A more radical bill, HR 7598, for workers' control of unemployment insurance, it approved only in principle, as a basis for social insurance.

The militancy of the Union has declined steadily since the war, and the action of its leaders seems now aimed to confuse the teachers, and to prevent a genuine defence of the schools. The present official policy of the Union is to rely on legislative lobbying to achieve its ends; but there is a strong rank and file minority that opposes the leadership, calling for a more effective program, and for militant mass action. As a result of this rank and file opposition a situation has developed within the Union that forms an interesting parallel to the supposed relationship between the Union and the Board of Education. In spite of the Union leaders' avowed insurgency toward the red-baiting campaign of the Board of Education, they have stigmatized the rank and file opposition within their own ranks as the activity of left-wing radicals, and have made rank and file members the object of their own campaign of red-baiting and victimization.

In the *Daily News* for May 30, 1934, a prominent Union official, apparently seeking to repudiate a part of the Union membership, pointed out that "possibly there are a few dozen, or even a score of teachers, who are Communists. The Unemployed Teachers' Association, and the class-room teacher groups comprise most of these left-wing people, some of whom belong to our Union. Their leaders are undoubted radicals. But all step softly in the class-room. We've no evidence that they take advantage of their position before the children." This was the same Union official who, a year ago, wrote in the *American Teacher* that "from the House of Morgan in the economic field to the Com-

munist movement in the political field, and the immersion of the race in crime in our great cities, we have a degradation of the mind of men that is the most appalling of all possible problems in public education."

The rank and file regards the red-hysteria within the Union as a smoke-screen behind which the Union leaders are trying to hide the ineffectiveness of their recent salary fight. On April 10, 1933, the passage of the Economy Bill by the State Legislature gave the teachers a wage-cut of 8% through the payless furlough plan. The different courses of action taken by the rank and file and the leaders during the four months of opposition that preceded the passing of the bill vividly dramatized their different policies, and exposed the leadership's logic of repeatedly accepting the lesser of two evils, and regarding this as a victory.

Before the mayoralty election, the rank and file pointed out that salary cuts were an inevitable outcome of the city's four-year agreement with the bankers. Repeated motions by the rank and file to demand the repudiation of the four-year plan were voted down, on the ground that evil as the agreement was, its repudiation might mean no checks at all—an attitude encouraging the acceptance of pay-cuts and furloughs inherent in the plan, as the lesser evil to the payless pay-day. Rank and file proposals that a delegation of teachers go to Albany, and that the Board of Estimate hold an open hearing on the budget, when parents and teachers could attend, received only vacillating and ineffectual support from the leaders. The climax of the rank and file opposition to the Economy Bill occurred on January 15, 1934, with a demonstration of six hundred teachers outside of City Hall. On this occasion the Union's legislative representative re-

fused to permit any but his handpicked committee to gain an audience with the mayor, and emerged from the interview to tell the assembled teachers that he felt the deepest sympathy for the mayor in his financial difficulties, and believed in his sincerity, sportsmanship, and reluctance to make wage-cuts. A rank and file leader intervened and pointed out that it was not the rôle of the Union's representative to apologize for the mayor, but to protest wage-cuts unequivocally. His criticism was described by the Union leaders as "an ill-mannered outburst," "disorderly tactics," "professional behavior unworthy of the characterization," and the culprit was suspended for a year.

The divergence between the two factions represents not merely the usual differences on questions of procedure, but a fundamental divergence of aims and interests. The rank and file points out that, in a teaching body of 36,000, the Union membership comprises a group of only 2,000 teachers, 38% of whom are earning more than \$3500; and that the Union therefore represents a minority group of teachers in the higher salary brackets, with special interests to protect. A telling instance of this was the Union's failure to support the Jacobi Bill, designed to eliminate the holding of multiple jobs. The avowed program of the Union, emasculated by opportunistic tactics and an apologist attitude toward the interests that the Union fights, amounts in the end to collaboration with the enemy. The fight for the reinstatement of victimized teachers has been largely a paper fight, and the Union's policy of red-baiting the militant rank and file leaders has played right into the hands of the supervisors, indirectly causing the victimization of these teachers by the Board. A leader of the Union has even gone so far as to call on a Superintendent

of the Board to prosecute one of the rank and file members for "conduct unbecoming a teacher," a tactic that is tantamount, in the interpretation of the rank and file, to calling on a boss to punish a fellow-worker.

In line with the short-sighted policy of many A. F. of L. craft unions, the leaders have ignored the interests of the 10,000 unemployed teachers in the city, and of those eligibles—forming one-quarter of the total number of high school teachers—who should be regularly employed according to laws on the statute books, but who have been illegally used to fill regular vacancies, at one-half to one-quarter the usual salary. At present the Unemployed Teachers' Association, organized by one of the rank and file leaders, is appealing from a verdict of the Supreme Court reversing the Wasservogel decision, which commanded the Board of Education to fill all existing vacancies in the city schools by March 1, 1934. The Union has not only refused to support the appeal, but has indulged in sniping criticism of the Unemployed Teachers' Association for carrying on the fight. The rank and filers believe that this indifference to the younger and unemployed teachers will lead eventually to the undermining of the salary and tenure status of all teachers. They have opposed the leadership in their policy of preventing unemployed teachers from joining the Union, and have forced the Union to accept their definition that any teacher who holds a substitute's license is eligible for membership.

The rank and file has been responsible for whatever militant action the Union has engaged in. It has campaigned for a more than nominal affiliation of the Union with labor, pointing out the apathetic rôle of the Central Trades and Labor Council, with which the Union is associated, and

forcing through the organization of Speakers' Committees to coöperate with the trade unions. It has exposed the rôle of a progressive group in the Union, as a pseudo-opposition. It has prepared the way for expanding the Union membership and making it more representative by winning a lowering of membership dues for teachers earning less than \$2,000. The present slate of the rank and file is to organize mass delegations of teachers to Albany, to fight the bankers' agreement, to wage an open, active, and prompt defence of victimized teachers, to secure State aid for food and clothing for needy children, to arouse teachers to the dangers of the plan (temporarily in suspension) to pay them in city bonds at par—in effect a payment in scrip—and to support the Unemployment Insurance Bill HR 7598.



A GOVERNOR GUIDED BY DIVINATIONS

By W. D. GILLIS

Boise, Idaho

THERE is no more glamorous date in the story of the West than 1849. It was the beginning of the greatest and the most adventurous search, in history, for virgin gold.

It was in that year that John Ross, a boy of seventeen, began the long voyage, from a New England port—around the Horn—to California. Having reached his destination, he mined for gold a short time, but neither hills nor streams would give up the hoped-for fortune. The packers were earning more gold dust than most of the miners found, so the boy turned patiently to guiding the pack-train as it transported the necessities of life—sardonically inventoried as “whiskey and

flour”—to the new California towns and mining camps.

The packers were a rough, hardy group. Shaving and much washing were contrary to their customs. It was solemnly claimed that they looked upon the taking of more than two baths a year—one in the spring and another in the fall—as sure evidence of effeminacy and foppishness in the male. If the winter came early to the hills, then the second bath, they insisted, might properly be omitted.

Young Ross spent a dozen years in California—mostly as packer—then moved on to Oregon.

In the early sixties, gold was found in Idaho and shortly its Boise Basin was pouring out a rich stream of the yellow metal that was to stiffen the sagging credit of our war-stricken nation. Gold signals with an imperious hand to those who have once prospected for it, or followed its mining. So John Ross now hurried to Idaho and to the allure of its boisterous placer mining camps.

In 1864, over the Oregon Trail to Idaho from Illinois came a young woman by the name of Jeanette Hadley, who within a year after her arrival became the wife of the man whose expedition we have described. She put a stop to his wanderings at once. They built a home at the lower end of the Boise Basin, where the Boise River joins the Snake; went into cattle-raising, and Southern Idaho claimed them as residents until they died—he, not until he was eighty-seven.

I have attempted, in a few words, to tell the story of John and Jeanette Ross, not because their lives and experiences were remarkably different from those of many others of the adventuring pioneers of their day, but because we would fix your attention, for a moment, to the thought that the pioneer as he wanders