

veloping concept of inter-American community of interest, a concept which is taking form in official conventions, agreements, and resolutions adopted by conferences of authorized representatives of the American States. This concept is not new, but is an expression of the aspirations of the long line of Americans of Latin and Anglo-Saxon origin who saw clearly

the necessity for cultural as well as political and economic relationships among the people of the New World. Thus, inter-American work in behalf of children finds its foundation in the mutuality of interest of free nations, having a common stake in a world order based upon the principles of the Atlantic Charter.

# The Philadelphia Hearings

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IN December 1941, *Survey Midmonthly* published the story of the dismissal of fifty civil service employes by the Philadelphia County Board of Assistance. It told how the hearings on their appeals were opened by William C. Ferguson, Jr., attorney for the Department of Public Assistance, presenting two expert witnesses from the Dies Committee to testify on the general nature of communism and the activities of communists. This was permitted over the protest, on the grounds of irrelevancy, of Harold Evans, chief attorney for the appellants. Several prominent Philadelphians were called in rebuttal of the appellation "communist" to many of the activities referred to by the Dies Committee witnesses. The reviewing board of twenty-three, later reduced to twenty-one, then decided to split up into panels of four in order to expedite the hearing of the individual cases. After hearings lasting over a period of several months, this second act of the drama is now virtually completed.

Of the fifty employes dismissed, nine did not press their appeals, two withdrew when they were not permitted private hearings, three were not heard as the reviewing board ruled that they had no dismissable status (they had previously resigned for reasons unconnected with the case), and two admittedly had been dismissed in error. In thirteen of the remaining thirty-four cases almost the only evidence for the board was the production of Communist Party nominating papers which they had signed. There were protracted hearings, therefore, in only twenty-one cases.

The most disturbing feature of the whole episode is the manner in which the investigation was conducted and the way in which the dismissals were made. As already stated, it was admitted by the board that two employes were wrongfully dismissed. One of these was a case of mistaken identity; the other, identified by a fellow-employee as having been on the platform at a communist meeting, turned out to have been employed in his spare time by the installer of the loud-speaker amplifying circuit. Standard personnel practice requires that before dismissal the suspected employee should be informed of the charge against him. If this had been done in these cases it assuredly would have elicited responses enabling the board to avoid the mistakes.

It is interesting to speculate on what would have happened if, as D. Moreau Barringer said in last month's *Midmonthly* might have been done, the fifty cases had been presented to the governor for summary dismissal leaving no chance of appeal or public hearing. He further said that "the serious nature of the offenses"—rather than the na-

ture of the evidence—"argued for that course." The same speculation applies to the two or three other cases in which the obvious lack of evidence brought from the panels a spontaneous, informal reaction in favor of reinstatement.

Whether the board acted within its legal rights or not is being argued by the lawyers for both sides, but there seems to be no doubt that unfairness and injustice occurred. Several of the appellants testified that they first learned of their dismissals by seeing their names in the local newspapers under such headings as "Reds Fired." Many of them fear that, even if they are eventually cleared of the charge, they may have difficulty in obtaining other jobs in the future.

Counsel for the appellants has alleged that the investigation was not directed against subversive activities in general but was instigated to discredit the officers and active members of the State, County and Municipal Workers Union to which most of the dismissed workers belong. The board's instructions to its investigators to cover *all* subversive activities have been quoted to disprove this. But it turned out that this was like citing the new Soviet Constitution to prove that Russia is the most democratic country in the world, or the Fifteenth Amendment to show that there is no racial discrimination in the United States. With the board, too, practice does not correspond to theory. At the hearings the investigators from the State Department of Public Assistance testified that they attended no Nazi, fascist or Coughlin meetings, and agreed that they were told "solely to go to communist and left wing meetings" (pages 1888 and 2358 of the Record). Also, since the instructions were issued after the occurrence of many incidents testified to by the board's local witnesses, they obviously are not relevant to this controversy.

From the start, the content of the hearings was surrounded with an atmosphere of mystery and conspiracy. An item of public record and common knowledge such as the existence of the Communist Party in Philadelphia is spoken of as if it had been uncovered by investigators after great difficulty. Then the well known difficulty of proving membership in the Communist Party is linked to the charge that employes of the County Board of Assistance are members of the party. Having made the clear somewhat misty, the next step is to infer that something which is misty is really clear. It is as well to state once and for all that no substantial or credible evidence was produced at the hearings to show that any employee was a member of the Communist Party.

In order to sustain the charges, the reviewing board was asked to pile inference on inference. Sympathy with Loyalist Spain, particularly if combined with opposition to Japan and hatred of Hitler, revealed in conversations with fellow employes over lunch was produced as evidence of

\* In the December *Survey Midmonthly*, Mr. Ross reported the case of fifty Philadelphia employes dismissed between October 20 and November 10, 1941 by the County Board of Assistance. From another viewpoint, the cases were discussed in the May *Midmonthly* by Captain D. Moreau Barringer, member of the board and, until April 25 when he entered the army, the chairman of the committee conducting the investigation. Here Mr. Ross adds a further chapter to the still unfinished story.

affiliation with the communist cause. Since communists often deny membership in the party, it was made to appear as if any denial should be dismissed as worthless, and particularly so when the denier had participated in what he considered to be anti-fascist movements.

In his first Memorandum of Law, the board's attorney gave two grounds for dismissal in the cases of the fifty persons: political activity, and affiliation with the Communist Party. Later the Communist Party itself almost disappeared from the picture and the stress was on membership in the so-called communist fronts. Later still a retreat was made to the catch-all "just cause." The "just cause" consisted of "giving aid and comfort" to the Communist Party by sympathy with or contributions to various front activities such as the Spanish Refugee Relief Campaign, the Committee to Free Earl Browder, and so on.

MUCH OF THE TESTIMONY WAS CONFUSED, CONTRADICTORY, and inconclusive. In the thirteen cases where the signing of nominating papers for the Communist Party provided the basis for dismissal there was little other evidence, although in some of the cases the appellants were able to produce convincing testimony showing their active anti-communist attitudes. In this connection there is a legal sequence. In October 1941, the Superior Court of Pennsylvania apparently held in the Pawell case that signing a nominating paper for the Communist Party was sufficient grounds for the dismissal of an Unemployment Compensation employee. It is probable that the County Board was relying on this decision when they dismissed fourteen employees on November 10, 1941. After the appeal hearings had opened, however, the Supreme Court of Pennsylvania in the Gillies case held that such activity was not sufficient to sustain the discharge of a school teacher. The Supreme Court is a higher legal authority than the Superior Court, but the final legal arguments as to the relevancy of these decisions have not yet been made.

A few general statements can be made about the evidence in the other twenty-one cases. It related frequently to conversations in public restaurants and bars; at homes on social occasions or when, as the appellants claimed, union discussion circles were held; in a car driving to or from work; or in the agency office. Many of the conversations were alleged to have taken place in 1939, no notes were taken, they were first reported in 1941 and were testified to in 1942. In sixteen of the twenty-one cases, the main testimony was the uncorroborated evidence of two fellow employees. These two remembered an amazing number of conversations in some detail after a lapse of two to three years. Now attached to a special investigating unit, they were then, as one of them put it, "just like the others." One of them had been a very active member of the Coughlin movement in 1936, while of both, the attorney for the appellants wrote:

... that they by reason of their former relationships with the union and the circumstances of the termination of such relationships are biased and prejudiced against the same and by reason of their own viewpoints, beliefs, background, and associations were incapable of conducting an objective and impartial investigation of subversive activities.

The evidence depended almost entirely on the meanings attached by witnesses to such words as communism, communists, and radical. One said, "Fighting fascism indicates a person is a communist"; another, "They often used the synonym Marxism rather than communism." One of the repeater witnesses for the board thought the recent novel,

"Christ in Concrete" communistic because the title was "of communist nature." One witness, asked why he thought one of the appellants was a communist, replied: "Well, everyone else thought so, that is why." When asked to name someone else, he said, after some thought, "I can't name any one person."

One district office of the County Board where a number of the appellants had worked was particularly suspect. The two star witnesses for the board testified that communism was rife there and that communist activities were open and avowed. Yet the district supervisor, later county supervisor, denied seeing any signs or having any knowledge of this. She testified, however, that the union was active and that the staff of the office was strongly organized. The board's two main witnesses were repeatedly challenged to name any one of the hundred or more employees of the district who would agree with their estimate of the extent of communist activity. They at last named two persons. One of these is in Detroit and could not be located by the defense. The other is in an army camp. He has already signed an affidavit denying their testimony and may yet be brought back to give evidence to this effect.

Almost all the appellants produced character witnesses—doctors, lawyers, and ministers of religion—to vouch for their beliefs and the non-subversive nature of their leisure time activities. In every case where they were within call, the supervisors of the appellants testified that they neither saw nor heard of the appellants being in any way connected with communist or subversive activity during their service.

THE SCENE NOW SHIFTS TO HARRISBURG. THE REVIEWING board has to forward the Record and its recommendations to the Employment Board of the State Department of Public Assistance, which alone is empowered to order reinstatement or to sustain the dismissals. The attorneys for the appellants in a letter to the chairman of the reviewing board have, in their turn, accused the accusers. They claim that the dismissals were the result of animus against the State, County and Municipal Workers Union, Local No. 46; that this was the result of antagonism between the union and the board's executive director over the union's past efforts to protect the merit system and over questions of public relief administration. They also claim that union activities legitimately included discussion and action on questions of legislative and political importance to labor in general throughout the country.

Should the Employment Board reject the appeals, it is likely that some of the appellants, if not all, will seek the protection of the courts of law. Parts of the Record of the hearings indicate that their lawyers have established the grounds on which the courts would be asked to review the whole proceedings.

In conclusion, and at the risk of underlining the obvious, many responsible social workers and lay representatives of Philadelphia agencies see in the episode only further evidence of demoralization in the administration of public assistance in this community. The violation of standard personnel practices, the mutual suspicion supplanting mutual confidence within the operating staff, the preoccupation of the administration with these matters to the neglect of pressing problems of policy and standards, are believed to indicate general administrative weakness. Only after a long struggle will it be possible to repair the damage that has been done and to restore the administration of public assistance to a sound basis.

# Here in Washington

By Rilla Schroeder

IT remained for mild-mannered, modest Mr. Wallace and the International Latex Corporation to give the American people what they had been demanding, a clear picture of what all this bloodshed, rationing, bond buying, and so on, means.

The combination, the Vice-President and the Delaware corporation, needs a bit of explaining. Mr. Wallace made a speech May 8 at the Free World Association dinner in New York. It was a honey of a speech but, somehow, it escaped almost entirely the eye of the press. A few of the unimportant bits got second rate headlines and one paper did give it a play but, generally speaking, it went unnoticed. The newspaper boys, remember, slipped up on Lincoln's Gettysburg address.

President A. S. Spanel of the Latex Corporation was present at the dinner. He did not know Mr. Wallace, but he knew a great speech when he heard one. A few days later the speech went out as a full page ad of the Latex Corporation.

The Wallace speech needs to be read to be appreciated. Briefly the Vice-President reviewed the march of the "freedom loving people" of which these bitter times are a part. Some, he said, have spoken of the "American century" but "I say the century on which we are entering—the century that will come out of this war—can and must be the century of the common man." Not the century, mark you, of the British common man, nor of the French, nor, even, of the American, but of the common man wherever he may be found—Russia, India, China and, yes, Germany and Japan. "Those who write the peace must think of the whole world. There can be no privileged people."

The Vice-President uses the word "revolution" bluntly. The march of freedom down through the ages has been a long drawn out people's revolution. He said:

"In this Great Revolution of the people there were the American revolution of 1776, the French revolution of 1792, the Latin-American revolutions of the Bolivarian era, the German revolution of 1848, and the Russian revolution of 1918. Each spoke for the common man in terms of blood on the battlefield. Some went to excess. But the significant thing is that the people groped their way toward the light. . . . The people's revolution is on the march and the devil and all his angels cannot prevail against it."

FARM PLACEMENT OF THE U. S. EMPLOYMENT Service comes in for a rapping from the Tolan Committee (House Committee Investigating National Defense Migration) for failing to keep pace with the emergency.

In a special report filed May 22 the committee recommends an immediate centralization of authority to handle the situation. It concedes that the service's inadequacies may be due to lack of administrative funds (Congress cut short the service's request for an appropriation), but "neither loss of crops nor waste of idle manpower due to inade-

quate planning or tardy and inefficient organization can be tolerated when food is so vital to the winning of the war."

The committee submitted two specific recommendations:

"1. Production of war materials has moved toward necessary levels of output only since responsibility and authority were centered in the chairman of the War Production Board. Divided responsibility, with its attendant inefficiencies, cannot be allowed when foodstuff and equipment are needed on the battlefield. We recommend, therefore, that the normal clearance and placement procedure of the United States Employment Service be overhauled immediately to expedite intrastate and interstate referrals of workers. We recommend, in the interest of quick action which must not be influenced by local prejudices, that the Office of the Director of the Farm Placement Service be provided with a staff of trained labor market analysts to make immediate and first-hand investigations of reports of agriculture labor shortages and agriculture labor surpluses. An additional staff, subject only to the authority of the director should have the power and responsibility for taking these findings and setting in motion and directing the immediate transferral of workers from one area to another.

"2. Referring workers is not enough. Facilities must be made for their transportation when such arrangement cannot be made by the workers themselves. Plans for transport by truck, bus or train must be made and put into operation immediately. We recommend, therefore, the immediate appointment of a traffic manager under the director of the Office of Defense Transportation, with power and responsibility to work with the branch of the Farm Placement Service proposed above to make neces-

sary arrangements for the transportation of agriculture workers from one region to another."

The committee emphasizes the unusual conditions brought about by gas and rubber rationing. Investigators for the committee reported thousands of workers, white and colored, in Florida and the southern states who wanted work "up north" but who were unable to make the long journey for lack of transportation.

The committee suggests no legislation and makes only brief reference to "lack of administrative funds." As a matter of record, appreciation of the seriousness of the problem led the board to ask for a deficiency appropriation for the establishment of services in critical agriculture areas. Failure to secure these funds limited both the placement service and the expansion of the labor analysis job.

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THOSE WHO ADVOCATE WHOLESALE HEAD chopping in WPA found cold comfort in a second reading of the President's message to the House on May 25. To be sure he did recommend a 61 percent slash in WPA's appropriation for the coming fiscal year, a drop to \$282,767,000 from the \$465,000,000 tentatively suggested in the budget message of January. But the little bit inserted about a proposed expansion of the social security program to include "those who cannot be absorbed in private employment" did not indicate that the President proposed to abandon WPA workers entirely.

On the contrary he said: "I am now giving attention to proposals for revising and extending the Social Security Act and expect to make recommendations to the Congress for such legislation as may be necessary to extend the protection of our social security measures to provide alternative means of meeting the needs presented by the residual group now being aided by the Work Projects Administration."

The President estimated the unemployed at present at 3,000,000. Of these, he said, many will be hired during the coming years, but: "In a labor force exceeding 60,000,000 persons there will remain a substantial number of individuals who will not be hired by private employers because of age, lack of skill, or other handicaps."

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THE SENATE SAVED THE FARM SECURITY Administration by raising the House appropriation of \$25,319,557 to \$50,319,557 with an additional reappropriation of \$5,000,000. The bill has now gone to

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