AN HISTORICAL STUDY OF THE ROLE OF THE FEDERAL GOVERNMENT IN THE FINANCIAL SUPPORT OF EDUCATION, WITH SPECIAL REFERENCE TO LEGISLATIVE PROPOSALS AND ACTION

Dissertation

Presented in Partial Fulfillment of the Requirements for the Degree Doctor of Philosophy in the Graduate School of The Ohio State University

By

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CHAPTER I

INTRODUCTION

The role the Federal Government assumes in the support of education is one of the most vital concerns of this Nation and of the democratic way of life which it endorses. Education is a necessary instrument for promoting any way of life. The underlying principle upon which democracy rests demands for each individual an equal opportunity for life, liberty, and the pursuit of happiness. To deny equal educational opportunities is to deny this democratic principle. On the other hand, democracy depends for its progress and perpetuity on the will of an educated electorate. To deny equal educational opportunities so necessary for providing an educated electorate is to deny democracy itself. An educated populace is essential to the economic, political and social well-being of the nation; for national defense on the battlefield and in the cold war of ideologies; and for successfully resolving the complex problems confronting our democracy today.

The Purpose of the Study

The purpose of this study is to present an historical analysis of the events leading to the establishment of the present role of the Federal Government in the support of public elementary and secondary education. In order to achieve this purpose the history of the accepted policies and the factors influencing the acceptance of these policies
The Need for the Study

The argument that there is a need for the study is based on the premise that to plan intelligently for the future of American education, it is necessary to examine the past. The past, in this case, is filled with the bitter struggles of opposing pressure groups holding different beliefs, attitudes, and values which motivate them in their attempts to influence the federal government's support of public education. It is necessary to identify these various pressure groups and to understand their motives, and the pressures they exert if we are to chart a course, regarding the support of education, which will contribute to the fulfillment of the aims and the goals of the American people.

Criticisms have been made of our public educational system. Critics present overwhelming evidence to prove that unequal educational opportunities exist in various sections of the country, the various states within the United States, and the various local units within the states. Newton Edwards describes these conditions as follows:

In communities where the birth rate is low and the educational load light, where economic resources are the most abundant, where planes of living are high,
where the home has more to contribute to cultural and intellectual development, we support education liberally. In communities where the birth rate is high and the burden of child care and nurture disproportionately heavy, where the resource structure is weak, where planes of living are low, and where the cultural-intellectual status of parents is the lowest, we support education inadequately although with great effort.¹

These critics claim that the extent to which these inequalities of educational opportunity occur is a serious threat to the very nature of the democratic way of life to which we give allegiance. Referring to the way the principles on which democracy is based can be undermined by such conditions, Newton Edwards says:

Education can be made a force to equalize the condition of men; it is no less true it can become a force to create class, race and regional distinctions. If formal educational attainments condition entrance to some economic and social spheres, and if great opportunities for educational advance are open to some groups while the educational facilities for others remain meager, it is obvious that education becomes an instrument of social stratification and of regional and racial inequality. If in the lives of some children the educational ladders rise high and in the lives of others they scarcely rise at all, the school may function as a mechanism of social differentiation. The evidence indicates clearly that continuance of present policies creates grave danger that our schools, which we have hitherto regarded as the bulwark of democracy, may in fact become an instrument for creating those very inequalities they were designed to prevent.²

Others claim that the security of the Nation, the economic and social well-being of the Nation, and the peace of the world


² Ibid., p. 6.
are dependent upon the more equal distribution of educational opportunities among the future citizens of this Nation.

The problem of financial support necessary to provide more nearly equal educational opportunities for the children of the Nation becomes of vital importance. Many proposals for solving this problem have been advanced. There are those who believe the responsibility for the education of the young should revert to the parents. A present-day advocate of this proposal is Raymond Cyrus Hoiles. He owns a chain of ten newspapers and through them he advocates that education should be financed by the parents of the children. According to Time Magazine:

His favorite campaign: a bitter continuous assault on public schools on the ground that free, tax-supported education violate the Ten Commandments. Taxing those who do not use the public schools, he says, is stealing.3

Another proposal offered is that the state and local units should continue to assume the financial responsibility for educating the youth within the state. An advocate of this proposal is the United States Chamber of Commerce. The Chamber states its position as follows:

The American public school system is traditionally and distinctively a community affair. The states and local school districts must continue to accept full responsibility for the financing and direction of their

public schools. Federal financing inevitably leads to federal control. To avoid the one, we must and do vigorously oppose the other.4

Still another group maintains that the Federal Government, as well as the states and local units, has a vested interest in and a financial responsibility for the education of each individual. Within this group there is disagreement as to the financial responsibility the Federal Government shall assume. Various groups and individuals within the group believe the Federal Government should allocate funds with necessary provisions to insure at least a minimum of expenditure for each child's education in the public schools. There are other groups and individuals who contend that the Federal Government should allocate funds for non-public schools as well as for public schools.

There are various State and Federal constitutions and statutes and Supreme Court decisions relative thereto which make neither proposal entirely acceptable to all of the forty-eight states. Compromise proposals have been offered but none has gained the acceptance necessary to enact it into law. There is, therefore, a need to analyze carefully the past events which have shaped our educational policy in order that we may more intelligently determine a future role for the Federal Government in the support of education.

which will help bring to fruition the hopes and aspirations of the people in our democracy.

Limitations of the Study

This study is limited to a presentation of an analysis of the events leading to the establishment of the present role of the Federal Government in the support of public elementary and secondary education. There may be references to financial policies affecting the colleges and non-public schools; however, these will be considered only as they serve to elucidate the problem under study.

The study is further limited to the financial support given public elementary and secondary education and makes no attempt to deal with kinds of educational experiences provided in these schools.

Source of Data

The most important sources of data for the study are the Congressional Records and the reports of the hearings before the Congressional Committees. Other sources are Federal and State constitutions, statutes and documents; Supreme Court and lower court decisions; official reports and writings of the various pressure groups; official statistics published by the various departments of the United States; and books, such as histories and other
books dealing with the problem of financing education.

The Method of the Study

In order to present an analysis of the events leading to the establishment of the present role of the Federal Government in the support of public elementary and secondary education it was necessary to make a systematic examination of the sources of data listed above. From this body of information an attempt has been made to organize the pertinent facts in chronological order.

Related Studies

A survey of the literature relevant to this problem reveals no study of a similar nature. The account of the legislative actions taken by the Congress, as reported in the Congressional Records, is the nearest approach to a similar presentation.

An Overview of the Study

Following this Introduction, Chapter II discusses the establishment of the public schools and the principle of federal, state and local support of education. Chapter III describes the attempts to establish a Federal Department of Education and to provide federal
aid to public elementary and secondary education on a fifty-fifty matching basis. Chapter IV depicts the condition of the public schools during the depression and gives an account of the indirect aid given to education. Chapter V is devoted to the attempts to secure federal grants-in-aid to education on the basis of children five to seventeen years of age within the various states. Chapter VI is concerned with the attempts to secure grants-in-aid based on an equalization formula which was intended to channel federal funds into areas of greatest need. Chapter VII deals with the controversial issue regarding the support of public and non-public education from the public tax funds. Chapter VIII considers the federal aid to education bills which have passed the Senate but not the House. Chapter IX presents the recent developments relevant to federal aid to education. Chapter X gives a brief summary.
In the colonial days the primary responsibility for education was left to the church, the parent, and Charity. Most of the schools were church supported; established to promote the ends of the church. The few schools which were public supported were generally church controlled. There were a few private schools supported by tuition fees. Wealthy parents sent their children to these schools to receive education which would enable them to perform their leadership roles in the social unit. The educational opportunities provided for many of the children of the poor were meager and attainable only by those willing to plead poverty and accept the "pauper" stigma for an opportunity to acquire the elementary learnings. This system of education implemented the authoritarian way of life these early settlers had known in the Old World. The setting had changed but many of the authoritarian ideas persisted and motivated the thinking, feeling, and acting of the people.

With the coming of the Revolution and the establishment of a representative government the need for an enlightened electorate was recognized by many leaders of the time; and it cannot be conceived in all prudence that all of those who joined the ranks of
the Revolution to fight for the principles embodied in the Declaration of Independence were inimical to the idea of education for all. However, it cannot be conceded that there was a full realization of the importance of education to a representative government by the leaders or the people of the time. There was no popular clamor or overwhelming demand for education. Another important factor relevant to the policies pursued regarding education was the cost of education. The coffers of the several states and local units were not overflowing and the Federal Government, at this time, lacked taxable resources. As a result of this lack of taxable resources on the part of the Federal Government, and this lack of a full realization of the importance of education to a representative government on the part of the people, the Federal Government limited its educational aid to "encouragement" grants of lands and monies and constitutional requirement laws.

Federal Grants of Land and Money for Education

Federal aid, in the form of "encouragement" grants, was initiated before our Constitution was framed, and federal aid in various forms had continued to the present day. Preceding the framing of the

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1 Primary sources of this material.
Constitution the Federal Government was financially embarrassed, yet it had received salable lands to the west from the original states to be used for "the benefit of all," and therefore moved to convert these lands into ready cash. Thomas Jefferson drew up the first temporary plan of sale, survey, and government for the western lands. This plan contained no provision for education. His plan was adopted April 23, 1734. On May 20, 1785, Congress adopted an Ordinance which stipulated the manner of survey and sale of the western lands. The policy of setting aside certain lands for schools and churches in the villages and colonies of colonial times was resurrected and given new life in the following provision included in the Ordinance:

There shall be reserved the lot no. 16, of every township for the maintenance of public schools within the said township.  

On July 5, 1787, Dr. Manassah Cutler, one of the directors of the Ohio Company, appeared before the Congress then assembled in New York to open negotiations for the purchase of a large tract of the western lands. The Ohio Company, aware of the attractions they would like to offer their future buyers, demanded of the Congress gifts of land such as: one lot in each township for schools, one for the ministry, and four for the support of an institution of

higher learning. The Congress refused to sell the land under these conditions, whereupon Dr. Cutler threatened to buy the land from the states. The Congress, badly in need of money and fearful lest Dr. Cutler might carry out his threat, moved to meet his demands. Dr. Cutler, having gained his point, four days later modified his demand by accepting two lots instead of four for the support of an institution of higher learning in each township.

In the Journals of Congress, where a record of the passing of the Ordinance of 1787 is found, there is no specific provision for education, but we read:

Article the third. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.3

From the provisions made for education in the Ordinance of 1785, the provisions for education in the contract for sale of the western lands in 1787, and the words of endorsement included in the Ordinance of 1787 emerged the policy of the Federal Government of making grants of money and land to the states for educational purposes by designating such grants to be used "for education," "for common schools," "for the encouragement of learning," and similar purposes. This policy adopted by the Federal Government

3 As quoted by Swift. Ibid., p. 12.
resulted in millions of acres of land and millions of dollars of money being given to the various states for educational purposes.

The following table shows the land grants made by the Federal Government to the states for public education:

<table>
<thead>
<tr>
<th>I. Lands granted or reserved specifically for schools:</th>
<th>Thousands of acres</th>
<th>sq. miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Township school lands, 16th, 35th, 2nd, and 32 sec.</td>
<td>98,510</td>
<td>154</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>II. Other lands used by some states for schools:</th>
<th>Thousands of acres</th>
<th>sq. miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal improvements</td>
<td>11,469</td>
<td>17</td>
</tr>
<tr>
<td>Salt lands</td>
<td>606</td>
<td>1</td>
</tr>
<tr>
<td>Swamp lands</td>
<td>64,728</td>
<td>101</td>
</tr>
<tr>
<td>Total</td>
<td>76,803</td>
<td>119</td>
</tr>
<tr>
<td>Grand Total</td>
<td>175,313</td>
<td>273</td>
</tr>
</tbody>
</table>

In the parceling out of these land grants the Federal Government's desire to sell land and induce western immigration seemed to supersede the concern for education. In areas where little inducement to move westward was needed little was given; in regions, "seemingly wastelands," more inducement was given. This unequal distribution of land grants to the various states by the Federal Government resulted in:

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Ibid., p. 7.
24 states receiving 1 section (640 acres) per township
3 states receiving 2 sections (1280 acres) per township
3 states receiving 4 sections (2560 acres) per township
18 states receiving 0 sections (0 acres) per township (already settled).

In granting the salt lands to the various states the Federal Government was endeavoring to establish sources of public revenue rather than to leave these lands available for private exploitation and profit. Revenues derived from these salt lands were used by some states for education.

The lands granted for internal improvements had been specifically designated for roads, railways, bridges, canals, improvement of water courses, and drainage of swamps. However, some of the states diverted these grants into educational channels.

The swamp lands were granted to the states by the Federal Government to be used at the discretion of the states for education, internal improvements, and other purposes. Regarding these swamp lands Senator Timothy O. Howe from Wisconsin said before the Senate in 1862:

They were granted to the states for the express purpose of having them reclaimed and added to the productive wealth of the nation... The Government assumed that those lands were worth nothing to it; that they never could be sold; it was willing to get rid of them, and it was proposed to make the several states, within which they lay, their agents to reclaim them.
That is the principle upon which grants have been made heretofore.\footnote{Congressional Globe. 37th Congress. 2nd Session. Part 3, p. 2628.}

In the early days of our country, in addition to the land grants, millions of dollars were given as money grants to the states either for the stated purpose of education or in such a way that they could be diverted to educational purposes. Like the land grants, the money grants were distributed among the several states in a manner indicative of an indeterminate policy being pursued by the Federal Government.

One of the money grants made by the Federal Government was the per centum grant. Under the provisions of this grant the states received a certain per cent of the money received by the Federal Government for the sale of the federal lands within the various state boundaries. In return the states were not to levy taxes of any kind on these lands for five years, thereby insuring the Federal Government time to collect full payment for the land before a tax title could be obtained from the state. The vacillation of the Federal Government in its policy regarding the per centum grants is evident since the per cent of money received by the several states varied from five to fifteen per cent, and only sixteen of the twenty-nine states receiving per centum grants were required by Congressional action to devote these funds to education.
In 1833, the Federal Government deposited funds with the various states for "safe keeping" without designating in any way how the funds were to be used. Indiana chose to add her part of the fund to her permanent educational fund.

In 1837, the Federal Government, having liquidated all debts, had a surplus in the Federal Treasury. It thereupon loaned money to the states without any designated purpose attached. In all but four of the states receiving the loan, some of the money, if not all, went into the fund for the common schools.

In 1841, the states received from the Federal Government money derived from the sale of public lands. The way in which the money was to be spent was to be determined by the various states. However, the District of Columbia was required to devote her share "to free schools or education in some form." Tennessee was the only state choosing to devote her share to the school fund.

In addition to these allocations of lands and monies to the states for education, the Federal Government made allocations to public and private schools. According to the report of the United States National Advisory Committee on Education:

From the early days of the Republic Congress has made occasional grants of land to designated educational institutions, both public and private, sometimes to other than state universities and colleges of agriculture and
mechanical arts. 6

These occasional and indiscriminate allocations of land to public and private institutions indicate that the Congressmen of the early days were also familiar with "pork barrel" procedures and subject to the sway of special interests.

During the first half century of our Republic, the Federal Government designated for educational purposes only the township sections in thirty states (varying from one to four each); the per centum grants in sixteen states (varying from five to fifteen per cent); the distributive fund for the District of Columbia; and various "pork barrel" concessions. Many states received no land or money grants. Such a policy of unequal distribution of land and money to the states without any evidence of plans for distribution according to educational needs leads to the conclusion that the Federal Government was not primarily interested in the diffusion of knowledge, but was interested, rather, in promoting western immigration; in preventing private exploitation of salt lands; in selling and collecting payments for land, thereby replenishing the Federal Treasury; and in meeting the demands of

special interests. (Note: Funds for internal improvements were specifically designated for roads, canals, etc.)

During this period the attitude of the Federal Government regarding federal aid to education, to paraphrase the Northwest Ordinance, might be more realistically stated as follows:

Education is good for mankind and should forever be encouraged....when convenient or when pressures are brought to bear.

The Establishment of Public-Supported Schools

After the granting of lands and monies for the "encouragement" of education to the various states and institutions, the Federal Government proceeded to evade the financial responsibility for any part of education which might have been justified under the preamble of the Constitution which reads:

We, the people of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

There are those who maintain that our forefathers saw the necessity of reserving to the states the function of providing

The Constitution of the United States.
for the education of the youth of the nation, and to justify their contention they point to the Tenth Amendment to the Constitution (1791) which reads:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectfully, or to the people. 

Regardless of this contention, previous to and immediately after the ratification of the Constitution the Federal Government was participating in educational matters by bequeathing land and money at state and institutional levels. Furthermore, the Federal Government evidenced its concern for education and proceeded to participate further in educational matters by demanding that state constitutions be consistent with the Constitution of the United States. This consistency, as interpreted by the Federal Government, demanded constitutional provisions for public education by the states before the state constitutions were acceptable to the Federal Government. As Cubberly says:

Upon the theory that the Territory was to develop into a state of the Union, Congress in each of the organic acts for the Territories, has laid down the governmental foundations for the States. These foundations have always included, among other things, provisions for the establishment and maintenance of a system of public schools. The National Government, therefore, may be regarded as the real founder of public educational systems of the States.

The Constitution of the United States.
Moreover, the right to annul any act of a Territorial Government, and to improve its constitution as a State, always reserved by Congress, has provided a federal guarantee for the educational welfare of the people of the Territories and of the new States.

And as summed up in the report of the United States National Advisory Committee on Education in 1931:

It thus came to pass that certain constitutional provisions in the States concerning public education did not arise necessarily out of the initiative, or from the spontaneity of the people in these States, but were prescribed originally at Washington.

Since an education bill intended to produce an enlightened electorate would have reached tremendous proportions, it seems the Federal Government preferred to confine its efforts to "encouragement" grants and to leave the major responsibility for providing educational opportunities to the states. There were those who believed the financial responsibility for education should not be charged to the Federal Government, as Senator Timothy O. Howe of Wisconsin who said in 1862, while talking against the Morrill Act:


I do not believe the time has come when the people of the United States are prepared to charge the work of public education upon the United States.11

With the shifting of educational responsibility to the states, one of the first forms of state legislation for schools carrying financial aid was "The Act of Encouragement" for a temporary period by the State of New York, in 1795. This kind of "encouragement" did not extend far or last long, but instead we find the states, like the Federal Government, shifting educational responsibility to the next level which was the local units. The states at this point, like the Federal Government, were not ready to accept the responsibility for education. As Curti says:

In Rhode Island the prejudice of respectable members of the legislature against a tax to support public schools was so great that they declared it would be resisted at the point of a bayonet.12

The states could not evade the responsibility for the financing of education on constitutional grounds, but they were confronted with similar problems which had faced the Federal Government, i.e., insufficient funds and a lack of a realization of the necessity of public education to a representative government. So,


we find the states eventually "requiring" the local units to provide for education, much as the Federal Government had "required" the states to provide for public education. These "requirement" laws passed by the state legislatures were bitterly fought and when finally passed were truly requirement laws and definitely lacking in the financial implementation essential for the effective execution of the laws.

Approximately seventy-five years after the states were "required" to provide for public education, most of them assumed the responsibility of "requiring" the local units to provide for free public education. It must be remembered that although the states made the laws it was the local units which were finally forced to provide the educational opportunities. This burden they carried by means of a property tax.

At this point, it is necessary to point out that the states were slow to pass these "requirement" laws because at the local level an attempt was made to shift the responsibility for education to the parent. The idea of "one man's being no more responsible for the education of his neighbor's child than for the feeding of his horse" still persisted, as evidenced by the endurance of the Rate bill. According to this bill each parent was charged a specific rate for the education of his child.
The Rate bill, demanding that parents assume the final responsibility for education, lasted approximately seventy-five years after our representative government was formed. Slowly, in one state after another, the local units began to provide free public educational opportunities.

In the local units the educational opportunities provided varied according to the tax resources and in some cases according to the extent of the realization of the need for public education. The inequalities in educational opportunities offered in the various local units became so apparent and so dangerous to the welfare of the state that in 1913 we find Colorado establishing the first equalization fund ($60,000) to help local units which had inadequate tax resources. Thereafter, other states moved to provide such equalization funds.

In many cases state aid was bitterly fought by the local units. They feared "state control" which would require higher qualifications for teachers, higher standards as to educational offerings, and an equalization of expenditures for schools within the local units. They preferred to disregard the fact that the advancement of communication and transportation facilities had brought an interdependence demanding equal educational opportunities for all for the common welfare. They also overlooked the fact that the states had passed the requirement laws forcing the establishment of free public schools in the local units and that the states
were as interested in free public schools as any local unit. The increase in public school enrollment with accompanying higher costs forced the local units to reconsider. They were finally forced to act as if they were a part of the state, and eventually it came to be considered highly desirable that all in the state should contribute to the educational fund. They further realized that the standards required by the state were necessary for the advancement of educational opportunities. The assuming of some responsibility by the state for the equalization of the educational opportunities provided for all the children within the state came to be accepted as in accord with democratic principles.

The Establishment of Public-Controlled Schools

During the process of establishing the public schools to serve public ends other difficulties had to be overcome. At the time of the Revolution most of the schools were church schools which had been established to indoctrinate in the supporting faith. Many of these church schools had received public support. However, incorporated in the idea of establishment of public schools to serve public ends was the threat of loss of public support for the church schools.
Shortly before the adoption of the First Amendment to our Constitution, in 1791, the controversy regarding public support of sectarian schools reached a dramatic climax in Virginia. In 1785, the Virginia Assembly was about to renew Virginia's tax levy for the support of the established church. Thomas Jefferson and James Madison led the attack against this tax. In opposition, James Madison wrote his famous Memorial and Remonstrance, in which he held that the "Religion then of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right." Since an equal and unalienable right was involved he conceded to the Virginia Assembly "no authority to enact into law the Bill under consideration." It was not the amount of the tax but the violation of the principle of religious freedom to which he objected. He could not condone the taxing of believers or non-believers for the support of a religious institution, thereby openly inviting the persecutions and tyrannies which had always been the inevitable result of a government-established religion. He maintained that neither a

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14 Ibid., p. 191.
religion nor a state should use the other as "an engine" to promote its own ends, because a true religion did not need the support of law, and "Rulers who wish to subvert the public liberty, may have found an established clergy convenient auxiliaries. A just government, instituted to secure and perpetuate it, needs them not." He believed it to be to the best interest of society that men's minds be left completely free; that the school should be left unhabited and unencumbered by religious dogma; but that the Virginia tax measure "Instead of leveling as far as possible, every obstacle to the victorious progress of truth, the Bill with ignoble and unchristian timidity would circumscribe it with a wall of defense, against the encroachment of error."  

James Madison's Memorial and Remonstrance contributed to the defeat of the tax measure. The Virginia Assembly, then in session, postponed the consideration of the proposed tax measure. At the next session of the Assembly the measure was allowed to die in committee, and the famous "Virginia Bill of Religious Liberty," a revised form of the bill originally written by Thomas Jefferson,

15 Ibid., p. 187.

16 Ibid., p. 188.

17 Ibid., p. 189-190.
was enacted instead. The preamble of that bill stated among other things:

...that to compel a man to furnish contributions of money for the Propagation of opinions which he disbelieves, is sinful and tyrannical.\footnote{As quoted by Justice Rutledge in his dissenting opinion. Everson v Board of Education of the Township of Ewing. February 10, 1947. US 330:1, p. 26.}

and the statute reads:

That no man shall be compelled to frequent or support any religious worship, place, or ministry, whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief...\footnote{As quoted by Justice Black in the opinion of the Court. Everson v Board of Education of the Township of Ewing. February 10, 1947. US 330:1, p. 13.}

Following in Virginia's footsteps, other states wrote clauses into their constitutions providing for what Jefferson called "a wall of separation between church and state" regarding educational matters.

As Thomas Jefferson had so skillfully put into words the feelings of the people of the time in his Declaration of Independence, so had James Madison incorporated into his writings the feelings of the people regarding the separation of church and state. This is evidenced by the insistence of the people of the various states...
that a Bill of Rights, including a guarantee of religious freedom, be added to the Constitution to make it acceptable for ratification.

It is well known that the leader of the Virginia struggle for religious freedom was also the author and sponsor of the First Amendment to our Constitution. Therefore, the Virginia struggle and the writings of James Madison take on added significance for clearly interpreting the First Amendment. The issues involved in the Virginia struggle which incurred the animosity of James Madison indicate what he meant by the religious freedom guaranteed by the First Amendment.

The original Virginia tax proposal had singled out an established religion to receive tax support based on the resurrected practice of paying tithes which had been suspended in 1777. This immediately incurred the active and general hostility of dissentient groups. The proposal was then broadened so that all religious groups might be included in the tax benefit. This altered bill gave to each taxpayer the privilege of designating which religion was to benefit from his share of the tax and in default of designation the legislature was to apply that proportion of the tax to pious uses. In other words, in the final form the taxpayer was given the option of designating whether or not his proportion of the tax was to be given to the support of religious education.
While this broadened proposal silenced some opposition it did not silence James Madison, because his fight was for religious freedom and against all forms of established religion, be it general or particular, non-discriminatory or selective. Justice Rutledge recently summed up the matter in his dissenting opinion in the *Everson v Board of Education of the Township of Ewing.* (N. J.)

All the great instruments of the Virginia struggle for religious liberty thus became warp and woof of our constitutional tradition, not simply by the course of history, but by the common unifying force of Madison's life, thought and sponsorship. He epitomized the whole of that tradition in the Amendment's compact, but nonetheless comprehensive phrasing.

As the Remonstrance disclosed throughout, Madison opposed every form and degree of official relation between religion and civil authority. For him religion was a wholly private matter beyond the scope of civil power either to restrain or support. Denial or abridgement of religious freedom was a violation of rights both of conscience and of natural equality. State aid was no less obnoxious or destructive to freedom and to religion itself than other forms of state interference. "Establishment" and "free exercise" were correlative and coextensive ideas, representing only different facets of the single great and fundamental freedom. The Remonstrance, following the Virginia statute's example, referred to the history of religious conflicts and the effects of all sorts of establishments, current and historical, to suppress religion's free exercise. With Jefferson, Madison believed that to tolerate any fragment of establishment would be by so much to perpetuate restraint upon that freedom. Hence, he sought to tear out the institution not partially but root and branch and to bar its return forever.

In no phase was he more unrelentingly absolute than in opposing state support or aid by taxation. Not even
"three pence" contribution was thus to be exacted from any citizen for such a purpose...Tithes had been the lifeblood of establishment before and after other compulsions disappeared. Madison and his co-workers made no exception or abridgement to the complete separation they created. Their objection was not to small tithes. It was to any tithes whatsoever. "If it were lawful to impose a small tax for religion, the admission would pave the way for oppressive levies." Not the amount but "the principle of assessment was wrong." And the principle was as much to prevent "the interference of law in religion" as to restrain religious intervention in political matters. In this field the authors of our freedom would not tolerate "the first experiment in our liberties" or "wait till usurped power had strengthened itself by exercise, and entangled the question in precedents." Nor should we.

In view of this history no further proof is needed that the Amendment forbids any appropriation, large or small, from public funds to aid or support any and all religious exercises.20

As Justice Rutledge said, Madison's writing of the First Amendment was "a model of technical precision and perspicuous brevity"21 intended to insure forever and unequivocally religious freedom for the people he represented.

In 1868, an attempt was made to make the First Amendment applicable to the states by the Fourteenth Amendment. The first section of the Fourteenth Amendment reads as follows:


21 Ibid., Rutledge: dissenting opinion, p. 31.
section of the Fourteenth Amendment reads as follows:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.22

By the year 1875 the public school, as a symbol of our secular unity stripped of all religious entanglements, was firmly established in the minds of the people of this nation. In that year, President Grant urged the Convention of the Army of Tennessee to:

Encourage free schools, and resolve that not one dollar appropriated for their support shall be appropriated to the support of any sectarian schools. Resolve that neither the State nor nation, nor both combined, shall support institutions of learning other than those sufficient to afford every child growing up in the land the opportunity to a good common school education, unmixed with sectarian, pagan, or atheistical dogmas. Leave the matter of religion to the family altar, the church, and the private school, supported entirely by contributions. Keep the church and the state forever separate.23

So concerned was President Grant regarding the separation of church and state that in his Annual Message to Congress December 7, 1875, he proposed that another amendment be added to the Constitution

22
Constitution of the United States.

23
to strengthen and insure for all times the religious freedom
protected by the First Amendment. The Blaine Amendment to this
effect passed the House of Representatives in 1876. This Amend-
ment provided:

No State shall make any law respecting an establish-
ment of religion or prohibiting the free exercise thereof;
and no money raised by taxation in any State for the
support of public schools, or derived from any public fund
therefor, nor any public lands devoted thereto, shall ever
be under the control of any religious sect, nor shall any
money so raised or lands so devoted be divided between
religious sects or denominations.²⁴

The matter was not carried further since national and state con-
stitutions were deemed adequate and as Justice Frankfurter said
in his dissenting opinion in the McCollum case:

The extent to which this principle was deemed a
pre-supposition of our Constitutional system is strikingly
illustrated by the fact that every State admitted into the
Union since 1876 was compelled by Congress to write into
its constitution a requirement that it maintain a school
system "free from sectarian control."²⁵

The Morrill Act

In 1862, the Congress passed the Morrill Act which distributed
30,000 acres of federal land per representative in Congress to the

²⁴ Congressional Record. 43th Congress. 1st Session. Vol. 4.
Part 1, p. 205.

²⁵ McCollum v Board of Education of School District No. 71,
Champaign Co., Illinois, March 8, 1948. US 333;203. Frankfurter;
concurring opinion. pp. 219-220.
various states for the specified purpose of establishing agricultural colleges. Previously, the Federal Government had distributed lands and monies to the states for education without a more definite purpose attached than, "for education," "for the common schools," "for higher learning," and similar purposes. This innovation of granting lands for a specific kind of education by the Federal Government was considered by some as unconstitutional. The Act was first passed by the Congress in 1859, but was vetoed by President Buchanan because he considered it unconstitutional. However, when this Act was passed in 1862 President Lincoln signed it, thereby signifying his belief in its constitutionality. Since that time the majority of the people of the United States have evidently considered it as constitutional, since it has never been questioned to the point of testing. With the passage of this Act and the acceptance of its constitutionality, the precedent allowing the Federal Government to subsidize or make grants for any specific kind of education was established. While the Act specifically dealt with colleges, it had implications for all kinds of education; and years later we find this precedent and the results of the passage of this Act influencing the Federal Government in its action toward federal aid to public education. As to why the Act was passed, Curti says:
In one sense the Morrill Act of 1862, which provided for the support of agricultural education by setting aside public land for that purpose, was a concession on the part of the industrial East to its agrarian ally in the common crusade against the Southern planter.26

Senator James Harlan from Iowa, speaking for the Act on the floor of the Senate in 1862, said:

This body is a body of lawyers. There are very few gentlemen here who are not professional lawyers. Heretofore appropriations of land have been made for State universities. The proceeds of the sales of those lands have usually gone to educate the children of professional men—men who are able to defray the expense of the education of their children away from home, in the classical studies and the learned professions. Here, for the first time I believe in the history of the Senate, a proposition is made to make an appropriation of lands for the education of the children of the agriculturists of the nation, and it meets with strenuous opposition from a body of lawyers. If this Senate was composed of agriculturists chiefly, they would have provided first for an agricultural college, and afterwards probably for a college in which the sons of lawyers, physicians, and other professional men could be educated.27

The Act was fought by western representatives in the Congress, led by Senator James H. Lane of Kansas. One reason was that the western states, with few representatives in Congress, would receive less land for agriculture colleges than the eastern states with many representatives in Congress. For instance, Kansas would receive 30,000 acres while New York would receive 750,000 acres. Another reason for antagonism from the western representatives was their


aversion to the eastern and southern states being allowed to sell scrip for land in the as yet unsettled states and territories. The westerners were fearful of large holding companies buying the scrip for speculation and the entrance of "undesirable" settlers, namely Negroes, into the western states. Senator James K. Lane described the viewpoint of Kansans as follows:

... I desire to say, for the benefit of the Senator from Ohio, that under its provision the Legislature of Virginia receiving, say two hundred thousand acres of land, can transfer their certificates of entry to the manumitted slaves to enter land within our border. So far as the people of Kansas are concerned, we, I think, have as much philanthropy as the people of any other state; but I desire to say to the Senator from Ohio and to the country, that the people of Kansas are opposed to the settling of free Negroes within our borders. Kansas desires above all things that the white and colored races may be separated, and widely separated.\textsuperscript{28}

The easterners' pleas was based on the fact that the Federal Government (and the Congressmen of the eastern states by voting for the measures) had done so well by the western states in the early land grants that it was only fair that they should have some small share in the federal domain. To this argument Senator Timothy O. Howe of Wisconsin answered that:

In the course of this debate, as I have listened to it casually, one argument has specially entered into it. It is, that heretofore in the administration of the public domain, the Congress of the United States has been very

\textsuperscript{28} Congressional Globe. 37th Congress. 2nd Session. Part 3, p. 2276.
liberal to the new States, and now that the old States are entitled to some compensation... You have granted lands for school purposes... This is very fair, very commendable; but does any man think that was for the new States? There were no new States when you made these grants; there was nobody there; you had lands and you wanted them occupied, and you offered some inducements to the people to go there and occupy them. If any man thinks the Congress of the United States has been excessively liberal in this matter, I have simply to say that no decent man ever undertook to lay out a town in the West, or South or anywhere else and build it up, but he offered as liberal inducements, proportioned to the objects he had in view, as the Government of the United States has offered to the settlement of its public domain.  

The passage of the Morrill Act with the accompanying discussions and reasons for passage leads to such conclusions as: special "constituent" interests were evident in the consideration of the bill; at this time the legislative branch and the executive branch of the Federal Government considered it within the constitutional limits of the Federal Government to make grants for special educational purposes; there was a recognition of the fact that the curriculum of the schools was designed for the students in the classics or those preparing for the professions, and other instruction might be needed; and, according to the statements of Senator James Harlan and Senator James H. Lane, one gathers that Congressmen are sometimes prone to see the need for the special interests (or prejudices) of their "constituents," rather than to look at a problem on the basis of social need, or the welfare of the social unit.

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Ibid., p. 2626.
The Office of Education and the Freedmen's Bureau

On March 1, 1867, a Department of Education came into being. A Commissioner of Education was to be entrusted with the management of this Department. He was to be appointed by the President, by and with the advice and consent of the Senate. In 1868, the Department of Education was abolished. A Bureau, called the "Office of Education," was established in the Department of the Interior.

During the last part of and for a short period following the Civil War the Federal Government gave federal aid to Negro education through the Freedmen's Bureau. This was short-lived (until 1872) and represented only a drop in an ocean of need.

Proposed Federal Legislation

In 1871, the Hoar Bill was proposed to the Congress. It was opposed by the National Education Association. A description of this bill, found in the Report of the United States National Advisory Committee on Education (1931), is as follows:

While the bill was written so as to apply to the entire United States, it was specifically designed to go into effect in the South. It provided for a system of administration centralized in Washington and operating in any state that should not be a certain date have provided "for all the children within its borders between the ages of six and eighteen years, suitable instruction in reading, writing, orthography, arithmetic, geography,
and the history of the United States." In case such provision should have been made by the separate states, the provisions of the bill were not to apply to them. But in case of failure of the states to establish systems of public schools as contemplated in the bill, the President was to appoint for each delinquent state a "State Superintendent of Schools." Under the State Superintendent were to be Division Inspectors of National Schools, appointed by the Secretary of the Interior, one for each congressional district. There was to be a still further division of the inspection districts into school districts which Local Superintendents of National Schools at their head, these officials also to be appointed by the Secretary of the Interior. The books to be used in the schools were to be prescribed by the State superintendents under the direction of the National Commissioner of Education, and the administration and reports of the schools were to follow plans drawn up by the National Commissioner. In the performance of all the duties imposed by the bill, the Local Superintendents were to be subject to the directions of the Division Inspector, the Division Inspector to those of the State Superintendents, and the State Superintendents to those of the Commissioner of Education. The financial support for the system was to be levied annually for school purposes in the several states, this also to be assessed and collected by national agents.30

This proposed legislation in no way offered federal financial aid to public education. It was intended to force the states to provide educational opportunities which were to be prescribed by the Federal Government.

The first agitation for federal aid in the financing of public education to reach Congress was a result of conditions precipitated by the Civil War. The freeing of the Negro and the enfranchisement

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of the illiterate Negro male (13th Amendment to the Constitution, 1865), plus the poverty and illiteracy of the South, made the consideration of an enlightened electorate a matter of concern to various members of Congress.

The educational situation in the South was a result of a class and caste system in the old South which had been a drawback to the advancement of free public education. Before the war, the Negroes had had no schools and only five to ten per cent of them could read at the time they were freed. Schools for the poor whites were very few. The planters had sent their children to private schools. Thus, we had a class and caste system perpetuated by the educational opportunities, or rather the lack of educational opportunities, provided.

On to this situation, abounding in ignorance, were added the effects of the Civil War. The war had been fought mostly on Southern soil. "Marches to the Sea" had left destruction and starvation behind. The freeing of the Negroes had left 4,000,000 illiterate, penniless Negroes faced with the grim prospects of eking out a living in an impoverished land. The freeing of the Negroes without any remuneration to the owners, had wiped out the "wealth" of the South, since the slaves held by the Southern owners


represented wealth. Conditions were such that people were necessarily more concerned with existence than education. There was in consequence, little wealth to tax for education. Education came slowly, therefore, and was far from adequate.

The most notable effort during this period to secure federal aid for education came in the form of the Blair Bill. This bill provided for federal funds to the states in proportion to the illiteracy therein on a matching basis. It was passed by the Senate in 1884, 1886, and 1888, but was defeated by the House. It was defeated by the Senate in 1890.

According to Curti, the spoken and suspected reasons behind the failure of the passage of the Blair Bill were: "the most powerful opponents grounded their opposition on constitutional theory," however, it was "suspected that race prejudice in the South and a fear that the educated Negro could be less easily manipulated in elections had more influence on adverse actions than had constitutional scruples"; "the widespread talk about the prosperity of the New South," false though it was, did not help; and, "Catholic opposition to all federal aid for public schools seems to have been a factor in the defeat of the bill."^33

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Here we see the special interests of the "ruling" class, sectional interests, and the interests of the Catholic Church combining to prevent the passage of the Blair Bill.

The Smith-Hughes Act

As has been stated, the Morrill Act of 1862 gave federal aid to agricultural colleges. In 1887, with the passage of the Hatch Act, the experiment stations were established (money and land). In 1890, the Second Morrill Act reasserted and augmented the first Morrill Act. In 1906, the Nelson Act augmented the Hatch Act. After the passage of these acts, various other acts were passed to reassert and augment the earlier acts. In 1914, the Smith-Lever Act, which provided for the extension service to extend to the farmer the information available from the agricultural colleges and the experimental stations, was passed. Based on this background of legislation we have the passage of the Smith-Hughes Act in 1917.

The Smith-Hughes Act provided federal aid on a matching basis to the states to aid vocational education in agriculture, home economics, the trades and industries, and the training of teachers for these vocational subjects. The Congress stipulated in the Act that no funds appropriated under the Act were to be applied, directly or indirectly, to the support of any religious or privately owned or conducted school or college.
The administration of the Smith-Hughes Act was to be executed by a federal board and various state boards. Section six of the Act provided:

That a Federal Board of Vocational Education is hereby created, to consist of the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the United States Commissioner of Education, and three citizens of the United States to be appointed by the President, by and with the consent of the Senate. One of these said three citizens shall be a representative of the manufacturing and commercial interests, one a representative of the agricultural interests, and one a representative of labor. The board shall elect annually one of its members as chairman...This board shall have power to co-operate with the State board in carrying out the provisions of the Act.34

The states were to co-operate with the Federal Board of Vocational Education through state boards of vocational education established as follows:

... any State shall through the legislative authority thereof, accept the provisions of the Act, and designate or create a State board, consisting of not less than three members, and having all necessary power to co-operate, as herein provided, with the Federal Board of Vocational Education in the administration and provisions of the Act.35

In the administration of the Act, the state boards were to establish standards subject to the approval of the Federal Board of Vocational Education. These standards were to relate to minimum


qualifications of teachers, plans for supervision, minimum requirements for plant and equipment, minimum amounts for maintenance of vocational education in any school or class, length of courses, and hours of instruction. The standards established had to implement the principles and policies enunciated by the Federal Board of Vocational Education as defining the spirit and purpose of the Act to meet with the approval of the Federal Board of Vocational Education. Continuous participation by the states in the vocational education program was dependent upon the state reports as to expenditure of funds and future plans.

It must be noted that in the administration of the Act controls as yet unprecedented by the Federal Government in the field of public education had been given to the Federal Board. The constitutionality of these controls and the entrance of the Federal Government into the field of public education to subsidize a special kind of education were considered valid by President Wilson and the members of Congress. A discussion of the constitutionality of this bill by Congressmen Horace M. Towner of Iowa and William P. Borland of Missouri on the floor of Congress is recorded as follows:

Mr. TOWNER. It is not the purpose of this bill to supersede or supervise the great work of educating the people now so successfully carried on by the States.

The need of special work has become manifest. This work will require large additional outlays, it is entirely
proper that the General Government shall stimulate and assist in this work. The entire work of supervision, teaching, and administration is left with the State. The only limitations placed upon the States are those which are intended to incure the application of the funds for the purposes intended.

It has been strongly urged that appropriations from the National Treasury for educational purposes are not authorized by the Constitution. That was one of the grounds upon which President Buchanan based his veto of the first Morrill bill. But Abraham Lincoln was at least as good a lawyer and as great a statesman as James Buchanan, and he approved the Morrill bill...

Altogether, the National Government has granted for schools and colleges nearly 150,000,000 acres of land of the public domain.

Nor have the grants been limited to land alone. Since 1867 direct appropriations of money from the Treasury have been made in many instances. It is too late now to question the constitutional right of the Government to aid the States in any project of education, broad enough in scope to be considered national, and making for the general welfare of the whole people of the Union.

Mr. BORLAND. Mr. Chairman, will the gentlemen yield?

Mr. TOWNER. Yes.

Mr. BORLAND. I am very strongly in favor of this legislation, and have no doubt of its constitutionality; but I want to ask the gentlemen whether there is not a distinction between making grants of land or even appropriations of money to States for educational purposes and establishing a supervisory board which shall have executive duties in regard to such education? Is there not quite a distinction between those things, and are we not in this bill, as we were in the good roads bill, really assuming activities that we formerly thought were not within the scope of the Federal Power?
Mr. TOWNER. Mr. Chairman I recognize the strength of the suggestion, but I think that it can hardly be said that the bill establishes a supervisory board with executive duties. The bill itself establishes standards, or rather requisites, compliance with which entitles the States to their quota; and the board has little to do beyond determining whether the States have complied with the requirements of the bill. I think the gentlemen will agree with me that where conditions are imposed by the terms of an act it is entirely proper to leave to some executive department or to some board or commission which Congress may create the duty of determining whether or not those conditions have been met, and that is all this bill does.

Mr. BORLAND. I heartily agree with the gentleman, I think it is unwise for the Federal Government to grant either appropriations of money or land donations unless it reserves to itself the right of supervision and control over the expenditures of the fund; and yet it does seem to me that it is a departure from the real old fashioned ideas of States rights, which jealously exclude the Federal Government from any of these activities.

Mr. TOWNER. Well, I hardly think, I will say to the gentleman, that this bill goes too far. The gentleman will observe that by the terms of this bill the immediate application of the fund is left with the States. This is not only wise for constitutional reasons but also because the needs of the States and localities are so varied that it would be impossible to frame general provisions that would be adapted to the needs of the whole country and each particular locality. The State boards, however, are acquainted with local conditions and can wisely and intelligently make application of the funds.36

In Congressman Horace M. Towner's pleas for the passage of the Smith-Hughes bill these statements appear as significant when one considers the date they were made:

36 Congressional Record. 64th Congress. 2nd Session. Vol. 54. Part 1, p. 716.
Appropriations for the industrial education of our people cannot be called extravagance or wastefulness. It is not a gratuity, it is an investment. It is not a charity, it is an advancement. As an investment, it will pay better returns than any other than can be proposed. As an advancement, it will bring us not only interest, but the accumulated profits of a larger prosperity and a better citizenship.\(^\text{37}\)

In 1932, Congressman Fiorello H. LaGuardia of New York said, concerning the passage of the Smith-Hughes Act:

The facts are that Senator Dolliver of Iowa and Representative Davis of Minnesota, both well-known Republicans, championed the first bill. Senator Page, Republican of Vermont, and Representative William B. Wilson, a Democrat, later Secretary of Labor in the Cabinet of President Wilson, sponsored the bill in its second stage.

Senator Hoke Smith and Representative Hughes, both Democrats from the State of Georgia, were members of the President's commission of 1914, this commission being created to make a study of the need for such legislation. Senator Smith was chairman of the Committee on Education and Labor in the Senate, and Representative Hughes, chairman of the Committee on Education in the House.

When the vocational education act was being considered during the sessions of 1916 and 1917, many Members of the House and Senate, both Democrats and Republicans, agreed with each other to advance the measure, and expressed their enthusiasm in its behalf. During the debate in the House, members complimented and praised Mr. Hughes.

Only two members of the House - Mr. James Slayden, of Texas, and Mr. Finis Garrett, of Tennessee - questioned the advisability of its passage, and they feared it might interfere with certain State rights. On its final passage they did not vote against it.

\(^{37}\)Ibid., p. 716.
The Record shows that on the final passage of the bill in the House the whole body was so elated that the Members arose en masse and vigorously applauded.

Never at any time were party lines drawn. There is no record of allusion to political party credit in any of the debates. Undoubtedly, the American people should be proud of the fact that this great educational, humanitarian measure passed the Congress by a unanimous vote.38

This unanimous vote for the Smith-Hughes Act also had the approval of such pressure groups as the National Association of Manufacturers, the Chamber of Commerce of the United States, the Grange, the Farmers' Union, the National Education Association, The American Home Economics Association, and many others. This array of pressure groups approving a Congressional bill is a little out of the ordinary. The comment by Congressman Irvine L. Lenroot of Wisconsin, regarding the agreement of certain pressure groups on the personnel of the Federal Board of Vocational Education, also applies in this instance:

I want to suggest that if upon any question the American Federation of Labor and the National Association of Manufacturers can agree, it is a matter of serious consideration for the membership of this House.39

The passage of this Act was further expedited by the necessity

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38 Congressional Record. 72nd Congress. 1st Session. Vol. 75, Part 8, p. 9243.

39 Congressional Record. 64th Congress. 2nd Session. Vol. 54, Part 1, p. 16.
for all-out preparation for World War I. To quote from an editorial from the Scientific American:

Thus, it is not so strong as it might appear to beat first sight that a radical step of this kind should have been taken by the Government at a time when its attention was focused upon the preparation for warfare rather than civic betterment.\textsuperscript{40}

It is interesting that this new attitude was adopted at a time when the existence of the social unit was at stake, when we were fighting to make the world "safe for democracy." The war called for unity and concerted efforts to defeat the foe. It necessitated unity and concerted efforts to "promote the general Welfare" so as to "provide for the common defense" in order to "secure the Blessings of Liberty to ourselves and our posterity."\textsuperscript{41} The inherent meaning of democracy demanded of the Federal Government, an agency instituted of, by, and for the people, certain services in addition to those previously required, as the protection of life and property.

\textbf{Summary}

During this period (1776–1917) a system of free, tax-supported, public-controlled, schools was established. The establishment of these schools had gained their impetus from the fundamental


\textsuperscript{41} The Declaration of Independence.
principles embodied in the Declaration of Independence and the Constitution. The Declaration of Independence accorded to all individuals an equal opportunity for life, liberty, and the pursuit of happiness. It further conceded the right to these individuals to form a government deriving its "powers from the consent of the govt." and laying its foundation and organizing its powers in such form as to them shall seem most likely to effect their Safety and Happiness. The Constitution was the accessory mechanism devised and amended to sanction and steer the representative government the founding fathers had deemed desirable. This representative government demanded full and enlightened participation of all persons in the social unit to insure its progress and perpetuity. Life, liberty, and the pursuit of happiness could not be attained by all individuals, nor could the progress and perpetuity of the representative government be assured without the fountains of knowledge being made equally accessible to all. Therefore, it was necessary to establish a system of public schools to serve these public ends. These public purposes demanded that this system of public schools be free and open to all regardless of race, creed, place of residence, or other limiting factor.

Public schools to serve public ends entailed the transferring of the financial responsibility for education from the parent, the

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church, and charity to the state. Secular education and essential state controls were considered necessary to secure these public purposes. Inherent in this transfer of financial responsibility and the partial acceptance of the pecuniary obligation of all for education was evidence of a growing realization of the necessity of an enlightened electorate to a representative government.

The Federal Government had required the states to include in their constitutions acceptance of the responsibility for public education. The states had passed requirement laws forcing the local units to provide for public education. Therefore, the major portion of the financial support of education was derived from property taxes levied at the local units. After 1913, the states had begun to assume some financial responsibility for education by supplementing the resources of the local units from state equalization funds. The Federal Government had limited its financial aid to "encouragement" grants of lands and monies. The Federal Government had been actuated by ambivalent purposes to provide the "encouragement" grants of lands and monies for education and this had resulted in an inconsistent and vacillating policy by the Federal Government toward the financing of education.

"Encouragement to education" by the Federal Government was given in the early land and money grants. "Encouragement" was also given to the agricultural colleges under the Morrill Act and sub-
sequent Acts which served as precedents for the Smith-Hughes Act granting supplementary encouragement to the secondary schools. Where the aid given in the early land and money grants had been designated for "education"; the Morrill Act and the Smith-Hughes Act offered aid to a specific kind of education. The "encouragement" came to education when the establishment of a system of public schools was sorely needed. The "encouragement" came to the agricultural colleges and secondary schools at a time and in such a way as to promote a specific type of education which was being neglected in spite of an obvious and urgent need of the social unit and the individuals within the social unit.

Many of the shackles which had encompassed the principles incorporated in the Declaration of Independence had been extricated; the Constitution had been implemented by amendments; and there was emerging an ideology or way of life directed toward the realization of these early hopes and aspirations. The realization of these democratic principles demanded more than meager and inadequate educational opportunities.
In 1916, the people of this nation were endeavoring to meet the exigencies attendant upon the waging of a successful world war. There were repercussions in education. Men were called from the teaching field for service in the armed forces. This number was small, however, in comparison with the number who left the teaching field to produce the implements of war. The salaries paid to manufacture these implements of war were far in excess of those received in the teaching field. Throughout the United States the average salary for supervisors, principals, and teachers in 1920 was $871 per year. The average in New Jersey was $1,282, while Mississippi averaged $219 per year. Such figures indicate clearly why teachers were leaving the teaching field.

The need for teachers and the extension of educational facilities had been accentuated by the findings of the draft boards. The figures of the draft boards revealed that almost 25 per cent of the draftees were illiterate. The people were shocked. The Census figures had been more optimistic. However, the Army figures were based on tests, while the Census figures had been compiled from declaration only. The draft further showed that a surprising number
of the draftees could not speak English. It was also found that 35 per cent of the men were physically unfit for military service. Medical authorities stated to a Committee of Congress that 80 per cent of these physically incapacitated could have been relieved of their defects if they had been taken in charge at school age for treatment.¹

The inadequacies within the public school system prompted many Congressmen to turn their attention to securing federal aid to education and giving to the Office of Education a position of eminence. The efforts to secure such a federal action began during the Second session of the 65th Congress (December 3, 1917 - November 21, 1918) when Senator Hoke Smith of Georgia introduced into the Senate on October 10, 1918, a bill to create a Department of Education and for other purposes. The bill was referred to the Committee on Education and Labor. The Committee held hearings on the bill beginning December 2, 1918.

During the Third session of the 65th Congress (December 2, 1918 - March 4, 1919) Congressman Horace M. Towner of Iowa introduced on January 21, 1919, a companion bill into the House.

The Americanization Bill

During this same session of the 65th Congress, Senate bill 5464, introduced by Senator Hoke Smith, temporarily over-shadowed the bill to create a department of Education. This bill, called the Americanization Bill, was intended:

To promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth; to provide for co-operation with the States in the education of such persons in the English language, the fundamental principles of Government and citizenship, the elements of knowledge pertaining to self-support and homemaking, and in such illiterate and foreign-born persons for successful living and intelligent American citizenship.2

The Americanization Bill was given impetus by circumstances which brought to the attention of the people that:

Many aliens did not only refuse to serve the nation but were violent to the point where the government had to take steps to deport them. While it was estimated that 60,000 such were apprehended, only about 500 were actually deported.3

In support of the Americanization Bill, Congressman Simeon D. Fess of Ohio suggested that:

Those who so act can be Americanized through our school facilities. But there are in our midst many, not foreign or aliens but Americans, who must be dealt with not so much by law as by education. The Americani-

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2 Senate Bill 5464.

zation of the un-American is our most difficult problem.\footnote{4}

Those arguing for the bill pointed out that there were three and one-half million people engaged in farming who could not read the bulletins put out by the Department of Agriculture, and that it was necessary to remove this illiteracy to insure full use of the Department's services.\footnote{5} It was maintained that illiteracy in any state is a problem of all the states and, therefore, a national problem.\footnote{6} Education was considered the foundation stone of the Republic; an insurance policy against Bolshevism, sedition, and any attempt to tear down the government.\footnote{7}

Senator William S. Kenyon of Iowa attempted to enlist the support of business and labor groups for the Americanization Bill by declaring that:

\begin{quote}
...there is, of course, no use arguing as to the effect illiteracy has upon wages and in holding labor down to a class from which it could well desire to rise. There is no use arguing the question of its limiting quantity of production; of its making necessary greater supervision; that it breeds suspicion, and disagreements and makes for accidents. Illiterates do not think for themselves; they permit others to do their thinking. They can be made to believe anything. They can render no aid in solving the great problems of industrial unrest; they can have no knowledge of simple economics. The blood of America is being diluted by ignorance.\footnote{8}
\end{quote}


\footnote{5, 6, 7} Congressional Record. 65th Congress. 3rd Session. Vol. 57. Part 1-5, p. 1565. (Senator William S. Kenyon of Iowa).

\footnote{8} Congressional Record. 65th Congress. 3rd Session. Vol. 57. Parts 1-5, p. 4565.
President Wilson expressed his support of the bill in a letter to Congressman William B. Bankhead of Alabama in which he said:

I have been so much impressed with the importance of the so-called Americanization Bill that I am writing to ask if you see any chance of getting it through without interfering with the supply bills?\(^9\)

Those opposing the bill managed to delay and block it without having to be outspoken in their objections. No action was taken on the bill.

Bills for a Department of Education, and Other Purposes

After revision, the Smith-Towner bill (S.1017 - H.R. 7) was reintroduced during the first session of the 66th Congress (May 19, 1919 - November 14, 1919). Joint hearings were held on the Smith-Towner bill by the Committee on Education and Labor in the Senate and the Committee on Education of the House of Representatives in July 1919.

In general, the Smith-Towner bill provided for the creation of a Department of Education with a Secretary in the President's Cabinet. The bill carried an appropriation to be expended for the removal of illiteracy; for Americanization; for equalizing educational opportunities; for physical education, including health and sanitation;

\(^9\) Ibid.
and for the preparation of teachers. The administration of the funds was to be left to the state and local authorities. To participate in these funds the states were to match the federal funds and meet certain requirements, such as a twenty-four weeks school term, compulsory education for all between seven and fourteen years of age, and the teaching of the English language.

It can be seen that the bill was attempting to cover the Americanization Bill, to provide for the eradication of the deficiencies exposed by the Army statistics, and to more nearly equalize educational opportunities for the children of America.

In addition to the Smith-Towner bill in the 65th Congress and the revised Smith-Towner in the 66th Congress (S.1017 - H.R. 7), similar measures such as the Sterling-Towner in the 67th Congress (S.1252 - H.R. 7); and the Sterling-Reed in the 68th Congress (S.1337 - H.R. 3923) remained in Congress from October 10, 1918 until March 4, 1925.

According to the Congressional Records, it was not until the Third session of the 66th Congress (December 1, 1919 - June 5, 1920) that the open fight over such bills really materialized. It continued as long as the bills were before Congress. The approximate beginning of the open opposition coincided with the time of the election of President Harding on a platform of "Normalcy."
President Harding opposed these bills as strongly as President Wilson had advocated the Americanization Bill. President Harding, however, in accordance with a promise made during his campaign, did endorse a bill providing for a Department of Public Welfare under which education was to be placed. This bill was lost in a proposed reorganization of the President's Cabinet.

The bills were stopped, not on the floor of Congress but in the committees. They were not reported out on the pretext that the committees were waiting for action by the committee on the reorganization of the President's Cabinet which could not get around to meeting. The situation was described by Congressman William B. Bankhead as follows:

My statement that there will probably be no meeting of the Committee of Education was predicated upon the proposition that there has been no initial meeting of the Committee on Reorganization, and that it does not seem likely there will be any, in view of the situation existing in the President's Cabinet with reference to that proposition. I think it entirely proper for me to say, further, that in my opinion there is a complete understanding between the chairman of the Committee on Education (Mr. Fess), the Republican leader (Mr. Mandell), and the Republican steering committee that the Sterling-Towner bill shall not be given a chance for passage at this session of Congress.

The method of administering to it the coup de grace is very simple. It cannot be reported favorably out of the committee without a meeting of the committee, and no meeting of the committee will be called by its chairman,
Doctor Fess. It is one of the oldest and yet the most effective of all methods of giving the sleeping portion to a bill.\textsuperscript{10}

Congressman William J. Sears of Florida joined the Congressman from Alabama in placing the blame for the neglect of the Sterling-Towner bill on the Republican party then in power:

Although the Sterling-Towner bill has been before the committee for nearly a year, to-date it has not been reported, although the Republicans have been and are, in complete control of said committee and have a majority of approximately 165 in the House.\textsuperscript{11}

During the time (October 10, 1918 - March 4, 1925, over six and one-half years) these bills to create a Department of Education and provide money for aiding and equalizing educational opportunities were in Congress, the opponents and advocates advanced arguments for and against the measures. Some of the groups endorsing the bills, according to a statement in the Congressional Record by Congressman Daniel A. Reed of New York, were:

\begin{align*}
\text{National Education Association} & : 158,000 \text{ members} \\
\text{American Federation of Teachers} & : 9,000 \text{ members} \\
\text{American Federation of Labor} & : 2,877,297 \text{ members} \\
\text{National Committee of a} & : 100 \text{ members} \\
\text{Department of Education} & : 30 \text{ national organizations}
\end{align*}

\textsuperscript{10} Congressional Record. 67th Congress. 2nd Session. Vol. 62. Part 5, p. 4822.

\textsuperscript{11} Congressional Record. 67th Congress. 2nd Session. Vol. 62. Part 5, p. 4283.
National Congress of Parents .....................
and Teachers ........................................... 9,000,000 members
General Federation of Women's Clubs ............... 2,500,000 members
National League of Women Voters ................ Organizations in 44 states
Supreme Council of Scottish Rite of................
Free Masonry, Southern Jurisdiction ............... 300,000 members
International Council of Religious Education .... 36 Protestant Organizations
National Council of Jewish Women ................. 55,000 members
National W.C.T.U. ..................................... 500,000 members
American Assoc. of University Women ............... 25,000 members
Nat. Fed. of Business and Prof. Women's Clubs ...... 140,000 members
Gen. Grand Chapter, Order of......................
Eastern Star ........................................... 800,000 members
National Board Y.W.C.A ......................... 500,000 members
National Women's Trade Union League .......... 500,000 members
National Society, D.A.R. ............................ 153,800 members
National Federation of Music Clubs ................
American Library Association ..................... 7,000 members
American Vocational Association .................. 1,690 members
Women's Relief Corps ................................
Fed. Council of Churches of......................
Christ in Am. ......................................... 30 Protestant denominations

In addition to this list of national organizations, many smaller groups memorialized Congress in favor of these bills. Senator Hoke Smith said, "I believe it is receiving support from at least two-thirds of our constituents who call upon us to make it law."13

In general, the opponents of these bills were the business group; the farm group; the Catholic Church; the "states' righters," who opposed the legislation on basic grounds of states' rights, those under states' rights banners from wealthy states not benefiting to the maximum by such bills, and those believing in segregation and fearing that states' rights in the matter might be violated; and those who still believed that the responsibility for the education of the young should revert to the parents.

Arguments Advanced by the Proponents of these Bills

As sponsor of the bill, Senator Hoke Smith of Georgia based his argument for the passage of such a bill on Thomas Jefferson's words, "Equal rights for all, special privileges for none," and on Abraham Lincoln's "To all an unfettered start, and a fair chance in the race of life."14

In an article introduced into the Record by Senator Hoke Smith and prepared by the executive committee of the National Committee for a Department of Education, the executive committee insisted that a department of education would give education the "place in the sun" it so rightly deserved and would help to co-
ordinate education not only in the states but internationally as well; that all federal control was out; that private and parochial schools would not be interfered with; and that this was in keeping with the recognition previously given other national problems, such as the building and maintenance of roads. This committee pointed out that the passage of such legislation was an urgent exigency. They estimated the annual loss to the nation from illiteracy at $826,000,000. They maintained that "The safety of the Nation rests in its citizens and the danger lies in the susceptability of the ignorant to the pleas of the agitator," and that the effects of illiteracy were not restricted by sectional or racial boundaries. They contended that since "the greatest need for improvement in education is found where there is the least taxable wealth," and "the evidence is perfectly clear that the States individually cannot furnish that equality of opportunity which is fundamental to our government," the Federal Government should aid in the financing of education. They considered this just since "The wealth concentrated in certain centers was not created there."

In a letter to Senator Hoke Smith endorsing the Smith-Towner bill, Matthew Woll, vice-president of the American Federation of

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15, 16, 17, 18 Congressional Record. 66th Congress. 3rd Session. Vol. 60. Part 4, p. 3831.
Labor, described the difficulties encountered by the AFL with the comparatively ignorant worker, as to the deaths and injuries each year because of inability to read safety warnings. He attempted to allay the fears concerning federal control by saying "the fact that the bill has the endorsement of the American Federation of Labor ought to be sufficient assurance. The last thing that the Federation desires to see is bureaucracy enthroned at Washington." He ended his letter with "the whole thing simmers down to whether you believe in the public school or whether you do not." 19

The memorial of the State of Tennessee was the only one included in the Congressional Record endorsing the Smith-Towner bill. The resolution carried the following reasons for endorsement:

Whereas the world wide extension of popular government has placed upon the masses of the people responsibilities never borne by their forefathers, and has made more necessary than before universal education as a means of social defense; and

Whereas the development of communication and transportation has brought all sections of the country into such intimate relations that ignorance and its attending vice in any part of the country is a menace to the welfare of every other section so that the responsibility for public instruction can no longer be regarded as merely a local, county, or State concern; and

Whereas the children of the States are to become the citizens of the United States, as well as of their respective States, and as such are to have national obligations and responsibilities; and
Whereas the State of Tennessee has recognized by statute the obligation of its wealthier sections to aid in the education of children of less-favored districts, on the principle that revenue for school purposes should be collected where the income is, expended where the children are, and ...20

Senator Hoke Smith presented to the Congress an article published in the Masonic Standard showing in detail the inequalities as to children to be educated, the ability of the states to educate and the expenditures for education.21 From the memorials and discussions in the Congressional Record it appears that the Congress was informed concerning the inequalities and the need for more adequate and more equal educational opportunities.

Congressman Simeon D. Fess from Ohio declared that:

There is no question about the constitutionality of the legislation of Federal aid, nor whether we have adopted it as a policy.22

Opposition to the Bills

Congressman Caleb R. Layton of Delaware summarized the arguments of the opponents of these bills in this way:

20 Congressional Record. 66th Congress. 3rd Session. Vol. 60. Part 4, p. 3361.
First. The plan is unnecessary, because illiteracy is declining in the United States and not increasing.

Second. The plan is unnecessary also because the people of the various States and communities expend how sufficiently enormous funds for education for all rational purposes.

Third. The plan would destroy local control of education; and the local keen interest in all school matters.

Fourth. The plan would rob the people of their control over the amount of taxation, as well as deprive them of the power to expend it.

Fifth. The appropriation is inadequate. Even a hundred million of dollars would not be a drop in the bucket for the carrying out of such a scheme if enacted into law, when billions are now spent for this purpose by the various communities and States of the Federal Union.

Sixth. Such legislation would be untimely, even if expedient, under the present conditions of the country with the intolerable burden of taxation already existing.

Seventh. The plan would produce uniformity in education. This would be the destruction of a highly desirable and splendid diversification of American thought and character.

Eighth. The plan would inevitably lead to political involvement. The secretary of education would necessarily be a political appointee, subject to the same political influence in appointment that all other Cabinet appointments are subject to.

Ninth. The plan would invite and invoke a religious controversy, which would be regrettably undesirable from a national standpoint.

Tenth. The plan is undemocratic and un-American, and plainly borrowed from European and especially German sources.
Eleventh. Education in a democracy is essentially a home and community matter—where the children of the home belong to the parents, and not to the State—as the Socialists and the Bolsheviks teach.

Twelfth. The plan is plainly unconstitutional, and in direct conflict with the reserved rights of the people under our national organic law. If put into effect, it would destroy the liberty of the people, their sense of initiative and personal responsibility, and transform them into dependents upon a paternal government—thus killing the spirit and purpose of the founders of our great democracy.

Thirteenth. The plan of Federal "contribution" to the States is uneconomical for the State of Delaware. Delaware would not receive an allotment in proportion to the amount of internal revenue collected in the State.23

Opposition on the Basis of States' Rights

Senator William H. King of Utah was a pronounced Advocate of states' rights, and he opposed the bills for federal participation in education on that basis. He believed that:

... if we established this Federal agency to aid education, those safeguards in time will be thrown off and there will be established in Washington an autocratic power that will standardize and bureaucratize and reduce to a dead level of uniformity the educational system of the States of the union... we need variety in life, difference in the thoughts and actions of different sections. I want the Senator's State to engage in rivalry with my State and I want to see my State struggling for primacy in the intellectual and educational fields of our country. But the Senator by his policy, and that is the policy of so

many men in the country, wants the power of the Federal Government exerted in the States to control and influence their domestic affairs. The crusade is now on to have the Federal Government control the States, build their highways, care for the public health, educate the people, and take over the police powers reserved by the people, to the States. This bill will secure uniformity; but it will likewise destroy the Republic... The bill is more dangerous than some of those that bear more strikingly upon their countenances the determination to destroy State lines, because it is so seductive and alluring. It burglarizes while it professes friendship and to be the bearer of beneficial gifts. It steals into the States under guise of an Angel of Mercy and of light for the purpose of striking down the individuality and personal independence of the inhabitants of the States and ultimately strangling the spirit of community life and state rights.

I am not contending for the ascertaining of State rights that would dismember the Republic, but I am contending for the preservation of the States so that the Republic may be preserved.

...let the States alone. Let the people in happy rivalry discharge the duties of American citizens. Do not destroy State pride; rather let us cultivate it and encourage it. Already there is splendid and progressive rivalry between the States to see which can do the most for education, for public health, and for those enterprises and movements which are indicative of social progress. The records of some States are superior in one line, but not in all lines, but the success of one commonwealth in any social or educational movement becomes an inspiration for all other States. The spirit of competition makes for progress and growth. Individuals compete, and we should not adopt a course that will emasculate or weaken the spirit of independence which should be the crown of glory of all Commonwealths in the Republic.

Another opponent of such legislation, basing his argument on states' rights, more especially states' rights in the matter of segregation, was Congressman Henry St. George Tucker of Virginia. Congressman Tucker warned that "No man who has studied this bill can fail to see that if its proponents can only get it passed and started the control of the school systems of the States will pass to the Federal Government." He said that the bill might be administered the first few years so as not to invoke any criticisms but after the states had tested this "forbidden fruit and found it good" the Congress could set about "nationalizing" education, which was "the object of the proponents." He said the teachers for California or Maine might be selected from Virginia or Louisiana, and that the Secretary of Education might "conclude that the textbooks for all the schools of the United States should be written by certain men to be selected by him or her." And "in order to minimize the number of schools in the United States, and in order to institute economical methods in their development" the Secretary of Education, having the powers to prescribe the condition upon which the money is allocated might insist that "these millions of dollars that are to go to the schools could only go upon the condition that no separate schools recognizing racial differences in the States should exist in the States." Congressman Tucker
intimated that such action might get by Congress since the seventeen states maintaining segregated schools had a minority representation in Congress. He warned that the passage of this bill would put the school systems of the South in a "dangerous position" where they could not "be defended." He asked, "Are you willing to pay such a price for mixed schools?" 25

Congressman Tucker declared that for the Congress to expend monies and relinquish control over said monies was unconstitutional because "Congress cannot delegate the powers confided to it." The fact that such actions had been taken in the past did not convince him of the constitutionality of such acts since they had never been tested before the "great tribunal." He contended that because Congress passed such acts did not make them legal and constitutional and that one did not "continue in sin that grace may abound," nor would the courts concede "that because of a prior violation of law has gone unwhipped of justice the commitment of another can wipe out the former stain and make the last an act of innocence." 26

Congressman Tucker pointed to Germany as an example of what might happen if the Sterling-Towner bill was passed. He insisted that such "concentration of power results in irritation, congestion, ________________


26 Ibid., pp. 559-545.
and inflammation in the body politic and the destruction of liberty; and, like the human body suffering with inflammation needs a counterirritant to draw out the inflammation. A mustard plaster in the latter case will usually relieve the patient, and in the former the return of the local powers of which the people in their States, counties, and districts have been stripped will bring the desired relief.  

Congressman Tucker declared that "the people should know that a number of lobbying bureaus and boards at the National Capital... are constantly seeking to secure the passage of all sorts of paternalistic schemes that rob the Federal Treasury, prostrate the States to impotent provinces, and increase the burdens of federal taxation." He added that "In co-operation with other unworthy agencies they are reducing the Federal Government to a most extravagant and wasteful co-operative society." Congressman Tucker declared that such people were trying to increase the government debt at a time when "every patriot is trying to reduce it."  

From the wealthy states, or states better able to provide educational opportunities, or those not benefiting to the maximum by these bills, there were again repercussions under the banner of

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27 Ibid., p. 560.

28 Ibid., pp. 557-560.
states' rights. Rhode Island was the only state memorializing Congress against these bills according to the Congressional Records. The reason given for opposition to the bills was as follows:

Whereas there is now pending in Congress an act which it is believed is prejudiced to the best interests of this country and places undue responsibility upon the school authorities of the several States...

Senator David I. Walsh, of Massachusetts, labeled the appropriations as "bribes" to the poor states to sacrifice their birthright, namely, states' rights. He questioned, "Upon what principle of justice can the people of Massachusetts or any other State be asked to place an additional tax on themselves in order to improve the educational system of some other States?" He questioned the data that had been presented by the proponents relative to educational need and educational ability by saying, "how do we know whether or not it is the financial limitation or indifference that is responsible for their inferior school systems." He questioned whether or not a premium was being put on neglect and indifference by the proposed bills. He failed to see the justice of "compelling the States whose citizens have made the greatest financial sacrifices
to promote education to bear an additional tax in the expectation of stimulating the indifferent.\textsuperscript{30} As evidence of the "greatest financial sacrifices" he offered statistics on twenty-four states showing the comparative state debts. The figures showed six New England states having an average state debt of $24.38 per capita, while seven South Atlantic states had only $9.20 per capita state debts. He further pointed out the average per capita debt of the United States was $10.00; Massachusetts $35.83; New York $25.79; Florida $84; Texas $1.30; Arkansas $1.20; Kentucky $2.00; Georgia $2.07; and Mississippi $4.25.\textsuperscript{31} Senator Walsh did not say that these debts had been incurred as a result of educational expenditures.

In July, 1922, the National Education Association had its annual meeting in Boston, and the Massachusetts newspapers lambasted these bills and the National Education Association for endorsing these bills. Excerpts from some of these articles introduced into the Congressional Record are as follows:

The \textbf{Boston Herald}, July 2, 1922; article entitled, "No Politics, No Sectarianism in the Public Schools" (speaking of the National Education Association):

\begin{quote}
\textsuperscript{30} \textit{Congressional Record. 68th Congress. 1st Session. Vol. 65. Part 1, p. 309.}

\textsuperscript{31} \textit{Congressional Record. 68th Congress. 1st Session. Vol. 65. Part 1, p. 309.} 
\end{quote}
It can be a tremendous service to the future of the United States if it continues to devote itself to the discussion of methods for the educational development of American youth along broad and liberal lines. It can be a destructive influence to American ideals if it yields to the persuasive arguments of the propaganda so active already around Boston Meeting places looking toward the centralization in Washington of all educational activities.

Should the National Education Association for any reason either adopt resolutions favoring the Towner-Sterling education bill, or send out from Boston its members poisoned with the virus of socialism and bureaucracy emanating from that bill and proposed legislation of similar purport it will have done a wrong to the course of real education from which perhaps there will never be a recovery. More than that, it will have stirred into virulent activity all the sectarian animosities which follow invariably upon attempts to control by government the character of teaching in American Schools.

Should the Towner-Sterling bill become a law and should it be accepted by the States, it would be a deadly blow at the Federal Constitution. It would be another step toward the subordination of the governments of the States to the activities of partisan and sectarian bureaus located at the Federal Capital, where they cannot be in close touch with conditions in local communities. It will be a step toward tyranny through socialism — a long step toward the disintegration of our federated Republic.

The Towner-Sterling bill will poison education with politics and sectarianism. Our schools must be kept free of both.32

The Boston Herald, July 6, 1922, article entitled, "Why We Oppose Federal Control of Education":

There is no such thing as compromise or middle ground. Either the individual States must determine their own educational methods or the Federal Government

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must control the States — the two systems cannot be combined... Even though a bill might be adopted tomorrow should in words prohibit "Federal Control"; there is nothing in the system which the Towner-Sterling bill inaugurates to prevent the growth of bureaucratic despotism later.

If the backward States feel that they need assistance in advancing the cause of education they will be generously aided by the friends of education in States like Massachusetts, which has already led in educational endeavor; but they must not expect the State of Massachusetts or any other forward-looking State to sacrifice her independence at the behest of socialistic theorists.33

The Boston Transcript, July 7, 1922, article entitled, "Bill to Europeanize Our Public Schools":

Without debate, but not without a preliminary propaganda that might well make any alien agent envious of its efficacy, the NEA in National convention assembled has again endorsed the Towner-Sterling bill. A big fund is being raised by the proponents of this measure to pay the cost of the lobby that is trying to jam it through the Congress during a campaign year, while the jamming process is comparatively simple, and down the throats of the American people who will be taxed to pay the cost of this elaborate scheme with a hyphenated name.

What is the Towner-Sterling bill? It is a bill to Europeanize the educational system of the United States, to swap the free school system of the several States and substitute in its place a Federal system of education subsidized from Washington, and all in imitation of the imperialistic methods of the Old World.34

33 Ibid., p. 10549.

And finally in the Springfield Union of July 6, 1922, in an article entitled, "The Sterling-Towner Bill," the National Education Association was advised as to the best course it might pursue in the future:

From any point of view the principle of the measure is vicious and the best thing the members of the National Education Association can do for the cause of education is to declare against it and to continue to seek their general information and helps from such conferences as has assembled in Boston.\textsuperscript{35}

**Catholic Opposition**

According to the Congressional Records, the Congressmen and "constituents" of Massachusetts, Rhode Island, and Connecticut were most outspoken in their opposition to these bills. As had been said, these were wealthy states not anticipating maximum benefit from the provisions of these bills. Among other reasons for opposition, a look at various statistics regarding the religious grouping in these states leads one to believe that a religious factor was operating as well. In 1926, approximately 15 per cent of the national population was Catholic. In Massachusetts, the Catholic population was 39 per cent; in Rhode Island it was 43 per cent; and in Connecticut it was 36 per cent. In contrast, in Tennessee, the

state memorializing Congress in favor of these bills, the Catholic population was less than 1 per cent. The Catholic Church maintained many parochial schools relieving the states of educational responsibilities for Catholic children. This resulted in more money per child in the public school at a lower tax rate. The Catholic Church opposed federal aid for public education on a "self-preservation" principle. Naturally, a high percentage of Catholic population asserted itself in matters of state, pronouncements of the press, and other ways. For instance, Senator David I. Walsh of Massachusetts, quoted above in opposition to these bills, was a Catholic representing a state made up of a high percentage of Catholics.

One of the first Catholic organizations to memorialize Congress was the Knights of Columbus of the City of Grand Forks, North Dakota. Senator Asle J. Gronna of North Dakota requested that the following resolution adopted by this organization be printed in the Congressional Record:

Whereas at a meeting of the Grand Forks Council, held at Grand Forks on the 14th day of February, 1921, a thorough discussion of the Smith-Towner bill was had by the members present; and

Whereas the following members unanimously voted to oppose the bill for the following reasons:

1. Because it involves the menace of Federal education bureaucracy.

2. Because it destroys the constitutional principle by which rights reserved to the states or to the people are inviolate; in particular the educational independence of the States.

3. Because education, which is fundamentally local, it centralizes at the National Capital at Washington, thus subverting the whole traditional policy of the country.

4. Because "centralized" and "bureaucratized" education tends to become "ossified" education; involves the schools in the national curse of red tape, reates another army of Government employees and substitutes the Federal Official for the local superintendent.

5. Because it decreases educational efficiency and would throttle educational freedom.

6. Because it will add hundreds of millions of dollars to the country's already staggering financial burden for a wholly unnecessary, useless, and wasteful national department.

7. Because it is in reality taxing the North to educate the South.

8. Because it would work grave injustice to the schools and teachers of Massachusetts and all educationally pro­gressive states.

9. Because notable educational authorities with no personal interests to be served by the bill, see in it a menace to American education.

10. Because it is not an American ideal, but a foreign importation, wholly inconsistent with American ideals of freedom and liberty...37

37 Congressional Record. 66th Congress. 3rd Session. Vol. 60. Part 3, p. 3596.
From the memorials and resolutions sent to the Congressmen in Washington from Catholic groups, other criticisms stand out, such as "the proposed bill will make the individual States more and more reliant upon the Federal Government and to destroy that nice balance of interests and powers which is the unique glory of our governmental system";\(^\text{38}\) "irrevocably opposed to the principles of American Democracy"; "it leaves it in the hands of a political appointee, secretary of education, the decision whether or not State school programs are meeting the requirements of the Federal board. On this decision depends the disbursement of the Federal millions, so that practically in one man will be vested the power of an educational czar. The man that holds the money strings is the man that wields the power";\(^\text{39}\) "a step toward absolute domination of the educational agencies of the State and a dangerous and unjust encroachment on the rights of the parents over the education of their children, ... empowers to the Federal Government rights which were never surrendered by the State... the States have amply shown their ability and competence to provide adequately for the education of their citizens within their borders, as is evident by the constant reduction of illiteracy in the United States... education should be

\(^{38}\) Congressional Record. 66th Congress. 3rd Session. Vol. 60. Part 3, p. 3292 (Letter from Paul P. Lauer, Mount St. Michaels, Hillyard, Wash.)

\(^{39}\) Ibid., p. 3292.
kept out of politics, which will be manifestly impossible if this bill should become law.\textsuperscript{40}

The Catholic opposition was so outspoken as to provoke Senator Hoke Smith of Georgia to bring the matter to the attention of the Senate:

There has been but one active opposition to the measure. It has come from organizations of Roman Catholics, I will say Senators, that every resolution passed by them, every expression I have seen, has disclosed ignorance of what the measure is, and that which they have attacked is not found in the measure. They have criticized what does not exist, and what was never contemplated. They have attacked what they say is to be an autocratic control by a national secretary of education of the public and private schools of the land. They have attacked what they say is to be an interference with the right of the parent to send his child to what school he pleases. Some of them have gone so far as to say that the measure is directed against the religion of Jesus Christ... the criticisms they direct against it are covered by provisions of the bill which free the measure from the very things they fear may occur... There people must be laboring under false impressions as to the provisions of the bill, or they could not have sent the telegrams, and it is unfortunate that they place themselves as religious organizations against aid to public schools.\textsuperscript{41}

Senator Furnifold McL. Simmons of North Carolina interrupted with an attempt to clarify the Catholic position:

\textbf{Mr. President, I wish to ask the Senator from Georgia a question. Does he believe that the protests which are coming from the Catholics, as he says, are really based}

\textsuperscript{40}Ibid., p. 3292.

\textsuperscript{41}Congressional Record. 66th Congress. 3rd Session. Vol. 60. Part 3, p. 3039.
upon the assumption that Catholic children will be required to attend public schools under this bill, or are they based upon the other idea that, as the Catholic Church, probably more than any other parochial schools, the Catholics, while having to pay their part of this fund would not get any benefits from it because they do not patronize the State public schools? While the protest is based upon the other ground, is it not probably that is the real basis of their objection? ...Though I think the statement which the Senator has made with reference to the requirements of the bill clearly demonstrate that there is no foundation for Catholics to object to it, I suspect the objective is in part due to some other than is stated.\[41

Senator William H. King of Utah, an advocate of states' rights, took issue with the suggested position of the Catholic Church:

The position of some of the Catholic organizations, to quote the Senator from Georgia, in my opinion, does not rest alone upon the ground suggested by the Senator, but is placed upon the ground that they believe in the rights of the States...\[42

Senator Furnifold McL. Simmons doubted Senator King's Opinion because of other action taken or not taken by the Catholic Church which he described as follows:

Is not the Senator mistaken in that assumption, and is not the fact that the Catholic Church, while opposing this measure, as the Senator opposes it, is not opposing the other measure to which I have referred? Has the Catholic Church offered any opposition to the great appropriations, one of which has just been voted here for good roads or to similar appropriations that have heretofore been made? Have they offered any opposition to the appropriation to which the Senator just referred with respect to our health regulations and laws?....The point I am making is that the Catholic Church is not objecting to that (meaning roads)

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\[41 Congressional Record. 66th Congress. 3rd Session. Vol. 60. Part 3, p. 301.5.
and is not objecting to any other measure of like character; and, therefore, I think the Senator is probably wrong in ascribing their objections to this measure to the ground upon which he objects to it.\textsuperscript{43}

As can be seen, the Catholic Church joined with the "states' righters" in their opposition to bills for a department of education. This Catholic opposition prompted Senator Hoke Smith to announce that:

When the operation of a denominational school interferes with the willingness of members of the church to pay a full and free part toward public education of all the children, I, for one, will vote to abolish that school.\textsuperscript{44}

Senator Smith was deprived of the possibility of such a vote, however, because during this period the Supreme Court settled the issue covering the right of sectarian groups to maintain and patronize Church schools. On June 1, 1925, a decision was handed down on \textit{Pierce v Society of Sisters and the Hill Military Academy.}

The various state compulsory-attendance laws had been upheld by the Courts. On November 7, 1922, the people of Oregon by initiative measure adopted an amendment to the school law, to become effective in 1926, "requiring parents and others having control of young children to send them to the primary schools of the state."\textsuperscript{45}

\textsuperscript{43} Congressional Record. 66th Congress. 3rd Session. Vol. 60. Part 2, p. 3046.
\textsuperscript{44} Congressional Record. 66th Congress. 3rd Session. Vol. 60. Part 2, p. 3040.
Among other things the Court decided:

The Oregon Compulsory Education Act...which, with certain exemptions, requires every parent, guardian or other person having control of a child between the ages of eight and sixteen years to send him to the public school in the district where he resides, for the period during which the school is held for the current year, is an unreasonable interference with the liberty of the parents and guardians to direct the upbringing of the children, and in that respect violates the Fourteenth Amendment.\textsuperscript{46}

In other words, decisions of the courts have upheld the demands of the states for school attendance but have denied the right of the state to compel all children to go only to public schools.

Opposition by the Business Groups

The United States Chamber of Commerce, which had endorsed vocational education, was cognizant of the federal aid to education bills being presented to Congress and moved to determine its policy regarding general education. A resolution was adopted by the Civic Development Department Committee of the Chamber recommending that the Board submit to referendum the subject of education and the issues involved. It was voted that the President of the Chamber be authorized to appoint a special committee on education to consider the questions involved and report to the Board.

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Ibid., p. 510.
The special committee on education submitted its majority report on the "Participation of the Federal Government in Education" on November 20, 1922. The report concluded that the State and local units should continue to assume the financial responsibility for the education of the young within the various states. The Committee insisted that the framers of the Constitution intended to leave education in the hands of the states.

The Constitution does not mention education, and nowhere gives the Federal Government authority to direct or control education. As this power was not reserved by the Constitution to the Federal Government, it is clear that the framers of the Constitution deliberately intended to vest in the states the power to establish, maintain, conduct, and control education. This does not mean that the framers of this Federal democracy failed to realize the importance of education, but that like many other activities vital to the welfare of our people they believed that education could be carried on with better regard to the interests and wishes of the people, with better adaptation to local needs, and with greater efficiency and more economy if left to the states than if it should be federalized and so controlled and conducted by Federal officers located at the National Capital.\(^{47}\)

The Committee held that such a bill "lays sure foundation for Federal control"\(^{48}\) and that "if we travel this road we shall end with a great bureaucratic machine at Washington, having its Secretary of Education in the Cabinet, its Assistant Secretaries of Education, and a horde of bureau chiefs and clerks and three-


\(^{48}\) Ibid., p. 85.
quarters of a million of Federal employees teaching in the schools and bossed by several thousand field inspectors, supervisors, and other petty traveling officials."

Among other things, the committee questioned the accuracy and the interpretation placed on the Army statistics; the inability of any state to provide a fair standard of public education for its youth; and the desirability or the possibility of equal educational opportunities being provided throughout the nation by the passage of such bills as the Sterling-Towner, then in Congress. In conclusion, the committee said:

We find that the picture of the shortcomings of our educational system is in many respects exaggerated, in other cases inadequately analyzed. We find great interest and great activity on the part of the states. The important question in considering the criticisms of our public school system that really have merit, such as the condition of the rural schools, inadequate compensation of school teachers, lack of preparation of teachers, is to know whether we are making substantial progress on these difficult problems under the present system. Looking at the situation historically instead of by the "shock" method, and discounting passing war conditions, we find that although we are still far from what we should attain, enormous progress has been made, especially in the last decade. We think it is clear that our present educational system has not failed and that there is no reason for scrapping it and no adequate reason for putting the Federal government into our public schools, or for appropriating today one hundred million dollars of Federal money.\footnote{Ibid., p. 3.}

\footnote{Ibid., pp. 52-53.}
The committee pointed out the need for tax reforms in many states and the arousing of public interest in education:

The advocates of the bill have overestimated the relative importance of public interest and money. Public interest never fails to produce the needed funds. But the donation of Federal money is not always successful in stimulating public interest. It is more likely to kill responsibility and destroy initiative.\(^51\)

Regarding the Bureau of Education, their recommendation was as follows:

Our review of the proposals for Federal participation in education and for the creation of a Department of Education has shown clearly the necessity for more comprehensive study and a deeper and sounder analysis of the educational problems of the nation, and one devoid of propaganda and the sensationalism which mark the present discussion. We believe it is desirable that there be substantial increase in the appropriation for the present Bureau of Education to make it possible for educational research to be conducted on a larger scale and for a greater degree of leadership to be furnished to educational effort, especially in the more backward states. However, instead of increasing the appropriation of the bureau at one jump from $162,000 to $500,000 it will undoubtedly be more effective to make the increase gradually, and the increased appropriation should be based upon definite proposals for the expenditure of the money, which is one of the conspicuous defects of the proposal in the present bill for the appropriation of $500,000 for the proposed Department of Education.\(^52\)

Based on the Report of the Special Committee on Education of the Chamber of Commerce, the ballot for referendum number forty


was sent out on December 26, 1922. Three questions were asked:

I. Do you favor the creation of a Federal Department of Education with a Secretary in the President's Cabinet?

II. Do you favor enlarging the present Bureau of Education?

III. Do you favor the principle of federal aid to education in the states on the basis of the states appropriating sums equal to those given by the Federal Government?

The policy of the Chamber regarding federal aid to education was determined by this referendum. The results of referendum number forty were reported at the eleventh annual meeting, 1923:

The question involved were submitted to a referendum as a result of which the Chamber became committed in opposition to the creation of a new Federal Department of Education and against the principle of federal aid to education in the States. On the question of enlarging the present Federal Bureau of Education, the vote was indecisive since a two-thirds majority was not cast either in favor of or against the proposal.

After the determination of policy regarding education, the Chamber moved to implement its policy. We find in the Board's annual report to the sixteenth annual meeting (1928) the following:

The Chamber has recorded its opposition to a proposal now before the Senate and House for creation

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of a federal department of education with a secretary in the President's Cabinet. 55

An in the annual report of the Board of Directors to the Seventeenth annual meeting (1929) we find:

Federal participation in education and the present commitments of the Chamber with reference to it have been studied by a special committee. Proposals to establish a federal department of education with a secretary in the President's Cabinet have been carefully studied, and the Chamber's position in opposition has been presented at Congressional hearings. Activities of Chambers of Commerce in the promotion of education have been compiled and distributed in the form of a report as an aid to local committees in the formulation of their program. 56

A similar position was taken by the National Association of Manufacturers.

Opposition by the Farm Group

As to the farm group, the Farm Bureau was still in its infancy as a national group, but the Grange opposed the bills for a Department of Education while favoring the establishment of a Public Welfare Department. Their statement, by the Committee on Education in 1920, was as follows:

The National Grange approves the plan for the creation of a Department of Public Welfare, with a


Secretary at its head who is a member of the President's Cabinet; such a department to include the various activities of the Federal Government having to do with public education, morals, health, and sociological questions, such as children's bureau, housing problems, home economics, women in industry and others. At the head of such a department will be found an opportunity for public service which can be best filled by a woman and the National Grange asks that such a department be created, and that a woman be named as its Secretary.57

In 1922, National Master Sherman J. Lowell said:

I am just as much opposed to establishing a Department of Education at Washington as I am to having the government take over as such any of the other functions which the people should perform for themselves. Introducing a little more education on how to make a living and remove from the school curriculum some of its superfluous things and we will have made real progress.58

In 1923, the Committee on Education made the following statement relevant to the authority for education:

We believe the tendency of today is towards increasing rather than decreasing the authority of State and National Departments of Education and while we believe that a certain amount of supervision is necessary, let us insist that the balance of authority shall always rest with the local communities.59

The statement by the Committee on Education of the National Grange in 1924 was definite concerning the Department of Education

58 43rd Annual Convention of the Grange. 1920, p. 165.
and revealing as to their fear of centralized control:

Since it might result in a costly bureaucratic arrangement that would tend to more and more centralize authority, we are opposed to the formation of a National Department of Education with its executive a member of the President's Cabinet.

Other Opposition

Congressman Caleb R. Layton of Delaware seemed to represent the group desiring that the support of education revert to the parents. He addressed the House of Representatives as follows:

If this legislation is enacted, and the measures proposed by the gentleman from Ohio (Mr. Fess), and that by the gentleman from Iowa (Mr. Towne) and other related schemes of the same bureaucratic character, the hopes of the citizen for lessened taxation, and economical appropriation will forever go glimmering. To such an extent would federal taxation expand and draw upon the resources of the taxables that sooner or later the people of the communities and of the States would find it impossible to meet these demands and at the same time retain the ability to levy taxes for their own community and State purposes.

I am in favor of education and believe that it should be the supreme purpose of every boy and girl in the land to secure an education, just as it should be a matter of pride and settled purpose for every man and woman to secure a home and the means of a comfortable living. What I do desire to have understood is that neither the State nor the Federal Government should be responsible any more for education than for food and clothing. Every State in the Union already provides not only food and clothing but shelter as well for the indigent and helpless — a humane and altogether proper provision.

52th Annual Convention of the Grange. Committee on Education. 1924, pp. 239-240.
I do not believe that the Federal Government has any right to interfere in what should be essentially and primarily the direct concern of the communities within the States. I go further to say that I believe that the respective States themselves should limit their State activities in this direction and place not only more responsibility directly upon the people but protect the people in the matter of taxation and expenditure for this and other State purposes which are essentially matter of community intent.

In other words, I do not believe that the State itself has any duty to perform or should have any concern over the matter of education except to see to it that its future citizens are made sufficiently literate to fit themselves for the proper exercise of the right of suffrage.

That illiteracy was not an obstacle to the foundation of our government is very clear. The illiteracy of the Colonies at the time they met the armed forces of the most powerful nation in the world was not less than 75 per cent of the three million and a half who were involved in that great struggle. At the time of the adoption of our present Constitution in 1789 the illiteracy of the country was hardly less than in the Colonial period. I again ask you to remember that the greatest and most beneficient government that the world has ever known was instituted on a 75 per cent illiteracy and decade by decade has expanded and preserved itself on a far greater illiteracy than now exists. Again I ask, can grapes grow from thorns or figs from thistles? Cold logic historically would seem to prove that an illiteracy of 75 per cent was beneficient rather than harmful.

Ever since time began the human race has been subject to periods of mental prepossess... Just now we are in the throes of violent spasms over education throughout the whole country, intensified and propagated chiefly by those who are self-interested - by the thoughtless and conscienceless politician, abetted by the dreamers and altruists, who fondly think that they are engaged in a great, noble, and necessary propaganda which will have for its results a real millenium; but chiefly by professional educators and teachers seeking an enlarged opportunity under a government payroll.

61 Congressional Record. 67th Congress. 4th Session. Vol. 64. Part 5, p. H430.
Bills to Create a Department of Education

The proponents of these bills for a Department of Education and Federal aid to education were discouraged by the opposition they had encountered and considered it advisable to retreat in their demands. Bills were next introduced which, in general, provided for a Department of Education with staff and funds appropriate for research and dissemination of information in such fields as rural education; elementary education; secondary education; higher education; professional education; physical education, including health and recreation; special education for mentally and physically handicapped; the training of teachers; immigrant education; adult education; and others. The previous appropriations for teacher education, equalization funds, etc., were omitted.

As may be seen, such bills were designed to gather more information concerning the educational situation, and to provide a Department of Education as a framework for future action after the investigations had been made. These bills were introduced as follows:

Curtis-Reed - 69th Congress (December 7, 1925 - March 4, 1928).

Curtis-Reed - 70th Congress (May 12, 1927 - March 4, 1929).

Capper-Robinson - 71st Congress (April 15, 1929 - March 4, 1931).

Congressman David A. Reed of New York also introduced a similar bill into the House of the 71st Congress. All of these bills remained in the Committees of Congress.
To the discouragement of the proponents was added the silence of President Colidge and the 69th and 70th Congresses were comparatively quiet on the subject. With a change in administration and new blood in the 71st Congress the proponents were hopeful again. Congressman Wilburn Cartwright of Oklahoma claimed he was much encouraged by President Hoover's words while he was campaigning for the presidency. At that time President Hoover told the National Education Association:

A century of scientific discovery has vastly increased the complexities of our national life. It has given us new and more complicated tools by which we have gained enormously in productivity and in standards of living. It has vastly increased the opportunities for men and women to attain that position to which their abilities and character entitle them. It has necessitated a high degree of specialization, more education and skill. It has greatly reduced the amount of human sweat. It has given the adult a greater leisure which should be devoted to some further education. It has prolonged the period and widened the chance for the schooling of children. And from it all your responsibilities have become infinitely greater and more complex, for you must prepare each oncoming generation for this changing scene.62

In spite of the fact that this may be regarded as a soothing general statement, lacking in specificity and promising nothing, the proponents were hopeful. President Hoover's inaugural address, while allocating the primary responsibility for education to the states and local communities, did express a concern for the education—62

Congressional Record. 71st Congress. 2nd Session. Vol. 72. Part 6, p. 6198.
of the "whole people" and the "general mass," and again they were hopeful.

Although education is primarily a responsibility of the States and local communities, and rightly so, yet the Nation as a whole is vitally concerned in its development everywhere to the highest standards and to complete universality. Self-government can succeed only through an instructed electorate. Our objective is not simply to overcome illiteracy. The Nation has marched far beyond that. The more complex the problems of the Nation become, the greater is the need for more and more advanced instruction. Moreover, as our numbers increase and as our life expands with science and invention, we must hope to succeed in directing this increasingly complex civilization unless we can draw all the talent of leadership from the whole people.

One civilization after another has been wrecked upon the attempt to secure sufficient leadership from a single group or class. If we would prevent the growth of class distinctions and would constantly refresh our leadership with the ideas of our people, we must draw constantly from the general mass. The full opportunity of every boy and girl to rise through the selective processes of education can alone secure to us this leadership.63

President Hoover appointed Dr. Ray Lyman Wilbur, President of Stanford University, as Secretary of the Interior. This seemed to be a good omen for the proponents of a Department of Education, but they were soon to be disillusioned. In a speech on May 3, 1929, before the annual meeting of the American Council of Education, Dr. Wilbur firmly denied the need for a Department of Education by saying:

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A department of education similar to other departments of the Government is not required. An adequate position for education within a department and with sufficient financial support for its research, survey, and other work is all that is needed. 64

Regarding federal aid his reasoning was as follows:

Of course there have been marked inadequacies in districts without a proper sense of self-government, without natural organizing power, and without financial strength. Some of those who have looked over our educational system have noticed only these dark spots and have thought that a national mechanism should be devised that would be nation-wide in scope and would make these weaker or dark spots at least up to the average level of the country. Correction of abuses is a poor method of developing proper administration. It seems to me that there is a distinct menace in the centralization in the National Government of any large educational scheme with extensive financial resources available. Abnormal power to mold and standardize and crystalize education which would go with the dollars would be more damagining to local government, local aspiration and self-respect, and to State government and State self-respect than any assistance that might come from the funds. 65

This was a crushing blow for the proponents of these bills, but his position is consistent with the philosophy of education he expressed in a commencement address at the New York University, June 10, 1931:

Our American philosophy of the training of the individual or education is based upon equal rights for all to be tested for intellectual capacity and character, but after these tests are made we give no one the right to clog the way for those who are superior or who through superior effort win out in the competition. 66

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65 Ibid., p. 930.

Secretary Wilbur’s words were echoed in the halls of Congress by the opposition, and an editorial in the Washington Post, May 5, 1929, had this to say:

The stand taken by Secretary Wilbur against the proposed creation of a Federal department of education reflects the general policy of President Hoover in putting a check to the growth of bureaucracy.... With the power and money that would be available it would be impossible to prevent abuses that would scandalize the country and array its citizens into hostile camps.... Religious, moral, and political quarrels would ensue, all of them embittering the people and alienating their devotion to the Government.

There was those in Congress who were surprised to find fellow members who not only agreed with Secretary Wilbur but advocated further retrenchment, as Congressman La Fayette L. Patterson of Alabama who said:

I was very much surprised a few days ago when the gentleman from Connecticut (Mr. Merritt), on the floor of the House made the astounding statement that he thought it would be advantageous to the country to abolish the services of the Bureau of Education.

Senator Hiram Bingham, also of Connecticut, pleading for a return of the one-room schools in Connecticut, introduced into the Congressional Record a speech by Jerome Judd, a citizen before the town school committee of Kent, Connecticut, who described these schools as:


68 Congressional Record. 71st Congress. 2nd Session. Vol. 72. Part 8, p. 8077.
... the schools that have made America great, the schools that have produced great statesmen in the past, the schools that have turned out honest, hardworking, God-fearing men and women, and the schools that have produced only a very small percentage of evolutionists, false scientists, schemers, socialists, Bolshevists, radicals, and reds.69

During President Harding's administration the proposed Cabinet reorganization had been used as a delaying technique. At this point, intentionally or otherwise, the delaying instrument was the appointment of the United States National Advisory Committee on Education. This was the Committee charged by Secretary Wilbur the same month he denied the need for a Department of Education to "give us the proper chart by which to steer our educational course."70

President Hoover, in his message to the second session of the 71st Congress, informed the Congress that:

In view of the considerable difference of opinion as to policies which should be pursued by the Federal Government with respect to education, I have appointed a committee representative of the important educational associations and others to investigate and present recommendations.71

To which Congressman Wilburn Cartwright of Oklahoma retorted:

Although it is true that the duty of the President is to determine the 'State of the Union' and report the same to Congress, it is not presumed that he shall resort to commissions, the expense for which shall be met out of

private donations for whatever purpose intended. The creation of commissions for whatever act of government is the prerogative of the legislature and not of the executive branch of the Federal Government.72

The proponents of these bills realized they were to meet strong opposition in their efforts to establish a department of education. However, rather than being intimidated they seemed to double their efforts to speak for education on the floor of Congress. A bit of reflection reminded them that our system of public education was not effected "over night" or by a great patriotic upsurge of popular will based upon the recognition of the importance of education in a democracy, but rather as Congressman David A. Reed of New York said:

Strange as it may seem to us, it required a bitter fight, extending over a period of more than half a century, to establish a public school system in the United States freed from the pauper-taint, open to every boy and girl as an American birthright.73

And as Congressman La Fayette L. Patterson of Alabama added:

It is rather interesting to go into the debates of the State legislatures and the hearings on the proposal to establish free public schools for the masses of the people ... there were people in the States as late as the middle of the nineteenth century who bitterly opposed establishing and extending the benefits of the public school system, even as there are now those in this great country of ours who bitterly oppose the establishment of a department of education, or extending the service of the present Bureau

72 Congressional Record. 71st Congress. 2nd Session. Vol. 72. Part 6, p. 6198. (Funds to finance the operations of the United States National Advisory Committee on Education were provided by a grant of $100,000 from the Julius Rosewald Fund.)

of Education.74

The proponents turned to educational achievements of the past for evidence regarding the need for further educational investment. Their evidence revealed that the investment in public education had been a profitable one, economically speaking. As evidence Congressman Daniel A. Reed offered:

Our progress as a Nation and the increase of our national wealth can be measured with comparative accuracy by the advancement made in education. The total wealth of the United States has increased from $7,135,780,000 in 1850 to $320,803,800,000 in 1922. The per capita wealth during the same period increased from $307.69 to $2,918.75.

And he added:

Important discoveries and their development, added so much to the happiness and comfort of mankind as well as to the taxable wealth of nations, have come largely as a result of work done by leaders trained in the respective fields of service...As legislators, therefore, we should remember that general education far more than natural resources has made for our national wealth and progress. This doctrine holds true throughout the world today.76

Congressman Reed called attention to educational repercussions in other countries:

Great Britain in 1870 did one-quarter of the world's business. She had the ships, the seaboard, and the markets of the world. Was she secure in her industrial and commercial supremacy? In just one generation she found herself...

74 Congressional Record. 71st Congress. 2nd Session. Vol. 72, Part 8, p. 8077.
75 Congressional Record. 71st Congress. 2nd Session. Vol. 72, Part 1, p. 485.
76 Congressional Record. 71st Congress. 2nd Session. Vol. 72, Part 1, p. 483.
third in the race and her chief rival, Germany, first. Germany increased her foreign trade in five years over Great Britain by $170,000,000. England now admits that she was outdistanced in the industrial and commercial race by Germany and by the United States because she neglected the technical education of her people and in so doing failed to train her industrial army.  

Congressman La Fayette L. Patterson of Alabama presented figures as to the economic value of education to the individual and thereby the Nation:

Some one has said that by education and training of our people our national income is made about five times as large as it ordinarily would have been by computing the annual interest on our capital wealth, and that every day spent in self-improvement is worth more than $10 to the person using that time for self-improvement. Some one has figured out that a high-school education is actually worth on an average $78,000 in cash during the lifetime of the recipient, and that a college education is worth $150,000. Surely adding to the national income by a great asset challenges the very best that is in us, and I trust that every man and every woman shall see the wisdom of this, and I hope that we shall not continue in being lethargic toward this great question when the great masses are concerned.

He suggested that better educational advantages might eliminate much human waste and human suffering since:

Some one has announced that the estimated cost of crime to the Nation is more than $10,000,000,000 annually. No one would question that this could be largely reduced by the right kind of education, that is, education for service and citizenship, which would put the boys and girls on their way to earning a livelihood, sufficient to enable

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77 Congressional Record. 71st Congress. 2nd Session. Vol. 72. Part 1, p. 481.

78 Congressional Record. 71st Congress. 2nd Session. Vol. 72. Part 8, p. 8078.
them to contribute their part to citizenship...
Statistics show that the lack of health is costing the American people annually $15,729,925,396 but with the proper education this can be materially decreased and largely done away with. Here in these two items alone is a larger amount than the entire national debt to work on.\(^7\)

Congressman J. Will Taylor of Tennessee emphasized the fact that our progress as a civilized nation has been the result of education and the future of our civilization, our way of life, our democracy, depends upon what we do with education in the future. He told of a member of the Canadian Parliament addressing an American audience with these words:

> Your nation has not only become the colossus of the Western Hemisphere, but you are now probably the most potent single political power of the world.\(^8\)

Congressman Taylor accepted the tribute while warning:

> This eloquent tribute to the majesty and leadership of Uncle Sam is undoubtedly correct; but let us solemnly adjure ourselves that this extraordinary position of leadership can only continue so long as the American people appreciate the advantage and importance of universal education - and I mean by that the education of the masses.\(^8\)

For, as Congressman Taylor said:

> The heights to which all civilization have attained has been in proportion to the value which they have placed on education and to the extent they have allowed it to be


enjoyed by the mass. When civilizations failed in this respect they failed altogether and went out of existence. The higher mankind ascends in the scales of civilization the greater is its dependence upon the universality and diversity of education. A well-known author has recently stated that European and American civilization have reached a point where their survival is a race between education and catastrophe. In other words, the ways and means by which we make our living, by which we carry on the affairs of society in general, have become so complex and so diversified, that the best minds are taxed to the utmost to keep the great machinery of what we call civilization in forward motion.82

Congressman Taylor quoted Dr. William J. Cooper, United States Commissioner of Education, regarding our choice as to democracy or totalitarianism, and the kind of education necessary to promote the way of life chosen:

If we take the attitude that democracy is bound to fail, we should at once adopt a system of education such as went into effect in Prussia before the World War, in which eight per cent of the people were trained for leadership and the remaining 92 per cent were trained to be followers... If we adopt a more optimistic attitude toward the future, we must continue to raise the educational level of our people.83

Congressman Taylor said our forefathers "knew that the kind of government they established must be founded upon universal education if it were to survive" and he asked the question, "If we are not to make a hollow mockery and drift under our increasing complexity of activity away from democracy and republican form of government,


is it not the duty of our National Government to enlarge the
present facilities for the aid and encouragement of education by
creating a department of education with a secretary in the President's
Cabinet."

Congressman Thomas J. Halsey of Missouri said, "To solve the
many and complex problems of education is evidently a job too big
for any State. The task will tax to the utmost all the resources
of the Federal Government..." 84

Senator Arthur Capper of Kansas who introduced the bill in
the Senate lamented the fact that "every other part of America's
life is represented by a place in the President's Cabinet," 85
while education, so necessary for the perpetuity of our republican
form of government, involving 30,000,000 children and their parents,
and $5,000,000,000 in capital outlay, was shelved with inadequate
funds in an inadequate bureau of the Department of Interior. As
Senator Capper said:

I am aware of the fact...that certain voices have
been raised against the creation of a department of
education. We are told that the small Office of Education,
until recently called the Bureau of Education, is enough
to discharge the Federal Government's obligation to edu-
cation. To these people I would point out that the Bureau

84 Congressional Records. 71st Congress. 3rd Session. Vol.
74. Part 4, p. 3109.

85 Congressional Records. 71st Congress. 2nd Session. Vol.
of Education has never been able to secure more than a mere pittance, a few hundred thousand dollars in any one year, for the conduct of educational investigation. This office is a minor division of the Department of the Interior. It cannot be expected to secure the facilities which are essential to the adequate discharge of the Nation's obligation in the fields of educational research.

Senator Capper considered the "education of our children" as a "great national interest," which needed the support and encouragement from the Federal Government that other national interests had received. He believed that a department of education with adequate provisions for research and the dissemination of information would perform the miracles for education that such departments and research centers had wrought for other great national interests, since:

... every one of these great national interests — manufacturing, agriculture, medicine, transportation, communication — at one time depended upon guesswork, individual opinion, and even prejudice and superstition for its progress. So long as this situation continued their advance was exceedingly slow and uncertain. Just as soon as they took the wheel from the hands of false pilots and placed their reliance in facts and tested knowledge a new day arrived. Within a century they have made more progress than in all previous history.

He pointed out that fifty years previously there had been all kinds of opposition to scientific research in the fields of agriculture and commerce. However, when the results of scientific

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research paid off in huge profits the era of "the old empirical rule of the thumb" methods was past. He added that the, research and the dissemination of the findings provided by the Morrill and subsequent acts and the establishment of a Department of Agriculture, leading to unequaled progress in agriculture, was the consequence of Federal aid. The extent of this progress is highlighted by Senator Capper's question, "Imagine what would have happened during the past fifty years, as it affects agriculture, if all research efforts had been left to the individual farmer or even to the individual States?" 88

As for industry, he noted that, in spite of the ability of the industrialists to carry on their own research at the estimated rate of $200,000,000 yearly, a Department of Commerce had been established and a new commerce building erected, costing the taxpayers $17,500,000. He approved of this great clearing house for business information and thought it a wise investment; however, he asked, "Would not a similar investment in an agency to furnish the Nation's million teachers, and 25,000,000 children, with the service and research essential to effective school operation be even a wiser investment?" 88

Senator Arthur Capper described the change of attitude toward scientific research within the teaching profession since

1900. As evidence he pointed to the National Education Association's expenditure of one-fifth of its income for research. He mentioned the research activities of the various State departments and institutions, and the private institutions and foundations that should be continued and extended. He did not believe, however, that the progress of American education should depend upon private research. In the first place, such agencies lacked the funds and the facilities to attack the many problems of national scope. In the second place, there was no clearing house, no co-ordination as to efforts or dissemination of results. And, finally no private agency would be likely to be as unbiased in the selection of problems for research as a publicly supported agency. He said:

   It is no depreciation of the splendid work which has been financed by our private educational foundations to say that we should not leave the entire control of our educational research in private hands. The education of our children is a matter of prepotent public importance. We cannot safely leave to minority groups the sole responsibility for the research which in the future will furnish guidance as to what should be done in the schools.

   As a matter of sound public policy, I propose that adequate facilities for educational research would supplement the activities of privately financed ventures in this field, and would guard against the dangers which might arise by placing the fountains of educational information wholly in the hands of privately controlled agencies.

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While Senator Capper was interested in providing unbiased educational research, Senator George W. Norris of Nebraska was interested in maintaining unbiased education as he said:

The difference between barbarianism and civilization is education. Tyrants cannot permanently rule an educated people. Ignorance is the mother of superstition and superstition is the domain of desports. Intelligence is the foundation of democratic government.

In America we have the public school system. It is essential to the perpetuity of our institutions... It should never become the subject of private profiteering. 90

As an example of private profiteering he referred to an investigation by the Federal Trade Commission into the "educational" activities of the private power companies. He described the organization of the private power companies as being nation-wide, perfectly organized, financed by millions of dollars and as being, "the most powerful that has ever been put together by human ingenuity." 91 According to Senator Norris, to defeat such bills as those concerning Muscle Shoals and the Boulder Dam the power companies under disguise invaded the public school as well as other institutions that influence public opinion. Senator Norris described this invasion into the public schools as follows:


91 Ibid., p5480.
The evidence before the Federal Trade Commission discloses the sending of a catechism into the public schools of some of our States. In this catechism are questions and answers which it was intended the children should memorize. The answer to one of the questions reads as follows:

"In every case in which a community has attempted to operate a public-service utility which is subject to great change and development it has been found that the costs of the service are higher than when the service is furnished by a private corporation."

This statement is not only misleading, but it is absolutely false. It undertakes to put into the minds of our children a falsehood, and does it under the guise of education.

Another answer to one of the questions in the catechism stated to the effect that statistics have proved that the cost of living in cities operating their own utilities is much higher than where the service is intrusted to private enterprise...

Down in Alabama a college professor was hired by the power companies to carry on their work. He traveled over the State, talking to church gatherings, farmers' organizations, Rotary Clubs, Kiwanis Clubs, etc., and somewhere in every speech he made he had carefully tucked away misleading statements praising the private power interests and condemning municipally owned electric-light plants. He was introduced as a director of extension of the university, a man interested in the industrial development of the State, but now develops from the investigation that he was paid regularly by the Power Trust over $600 a month...The evidence shows that in some States the trust was successful in bringing about a complete revision of the textbooks of the public-school of the State. The methods pursued depended upon the conditions that had to be overcome. In one State where the power companies were undertaking to have the textbooks of the schools edited so as to give their viewpoint to the student, one of the letters on the subject contained the following language:
"Of course all the business must needs be transacted with exceeding tact and diplomacy. Local conditions and prejudices will have to be taken into account when the educators are approached. Also it may be well to note what appropriations the school superintendent may have at his disposal for the purchase of textbooks. It may well be that avenues of proper assistance in a small way will present themselves. It may be worth a unitlity's while to help in that regard. Such aid, unfortunately is subject to misinterpretation and would, therefore, have to be rendered in a manner well safe-guarded from suspicion."

... Has not the time come when those who love our public schools, should raise their voices in condemnation of this unrighteous and unpatriotic attempt to utilize the public-school system to control public sentiment for private gain.92

Senator Norris added that such "educational" activities have not been indulged in exclusively by the "Power Trust."

Congressman Daniel A. Reed lamented that:

There are parts of this country abundantly endowed with natural resources, where the lack of educational advantage has pauperized what should have been a land of plenty. Generations of boys and girls who have been the innocent victims of these conditions have had their mental and spiritual lives starved and stunted. The real loss of the Nation, therefore, is not alone one of material wealth. The real tragedy is in the useless sacrifice of a social and spiritual force, the potential possibilities of which the Nation has no moral or political right to stunt or repress, and one which it can ill afford to lose... If Congress had had the vision to establish a department of education when it was first suggested by patriotic and far-seeing men and women, educational opportunities would have been, ere this, more nearly equalized and much of the neglected and un-utilized latent power would have been made available to the several States and to the country at large.93

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In summary Congressman Reed said:

Education should not be bestowed as a charity... but because the proper education of the people is the only basis for social security, economic prosperity, and the highest national development.

Education is not free when the latest educational data to which the Government has access is not obtained and made available to every teacher and every school board throughout the United States. There can be no equality of educational opportunity unless the Federal Government meets the responsibility which it alone can and should meet.94

Congressman La Fayette L. Patterson pointed out that 76 per cent of the taxes of the Federal Government were spent on wars. As for national security he said:

I reiterate that the security of the American Republic is not alone in her great navies which ride the seas with their masts pointing skyward; it is not in the great armies marching, tramp, tramp, tramp; the first line of defense is the training and development of its citizenship and training the young people how to become the citizens of tomorrow.95

In answer to many of the arguments presented by the opponents regarding federal control, Senator Arthur Capper reminded his colleagues that the farmer and the industrialist did not come under the control of the Federal Government when the Department of Commerce and Agriculture were created. Regarding a more deadly control he said:


95 Congressional Record. 71st Congress. 2nd Session. Vol. 72. Part 8, p. 8081.
Those who conjure up the bogey of Federal control forget that the most terrible control - a control which can stifle the development of any great human activity - is the control of ignorance, the control of individual guesswork, opinion, and prejudice. It is only the informed man who is free. Is it of any advantage to a farmer to be so free from the Federal Government that he knows nothing about soil fertilization or plant or animal disease? Does it make the isolated teacher in the local school district free to keep her ignorance of scientific laws which would make her work in the classroom more effective? Or would she really be free if the Federal Government gathered together the results of educational research and placed them within her reach.

I am not afraid...of the control which may come from the wide diffusion of knowledge on any subject. Knowledge does not result in control, it results in intelligent freedom. The creation of a department of education for research in education would not control local schools or local teachers. It would supply them with the facts and tested knowledge so that they would be intelligently free.

The proponents of these bills pointed out that some 5,000,000 people had petitioned for the passage of such a bill during this Congress, and that organizations with memberships representing almost one-fourth of the entire population had endorsed these bills. Among these organizations were:

1. Educational organizations: National Education Association
   Parent Teachers Association
   American Home Economics Association
   National Kindergarten Association, etc.

2. Labor organizations: American Federation of Labor
   American Federation of Teachers
   National Women's Trade Union League
   National Council Jr. Order United Auto Mechanics, etc.

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96 Congressional Record. 71st Congress. 2nd Session. Vol. 72. Part 9, p. 9810.


5. Protestant organizations: Supreme Council, Scottish Rite of Freemasonry
   General Grand Chapter, Order of Eastern Star
   Fed. Council of Churches of Christ in America
   Women's Miss. Council, Meth. Church South, etc.

6. Others: General Federation of Women's Clubs
   National League of Women Voters
   American Association of University Women
   National Federation of Business and Professional Women's Clubs
   Women's Christian Temperance Union
   National Board of Young Women's Christian Association
   American Nurse Association
   Service Star Legion
   Women's Relief Corps, etc. 97

With this support for these bills it is obvious there was strong opposition as well, which may be somewhat identified by their absence from the list of endorsements. However, the Democrat proponents of these bills proceeded to blame the Republicans, as well as others, for not overcoming this opposition and bringing these bills to the floor for debate and vote. Congressman La Fayette L. Patterson said:

...At hearings literally great numbers of people and organizations appeared for this measure. A few appeared against it, and for some reason during the 10 years the leaders of the party which has been in power

97 Congressional Record. 71st Congress. 2nd Session. Vol. 72. Part 3, p. 3081. (Included by Congressman Patterson)
have never permitted Congress to vote on these bills. It has been stated time and again that Congress was overwhelmingly in favor of such legislation, but by methods which were in vogue in the House of Representatives, I am told we have never been permitted to bring the bill upon the floor of the House for discussion. Those who have opposed these bills seem to have created a continuous fear on the part of those who had the responsibility for this legislation, therefore, we have not been permitted to get anywhere.

...but we do feel it is not fair, in view of the demands of our people, to prevent this legislation by what is known as 'gag-rule' or unseen pressure or by an effort to select a committee which is known to be opposed to the bill, or any kind of rule which permits the bringing of such legislation before the Houses of Congress and let the Members who represent their constituents vote as they see fit on the legislation.

...My friends, the country knows where the responsibility lies, and I do not mean that all the opponents of this bill who have sought to keep it from the floor of the House are members of the party in power. But, of course, there are 14 members of the committee which has this measure before them on the Republican side, while the Democrats have 7, and may I add here, that in spite of the zeal of some to prevent this, I would not be surprised that a vote of that committee would not put this bill on the calendar; and you have every facility for action except the will.98

And Congressman Wilburn Cartwright of Oklahoma described the actions relevant to these bills as follows:

The Sixty-ninth and Seventieth Congresses would have passed the Curtis-Reed bill if certain members of the steering and rules Committees of the House from Eastern States had not blocked the vote on the measure

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98 Congressional Record. 71st Congress. 2nd Session. Vol. 72. Part 8, pp. 8080-8081.
by stacking the educational Committees of both Houses. It is stated that certain Eastern members and leaders of the Republican steering committee of the House are the ones mainly responsible for blocking the educational bill. There are other prominent members of the steering committee who logically ought to be depended upon to overcome the influence of the Eastern group. Some of them we fear are not 'on the job.'

The Republican Party held a joint hearing of the House and Senate Committees on the Curtis-Reed bill in the Sixty-ninth Congress. It also held a hearing before the House Committee on the same bill in the Seventieth Congress, but, despite the fact that both houses were solidly Republican, no action was taken by either the Sixty-ninth or Seventieth Congresses to bring the bills out of Committee. A bipartisan vote in both Houses in both the Sixty-ninth and Seventieth Congresses would have passed the Curtis-Reed bill and a like vote would now pass the Capper-Robinson bill in the present Congress if the members were given an opportunity to vote on it.

Despite the above facts and although the present Congress is Republican, the Hon. Daniel A. Reed now refuses to call a hearing on his own bill and the Capper-Robinson bill. The reason which he offers is that several prominent public-school leaders who appeared in previous hearings cannot now appear before his committee in favor of the bill because they are now serving on the Commission set up by Dr. Ray Lyman Wilbur to tell the American people what character of aid, if any, the National Government should give our free public schools.

This is the reason Mr. Reed offers, but it is generally conceded that the real reason is the pressure from certain Republicans on the powerful steering committee and the Rules Committee, above-mentioned, and doubtlessly from Doctor Wilbur.

Dr. Wilbur and the excuse makers for Mr. Hoover's craze for commissions attempt to justify the act on the grounds that it is the duty of the President to determine the 'state of the Union' from time to time and report his findings to the Congress.99

99 Congressional Record. 71st Congress. 2nd Session. Vol. 72. Part 6, p. 6198. Speech by Congressman Cartwright introduced by Congressman Patterson.
And so ended the actual fight for a Department of Education. Congressman Daniel A. Reed introduced a similar bill into the House of the 72nd Congress but repercussions from the national economic crisis diverted the minds of Congressmen into other channels.

The Brand-Nye Bill

Another companion bill was introduced into this Congress (71st) which bears significance to this problem, because it was endorsed by the American Farm Bureau Federation, the National Grange, and the Secretary of Agriculture, Arthur M. Hyde. It will be noticed that this is the first educational bill to carry the support of the farm group since the passage of the Smith-Hughes Act. When the National Education Association was consulted concerning this bill the Secretary of this organization, Dr. J. W. Crabtree wrote: "Your idea is sound whether you can ever force its acceptance on the part of Congress or not!" 100

Congress did not accept the idea. The bill never came out of committee. The companion bill to promote rural elementary education was introduced by Congressman Charles Brand, of Ohio, into the House May 6, 1929, and by Senator Gerald P. Nye, of North Dakota, into the Senate June 4, 1929. It provided $100,000,000

for salaries and current expenditures for rural elementary education. The bill was to be administered in co-operation with the various state superintendents of schools, and with the approval of the state legislatures, by the Department of Interior. It called for plans of expenditure and the matching of funds by the states. They were to be distributed proportional to rural school population.

On November 21, 1929, Senator Gerald P. Nye introduced into the Congressional Record a radio address by Congressman Charles Brand supporting the Brand-Nye bill for federal aid for rural elementary education. This address contained pertinent information concerning rural educational problems.

Congressman Brand pointed out that the wealth of the country had migrated to the urban districts. This was evidenced by the income tax statistics of the predominately rural and urban states. He said:

One State pays one-third of all the income taxes.
Four States pay one-half of all the income taxes.
Eight States pay three-fourths of all the income taxes.
Forty States pay one-quarter of all the income taxes.\(^{101}\)

On the other hand, he added:

The children are located in about reverse ratio to the location of the income-bearing wealth of the country. That is about three-fourths of the children are in the 40 states that have only one-fourth the income-bearing wealth.\(^{101}\)

\(^{101}\) Congressional Record. 71st Congress. 1st Session. Vol. 71. Part 5, p. 5861.
He said that the rural parents were ambitious for their children and had passed bond issue after bond issue for an education that came higher than that offered the urban child because of added expenses such as transportation. After these rural children had been educated and were ready to add to the productive wealth of the rural areas, they were enticed into the cities by the offer of higher wages. This drainage of wealth from the rural areas, he described as follows:

I am informed by the Agricultural Department in Washington that about 200 children leave each county in Iowa for the city annually. Educators have estimated for me the cost of educating each one of these children up to 18 years of age, and I find it costs $2,000 for each child. In addition, that child is reared by its parents at a cost of not less than $2,000 more for its upkeep during the 18 years, or a total cost of $4,000 per child, and this means that $800,000 worth of boys and girls are leaving each of the counties in Iowa each year for the cities, and the doors close behind the country sees them no more. If this is occurring in Iowa, it is likewise occurring throughout most of the rural counties in the United States. 102

In other words, Congressman Brand pointed out that the wealth was concentrated in the cities, while a preponderance of children was found in the rural areas; and that the cities continued to increase their wealth by draining the educated producers of wealth from the rural areas which were becoming less and less financially

able to provide educational opportunities for future producers of wealth. He continued:

"Home Rule" is a fine phrase that became popular when wealth was about equally distributed. "States Rights" still has the ring of bygone days but how are 40 States to collect taxes from wealth that has escaped into 8 States?

Then he answered:

The United States Government can tax this wealth that is accumulating and coagulating in a few of the centers of this Nation and send it back to the rural districts from which it came for the purpose of educating children, imperatively needed today by industry and there is no other power that can reach this situation.

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Report of the United States Advisory Committee on Education

The much discussed United States National Advisory Committee on Education, appointed by President Hoover, presented on July 4, 1930 a memorandum of progress report to the American people as to Federal Relations to Education. The final report of the Committee was transmitted to the President in October, 1931.

The Committee first investigated the existing federal-educational relationships. It found the Federal Government concerned with and participating in multitudinous educational activities. So involved was the Federal Government in education that they found

it impossible to list accurately and comprehensively all the formal educational activities of the Federal Government. These activities were indiscriminately scattered throughout the ten Executive Departments and thirty-seven independent establishments of the Federal Government. Many of these activities were so located, according to departments and agencies, as to denote the utter lack of any constructive planning or general policy on the part of the Federal Government. Regarding these various educational activities the Committee said:

The total program includes liberal and vocational education, for both sexes and all ages, in school and out. It reaches from the earliest primary education to the most advanced graduate and professional training. It comprehends special education for every type of the physically, mentally, and socially handicapped. It deals with races and cultures of every kind and every degree of development.

In some instances the Government controls the particular educational policy and program completely; in others the regional or local authorities have almost exclusive autonomy. Between these two extremes of the exercise of power, every conceivable degree of variation is found. In one enterprise the Federal Government pays all the cost; in another it contributes nothing at all. In one domain it determines both social and educational purposes; in another the people of the region and their representatives exercise full control. Here, it provides the buildings; there, it does not. Here, it trains the teachers; there, it merely recruits them. So the practices and policies vary.\[104\]

The Advisory Committee found much evidence of duplication and overlapping of educational services, and very little evidence of co-operation and co-ordination in the efforts expended by the various departments and agencies of the Federal Government. They were forced to conclude:

The Federal Government has no inclusive and consistent public policy as to what it should or should not do in the field of education. Whatever particular policies it seems to be pursuing are often inconsistent with each other, sometimes in conflict. They suggest a haphazard development, wherein policies of far-reaching effect have been set up as mere incidents of some special attempt to induce an immediate and particular efficiency.105

The Committee was concerned with the "charting of the course" of the Federal Government regarding public education in the several states. The Committee said, "Here the responsibility of the Federal Government for education is ill-defined," and it proceeded to attempt an allocation of responsibilities for education as to federal, state, and local levels of government. The Committee set forth three general policies:

1. POLITICAL CONTROL. Political control of the purposes and processes of public education shall remain with the state, territorial, or other regional or local governments.106

2. FINANCIAL SUPPORT. Any federal financial support for education in the States shall be given only for education in general and not for special phases of education.

105 Ibid., p. 8.

The amounts and methods of distribution of such federal financial support, if any, shall be determined on the basis of adequate educational and financial studies... Such grants shall not be centrally administered by the Federal Government, but by state, territorial or other regional governments.107

3. INFORMATION SERVICE. The Federal Government shall be adequately empowered to render intellectual assistance to education everywhere throughout the American domain, whether conducted as a public or a voluntary enterprise.108

To implement these policies the majority of the Committee made three recommendations regarding education in the several states:

1. "That a Department of Education with a Secretary at its head be established in the Federal Government."109 The Committee deemed this necessary since the members thought,

The lack of such an official spokesman for education, competent and influentially situated in the Government, had been one of the conditions, and a major condition, which permitted us to drift into our present dilemma where a nation, by tradition and experience opposed to the federalized administration of education, has in fact developed a pluralized federal control of education in the states through various federal agencies, which are not even co-ordinated in their efforts.110

107 Ibid., p. 85.
108 Ibid., p. 85.
109 Ibid., p. 95.
110 Ibid., p. 94.
The Committee pointed out that while many of the educational activities of the Federal Government should be combined under the Department of Education, there were others that should remain in the several departments and agencies of the Federal Government. They insisted, however, that there should be some co-ordination and cooperation of the educational efforts of all departments and agencies, and a Secretary of Education would be the logical person to attempt this difficult but profitable focusing of efforts.

They felt that scientific research and inquiry in the field of education had not been facilitated or utilized to the extent possible or desirable. They thought progress and effective application of scientific research could best be attained through a Department of Education. They recommended ample funds for obtaining a competent Secretary of Education and for promoting an adequate research department. They hoped the presence of the Secretary of Education in the President's Cabinet would insure the effective contribution of education to the solving of all our major national and international problems.

As to the powers of the Department they said,

The Department of Education as here recommended will have no legal or financial power and no regulatory or executive authority, direct or indirect, explicit or implied, by which it may control the social purposes
and specific processes of education. This limitation of powers necessitates a complete reversal of the tendency exhibited in much recent federal legislation to build up centralized control of the purposes and processes of education in the Federal Government. I

2. The Committee, while neither being adverse to federal aid to education nor denying the responsibility of the Federal Government for education in the several states, did not recommend federal aid, instead it recommended further study by the Office of Education regarding the tax systems, the distribution of national income, the living costs, the public expenditures for eleemosynary institutions, the bonded indebtedness, the federal aid to states for other purposes, etc., in order to determine more nearly the extent of need for federal aid and, if necessary, the most feasible method of distribution.

If, after such a study, it was deemed necessary that the Federal tax system should be used to supplement the state and local systems in supporting education, then the Committee recommended that such grants as would go to the states would go for education in general, and without any strings attached as to social purposes or processes. This would rule out all money-matching requirements, all grants for special education, and all power of the Federal Government to designate channels of expenditure or to withhold monies for any reason. As to audits, they said, "Restrict the audits of the

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Federal Government to those made by the Treasury Department... without making an indirect method of controlling or determining educational standards and processes.\textsuperscript{112}

Any emergency grants by the Federal Government were to be limited if possible to funds for investigation, dissemination of information, and for the promotion of co-operation among the states and local communities. If it should develop that this was insufficient to prevent the breakdown of educational services, the grants made by the Federal Government should be used for a specified time and not be renewable.

3. The Committee recommended that the present vocational funds to the states continue for a period of five years without any requirements as to the matching of monies, or the authority of the Federal Government to approve or reject state plans for spending such monies. They anticipated that at the end of five years the study made by the Office of Education would be complete and the recommendations would be in force, including vocational education. In the meantime, according to their expectations, vocational education would have thrown off the shackles of control imposed by the Federal Government through the Board of Vocational Education as a free and uninhabited part of general education, where it should be ready to share in the recommended expenditures

\textsuperscript{112} Ibid., pp. 38-39.
Minority Reports

A minority report was submitted by Rt. Rev. Edward A. Pace, vice Chancellor of Catholic University of America, and Rev. Johnson, Secretary of the Catholic Educational Association. They said:

The fundamental principle upon which the Report of the National Advisory Committee on Education is based is that there should be no centralized federal control of education and that the autonomy of the States in regard to the purposes and processes of public education should be preserved. With this principle we are in full accord, and because we are convinced of its soundness, we are opposed to the establishment of a Department of Education in the Federal Government with a Secretary at its head.

They maintained that such a Department was unnecessary for the performance of the basic function assigned to a federal headquarters for education by the report, and they quoted from the report to show that this basic function was:

...the collection of such statistics and facts as shall show the condition and progress of education in the several States and Territories and the diffusion of such information respecting the organization and management of schools and school systems and methods of teaching as shall aid the people of the United States in the establishment and maintenance of efficient school systems and otherwise promote the cause of education throughout the country.

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113 Ibid., p. 103.
114 Ibid., p. 103.
They feared the establishment of a Federal Department of Education would lead to centralization and federal control of education because it:

1. ... is of its very nature an administrative institution and nothing that could be written into any act setting up such a Department could prevent it from taking on administrative and directive functions in the course of time, even though it would not be endowed with them in the beginning. 115

2. That the point of view of the Department and its Secretary would always express "enlightened public opinion," is a gratuitous assumption. The Secretary would be a political appointee and would respond to the pressure and be amenable to the wishes of the political party in power... It would not be difficult to demonstrate the political advantages of an educational bureaucracy. 116

3. The proposed Department of Education does not abolish that pluralized federal control of education which the Report assumes has come about because heretofore we have lacked an authoritative spokesman for education in the Federal Government. Nor is there any likelihood that the agencies through which such control is now exercised will cease to function in the future. If any change takes place it will be in the direction of the unification of such control in the Department of Education and the extension of it to general education. Federal control of particular phases of education is far less dangerous than would be federal control of the basic educational program, of the nation.117

4. The Report assumes that the Federal Government has some obligation to aid in the support of education in the States through grants of money, although it is distinctly

115 Ibid., p. 103.
116 Ibid., p. 104.
117 Ibid., p. 104.
stated that such grants shall not be "centrally administered"... It is not easy to conceive the practical possibility of any federal grants ever being made for education in general without some specific legal supervision of the manner in which such monies shall be used. The function of supervising the use of federal grants for education would naturally devolve on the Department of Education, thus making it a potent instrument for federal control. 116

5. A Department of Education, being a political institution, would not be entirely trustworthy as an agency for research and dissemination of information. The political bias and commitments of the administration would color its findings, and propaganda rather than truth would be the result. Such propaganda in the hands of the Cabinet Officer, with his means of reaching the public as well as the legislative ear, could easily become an instrument whereby the Federal Government would build up its educational power at the expense of state autonomy and succeed in assuming "political control of the purposes and processes of public education." 119

With these objections the "report as a whole" was vetoed by Pace and Johnson, who said:

We offer as an alternative mechanism the development, by means of such an increase in appropriations and enlargements of personnel as will make it fully competent to carry on the functions which the Report assigns to an adequate federal headquarters for education, of the existing Office of Education in the Department of Interior, or in some other Department that a future reorganization of the executive branch of the Federal Government may create. 120

A further minority report was submitted by John W. Davis,

President, West Virginia Collegiate Institute, Mordecai W. Johnson,

118 Ibid., p. 104.
119 Ibid., pp. 104-105.
120 Ibid., p. 105.
President, Howard University, and R. R. Moton, President, Tuskegee Institute. This group, while in sympathy with the Committee's efforts to avert the further growth of federal control in the special fields of education, felt there was a field in which the Federal Government should give specific aid for a number of years, namely, Negro education.

This minority report pointed out that in eighteen states the dual system of education resulted in a disadvantaged minority. It explained that the children of one-fourth of the entire population of these eighteen states received only 10.7 per cent of the public funds for education. It was maintained that this would not only "warp and dwarf" the minority group but would substantially impede the progress of the entire group.

The majority Report recommended grants-in-aid to education without strings attached and no special-education grants. The minority Report of this group pointed out that such grants-in-aid, without specific legislative requirements allotting a proportionate sum to Negro education, would result in a continued inequality of educational opportunity for the disadvantaged group. This group believed, however, that legislation could be drawn to alleviate the situation and make for more equal distribution of educational opportunities and they preferred to recommend attacking the problem in a more direct manner. They did not wish to make it appear that they approved of the encroachment of the Federal Government in the

\[121\] \textit{Ibid.}, p. 108.
special-education field, but rather tried to make it clear that it was the responsibility of the Federal Government to aid the weaker units. As they said concerning aid to vocational education and aid to Negro education:

In one case the Federal Government is promoting the growth of a problematically helpful sixth finger; in the other case the Federal Government is helping to develop a bruised and stunted fifth finger, its major purpose being the stimulation of blood and nerves and muscles of the hand, so that the abnormally restricted growth may be gradually transformed into a normal member. 122

This group specifically recommended:

1. That for a limited number of years the Federal Government shall make to any State or States such special grants in aid of the development of Negro education therein, and in addition to any and all prevailing grants-in-aid of education in general, as shall be determined to be wise, after a careful study of the factors involved in the educational finances in said State or States, and as may be recommended by a joint Committee in each State created for that purpose and representing the Federal and State Governments and the Negro citizens of that State. 123

2. That the Division of Negro Education in the Office of Education or in lieu thereof, a specially appointed National Advisory Commission on Negro Education, in addition to the studies provided for in Recommendation 4, page 39, of the majority report, as may be needed to determine how the helpful purposes of the Federal Government, provided for above, may be most constructively carried through. 124

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122 Ibid., pp. 111-112.

123 Ibid., p. 113.

124 Ibid., p. 113.

(Recommendations of Report referred to here are those mentioned above to be carried through by the Office of Education.)
Also voting against the whole report were three other members of the Committee: Paul W. Chapman, Georgia State Director of Vocational Education, R. L. Cooley, Director, Milwaukee Vocational School Committee, and Wesley A. O'Leary, New Jersey State Director of Vocational Education. These members did not submit a minority report to make known their objections; however, it may be assumed by their titles that they were familiar with the old adage, "A bird in the hand is worth two in the bush."

Membership of the Committee

The membership of this United States Advisory Committee on Education, from information available, may be classified as representing the following groups in our national life:

Colleges......................... 24 (14 college presidents, 6 college officials 4 college teachers)

Educational Organizations...... 8 (officers of educational organs)

Vocational Education............. 3 (3 directors of vocational education)

State and local administrators.. 4 (1 commissioner of education 3 superintendents of schools)

Press.............................. 1 (1 Ladies Home Journal representative)

Business............................ 2 (1 Pres., Life Insurance Company 1 Edl. Director of Kodak Company)
These men members of the United States Chamber of Commerce Committee on Education.

Labor................. 2 (Pres. and vice-pres. of A. F. L.)
Foundations.......... 1 (Carnegie Foundation)
Jewish................ 1 (Jewish Representative)
Catholics............ 2 (1 Catholic educational organization 1 Catholic college president)
Negroes............... 3 (3 Negro college presidents)
Women's organizations 1 (League of Women Voters represent.)
Government research..1 (Government research)
Unidentified..........3 ( )

The Committee consisted of fifty-two members, ten women and forty-two men. The number of groups listed totaled fifty-six members with three members unidentified. This discrepancy is due to duplicate titles of certain members, e. g., the three Negro college presidents listed both under college presidents and under Negroes. In passing, it is interesting to note that the thousands of elementary and secondary teachers who were vitally concerned with this study were not represented. Another group missing was the Parent Teachers Association.

Repercussions on the economic front resulted in the shelving of many of the recommendations of the United States Advisory Committee
on Education. However, the report ended the matching-of-funds clause previously incorporated in proposed educational bills, and it opened the door for the attacks on vocational education which soon followed. These two trends emerge in the sequence of events to be related.

**Supreme Court Decision**

Pertinent at this point was a Supreme Court decision on April 28, 1930, in the *Cochran v. Louisiana State Board of Education* case concerning the supplying of school textbooks free to all children in private schools. The court ruled that:

> Appropriation by the State of money derived from taxation to the supplying of school books free for children in private as well as public schools is not objectionable under the Fourteenth Amendment as a taking of private property for private purposes where the books furnished for private schools are not granted to the schools themselves but only to or for the use of the children, and are the same as those furnished for public schools and are not religious or sectarian in character.\(^{125}\)

The members of the Court justified their decision on the grounds that "The schools, however, are not the beneficiaries of these appropriations. They obtain nothing from them, nor are they relieved of a single obligation, because of them. The school children and the State alone are the beneficiaries." And, "We

cannot doubt that the taxing power of the State is exerted for a public purpose," and finally, "Its interest is education, broadly; the method, comprehensive." With this decision, and its introduction of the "child and public welfare principle," a confusing element was introduced, which at times has made it difficult for the courts to discern the exact location of the "wall" which separates church and state.

There can be no doubt but that the members of the Louisiana Court and the United States Supreme Court visualized that identical textbooks related to secular instruction would be distributed to all children in the State when they handed down their decisions. However, they must not have taken into account all the ways a wall can be breached when we find as late as 1948, in New Mexico (a State encouraged to provide free textbooks by this decision), the official list of textbooks approved by the State Department of Education including "Faith and Freedom Readers for Catholic Schools Only."

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The Economic Crisis and Economy in Education

The 72nd Congress (December 7, 1931 - March 4, 1933) was confronted with the economic crisis precipitated by the stock

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Ibid., Holmes: Opinion of the Court, p. 375.
market crash of 1929. President Hoover had attempted to allay fears by saying, "We have passed through no less than fifteen major depressions in the last century...We have come out of each... into a period of prosperity greater than ever before. We shall do so this time." He believed in "rugged individualism" and advocated strict economy to stem the economic tide.

During the first session of the 72nd Congress the Senate was confronted with the task of slashing governmental expenditures. There were some, e. g., Senators George B. Norris, of Nebraska, Robert M. La Follette, Jr., of Wisconsin and Edward P. Costigan, of Colorado, who fought against these reductions, since they believed they would result in prolonged "vacations" and unemployment for many government employees. This, they thought, would tend to lower the consumer market, while a high consumer market was needed to lift the nation out of the depression. However, a majority of the Congress had followed the President's recommendations and voted for a ten per cent cut in governmental expenditures. The recommendations of the Committee on Appropriations were being considered when they reached the appropriation for the Bureau of Education. The cut for the Bureau of Education amounted to thirty-four per cent. This was sufficiently above the authorized ten per

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cent cut to attract the attention of the "constituents" of several senators. Senator Park Trammell of Florida was especially perturbed by telegrams from his "constituents" who resented this thirty-four per cent cut being inflicted on the Bureau of Education while the ten per cent cut, or less, was being adhered to in other departments and bureaus. As he said, "Away from Washington the people seem to have gotten the impression that there is to be a thirty-four per cent reduction in the educational appropriations." He asked, "In order to make up that thirty-four per cent, the $50,000 for investigating school revenues has to be included, has it not?" to which Senator Reed Smoot replied, "Oh, yes; the whole of that; all the reductions." 128

The $50,000 referred to was for one of the studies approved by Congress and already in progress. The study was of national scope concerning school revenues. The purpose of the study was to determine more economical ways of expending funds in the operation of schools.

Dr. Paul Mort, of Teachers College, in a letter to Senator Copeland protesting the cut in the appropriations advised that this study, "can be of incalculable service to the communities and States

128 Congressional Record. 72nd Congress. 1st Session. Vol. 75. Part 7, p. 8081.
However, Senator Park Trammell thought differently, as he said, "I see absolutely no necessity for the department at Washington to go into the question of school revenues, when the schools are supported by the counties and the States and not by Federal revenue." Senator Royal S. Copeland tried to explain to Senator Park Trammell that the purpose of this study was "...to try to find a way to make less money go further in the development of the schools of the country." To which Senator Trammell replied, "I have never known of economy resulting from such investigations." Senator Copeland countered with:

Does the Senator believe that the expenditures he has sought for the study of insect life and for the control of pests which attack vegetables in his State are important in order that the study may be applied to the betterment of the fruits and vegetables raised in Florida? If he does, certainly he ought to have exactly the same interest in having money expended to find out whether the system of education in this country is resulting in the betterment of children.

Senator Trammell answered:

I would be favorable to making investigations as to certain pests, but I will not be in favor of an appro-
plication to make research in regard to some pests if it meant an absolute waste of money and under which nothing could be accomplished.133

The study accounted for nine per cent of the thirty-four per cent reduction in the appropriations for the Bureau of Education. In considering other departments and bureaus, such appropriations were viewed as part of the total appropriation. In spite of Senator Trammell's attempts to cloud the issue and to minimize the extent of the cut in the appropriations for the Bureau of Education, the fact remains that, according to Senator Reed Smoot, "all the reductions" amounted to thirty-four per cent.

Senators Simeon D. Fess, Edward P. Costigan, and others kept reminding that the House was already at work on a salary-cut bill which would mean two salary cuts and two cuts in personnel and services in the Bureau of Education. Senator Kenneth McKellar summed it up as "just another case where bureaus whose expenditures are cut raise a great hullabaloo about it"134 and a majority of the Senators must have agreed since the appropriation for the Bureau of Education was cut thirty-four per cent in spite of D. Mort's warning that:

It means untold harm to public education, for it

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133 Ibid., p. 8082.

134 Ibid., p. 8029.
sets the pace for less-favored bodies than the Senate of the United States to likewise cut at a vital spot in the life of our Government.\footnote{135}

There were senators who hated to see the appropriation for the Bureau of Education slashed, but the Record reveals that none of the senators actually made the creditable show of their displeasure that they had been known to make on other occasions and for other causes. For instance, Senator Copeland, who actively fought this cut, gracefully laid down his weapons with the following words:

\begin{quote}
We are at a time when the Federal government must consider its costs. So I shall not press the matter, because I know what a difficult task it was for the committee...my only thought about it...is that a greater proportion than the per cent was stricken from these particular items. But, as I said, sometimes we have to cut our costs according to our cloth, and that is the occasion now. So it is necessary that we should exercise these economies, dreadful as they may be.\footnote{136}
\end{quote}

Then there were others, as Senator George B. Norris who, when faced with choices, protested, "I love education," but:

\begin{quote}
I would rather cut that appropriation than an item, for instance, of improvements such as Boulder Dam, where the Government has entered into contracts; where under the laws of the Federal Congress great undertakings have been commenced and carried to partial completion where 4,000 men have been taken out in the desert, home built for them, and millions invested; and where, by cutting the appropriation, we too a great extent obliterate the improvement that has already been made. We take those
\end{quote}

\footnote{135}{Ibid., p. 7691.}

\footnote{136}{Congressional Record. 72 Congress. 1st Session. Vol. 75, Part 7, p. 7962.}
men away from their employment. In the first place they become part of the great army of unemployed, and the work stops. The material, the machinery, and everything that is there too a great extent will be injured, and probably entirely destroyed. We lose millions of dollars by stopping the work when it is half through.137

The attitude of the 72nd Congress toward funds for vocational education was quite different from their attitude toward the funds for the Bureau of Education. President Hoover, having insisted that Congress cut government expenditures to the bone and maintain the strictest economy, and still finding unemployment growing, began looking for other "unnecessary" items for attack. As a result, the President presented to Congress a list of eighty-five suggestions for further "economies." An Economy Committee was given the task of considering President Hoover's suggestions and presenting them for Congressional approval. One of the President's suggestions was that all vocational funds ($8,800,000) be suspended for one year. These suggestions appeared in the Washington Star of Sunday, April 17, 1932. The rumor that such might be included had already incited a little stir of oratory in the Congress, but after the appearance of these suggestions in the Star, the Congressmen took to the floor to outdo each other in showing the righteous indignation they felt toward anyone, much less the Chief Executive, who would even suggest halting this educational work so necessary to the very existence of our country. Congressman Daniel A. Reed

137 Ibid., p. 8035.
said:

I believe in the most rigid Federal retrenchment consistent with real economy...(but regarding vocational education)...such a nation-wide dislocation of our school system will be a calamity not only for the children and parents but to the social well-being of the country.\textsuperscript{138}

Congressman Morgan G. Sanders of Texas called it a "most vicious suggestion" and added that:

This already puts Mr. Hoover as being against education; and as far as my information goes, he is the only President we ever had that took that position with reference to this very vital and important subject.\textsuperscript{139}

Congressman M. C. Garber of Oklahoma called it an "expensive economy" and, in defense of vocational education, he added:

Back of your naval appropriations, back of your battleships, back of your military line, is a qualified producing citizenship, our first line of defense...It is undeniable that our future prosperity is inseparably associated with training for industrial or vocational efficiency.\textsuperscript{140}

The Congressmen carefully pointed out that the Federal Government had made a binding, permanent contract with the states regarding vocational education and that this might be but a step toward the permanent breaking of that contract, which would mean breaking faith with the American people. They also pointed out the irretrievable

\textsuperscript{138} Congressional Record. 72nd Congress. 1st Session. Vol. 75. Part 8, p. 8319.

\textsuperscript{139} \textit{Ibid.}, p. 8446.

\textsuperscript{140} Congressional Record. 72nd Congress. 1st Session. Vol. 75. Part 8, p. 8518.
loss to the 1,250,000 boys and girls taking vocational education who would be denied this opportunity if the funds were suspended for a year.

Congressman James V. McClintic, of Oklahoma, described the "constituent reaction" by saying "there has recently descended upon my office an avalanche of letters and telegrams, more in number than I have ever received during a similar period, protesting against any legislation which would curtail or destroy vocational education, as is provided for by the Smith-Hughes Act."\(^{141}\)

Other Congressman affirmed this "constituent reaction" and Congressman Fiorello H. LaGuardia said, "They are from unorganized citizens who have the interest of education at heart."\(^{142}\) There were other Congressmen who somewhat doubted Congressman LaGuardia's stated belief that all this "constituent reaction" was unorganized; instead, they were quite sensitive to the "gentle" prodding of a huge pressure group made up of the various pressure groups favoring vocational education. As Congressman James V. McClintic warned:

The friends of vocational education may not be organized as has been said on this floor, yet there is one thing certain; they are posted as to what is going on in Congress, and in my opinion, the Member who votes to destroy this legislation might just as well get ready for a free trip up Salt Creek.\(^{143}\)

\(^{141}\) Ibid., p. 8621.

\(^{142}\) Ibid., p. 8621.

\(^{143}\) Congressional Record. 72nd Congress. 1st Session. Vol. 75. Part 8, p. 8622.
To keep the funds for vocational education from being suspended for one year Congressmen suggested other possible cuts in appropriations for such public works as roads, parks, rivers, and harbors. There were those, such as Congressman Morgan G. Sanders, who accused President Hoover of being "the most expensive one we have had in the White House," as having too many cars, too many policemen, and too many commissions. Congressman Sanders also attacked the expenditures of $17,500,000 for a Commerce Department Building and called it "a monument of extravagance."¹⁴¹

When the Economy Committee submitted to the Congress its general or omnibus bill, based on President Hoover's suggestions, the bill did not suspend vocational education for one year but rather left it alone through 1933, but beginning in 1934 it reduced it to ten per cent each year for ten years, with the intent to relieve the Federal Government of the entire burden in ten years.

When the bill was brought before the House, Congressman Clarence Cannon of Missouri offered an amendment to "strike out section 303" which was the section pertaining to vocational education. In defense of his amendment and vocational education he reminded his colleagues that:

For the Federal Government to now withdraw from this partnership with the States is little short of a breach of contract and smacks of bad faith.

¹⁴¹Ibid., p. 8447.
And it will not save a dollar. This bill is proposed as an economy measure. It is intended to tide over the situation for the coming fiscal year. It is announced as purely temporary. And yet here is a proposition which during the coming fiscal year of 1933 will not reduce Government expenditures a single penny. This is not an economy measure. It is not an emergency measure. It is not a retrenchment. Then why is it included in this bill? The answer is obvious. There is a school of thought in this country that is opposed to the education of the people at the expense of the Federal Government. It means nothing to them that such a policy produces an unintelligent electorate; that it tends to reduce men to the status of beasts of burden in the fields and unthinking human machines in the shops and factories. They are concerned only with lower corporation taxes and larger dividends.

But they defeat their own purpose. Experience has demonstrated that their profits are dependent on the skill and intelligence of their workmen. America is recognized as the foremost agricultural and industrial nation of the world. She has the most productive farms, the most efficient manufactories, and the output of her fields and factories is higher per unit than that of any other country on the globe. Why is Russia's agricultural and industrial program failing? It is because they lack competent man power. Why are other European nations unable to cope with us in the production of commodities? It is because our farmers and artisans have been trained in better schools and, therefore, have a higher mental capacity and adaptability. That is the secret of American supremacy in the markets of the world. America leads because America educates. And when America ceases to educate, America will cease to lead.145

Congressman John McDuffie of Alabama, Chairman of the Committee, attempted to defend the bill as presented by the Committee. The high points of his defense were as follows:

145 Congressional Record. 72nd Congress. 1st Session. Vol. 75. Part 8, p. 9235.
You can practice economy in other years as well as in this year... There has been an urge from the beginning to get the Federal Government further and further into the business... of educating the youth of this land. We thought the time has come for the taxpayers themselves to stop and think... whether or not it was a proper function of the Federal Government to educate the children in the various States... We already have an overproduction of agricultural products. Evidently we have been educated to the point where we are producing more than we can consume or sell; yet we are providing high-priced officials in Washington and furnishing money for teaching those things we should have learned by this time... By a gradual reduction of ten per cent a year for ten years this bill gets the Government out of the vocational education business, and after much study the committee felt that the Government could well afford to let this responsibility fall where it originally belonged and where it belongs today, and that is upon the localities or States affected.

Also in defense of the position taken by the Economy Committee, Congressman Lewis W. Douglas of Arizona said:

The committee in inserting section 303 in the bill was doing nothing more nor less than carrying out the recommendations of a board which had been appointed to investigate the relationships between the Federal Government and the States insofar as education is concerned. That board reported in express language that vocational education and contributions of the United States for that purpose should be gradually diminished so as to leave the field entirely to the States... (and that because of the requirements imposed on the states be benefit under the act he said)... The commission which had been appointed to investigate this subject stated clearly that such subversion on the part of the United States was not in accord with sound principles of education.

Congressional Record. 72nd Congress. 1st Session. Vol. 75. Part 8, pp. 9235–9236.

Ibid., p. 9246.
The following excerpts are from the conversation that followed:

Mr. Patterson. Will the gentleman inform us who paid the expenses of this commission in making the investigation?

Mr. Douglas. I have not the faintest idea who paid for this investigation.

Mr. Reed. One of the large foundations paid for it and had an ulterior motive.

Mr. Bulwinkle. Was the Secretary of the Interior on that board?

Mr. Douglas. As I recall the Secretary of the Interior was on the board.

Mr. Cannon. Is the gentleman aware of the fact that the board was paid from private funds furnished by the Rosenwald Foundation?

Many Congressmen wanted to make their voices heard on the subject, since their constituents had spoken so emphatically, so they resorted to various amendments to get the floor and keep the debate going. Congressman F. M. Simmons of North Carolina offered an amendment to make the reduction begin in 1935, instead of 1934, and ended by saying, "I offered the amendment in order to get the floor. I am heartily in favor of the amendment of the gentleman from Missouri."
Congressman Donald F. Snow of Maine offered an amendment making the year 1936, to get the floor, and then announced: "If I could have my way, I would make it the year 2036." 150

This competition for the floor continued until some twenty-five or thirty Congressmen had had a chance to record their remarks, in accordance with the "requests" of their constituents. When the vote was called the amendment offered by Congressman Clarence Cannon of Missouri to strike out section 303 pertaining to vocational education was passed.

In the meantime the banks, the farmers, and the businessmen were feeling the impact of the financial crisis. According to Beard,

It was openly asserted in high places that, if capitalists could not so conduct industrial enterprise as to avoid periodical depressions of this kind and maintain a steady level of employment, the government of the United States would have to assume the responsibility. 151

As a result, the President recommended and the Congress enacted legislation intended "to assume the responsibility." The first was in the form of a bill known as H. R. 7360 (January 26, 1932) which established the Reconstruction Finance Corporation, with a "...capital stock of $500,000,000 subscribed by the United States of America," 152 to provide emergency aid to financial institutions, agriculture, commerce and industry. The second legislative act

150 Ibid., p. 9239.
152 Congressional Record. 72nd Congress. 1st Session. Vol. 75. Part 3, p. 2527.
was the Home Owner's Loan Corporation which offered loans to people in peril of losing their homes due to mortgages. It must be noticed that in both cases the word "loans" was used, and those benefiting were required to produce adequate security for such loans. The man without such security was to benefit from the "trickling down" process.

It was not until June 1932, that the Reconstruction Finance Corporation was authorized to loan to the states and municipalities, on adequate security, funds to allow the states and municipalities to meet the problems of unemployment and poverty, i.e., for relief purposes.

No loans or relief of any kind had been provided for education. This oversight was noticed by several Congressmen during the second session of the Congress and bills were introduced to have education included. These bills remained in committee while the state and local communities cut educational appropriations, went into debt, curtailed educational opportunities, and closed schools. At this point the states, unable to handle the school situation, began their appeals to the Federal Government for emergency aid. The legislature of the State of Nevada, one of the wealthier states per child, memorialized the Congress to pass the Oddie amendment whereby the Reconstruction Finance Corporation would be authorized to make loans to the schools. The amendment was not passed.
SUMMARY

From 1918 to 1925 attempts were made to secure the passage of bills designed to create a Department of Education and to allocate funds to the states for educational expenditures. No Congressional action was taken on any of these bills. In spite of the fact that the proponents presented impressive data regarding the need for a Department of Education and federal aid to the states for public education, the opponents were not willing to concede that there was a need or that it was desirable for the Federal Government to enter the educational field which they maintained had been left to the states by the Constitution. The opponents maintained that federal control would be the result of the creation of a Department of Education and the allocation of funds to the states for educational expenditures.

The opposition met by the proponents attempting to secure the passage of such bills made it seem advisable for them to retreat in their demands. From 1926 to 1932 they limited their efforts to attempting to secure the passage of bills to establish a Department of Education with extended research facilities. These bills remained in the Congressional Committees. The opposition encountered with the bills to create a Department of Education and to allocate funds for state educational expenditures persisted against the proposals to create a Department of Education and extend research facilities.
During this period the pressure groups favoring federal aid to education were, in general, the educational organizations; the labor unions; the Negro organizations; the Protestant and Jewish religious groups; and a majority of the large women's organizations. The opponents of federal aid were the business groups; the Catholic Church; the "states' righters" who oppose the legislation on the basic grounds of states' rights, those under states' rights banners from wealthy states not benefiting to the maximum by such aid, and those believing in segregation and fearing that states' rights in the matter might be violated; and those who still believed that the responsibility for the education of the young should revert to the parents. The opposition to the bills to create a department of education and other purposes by the farm group and the support given by the farm group to the Brand-Nye bill indicate that groups can be persuaded to support a federal aid bill by providing in the bill sufficient benefits for the members of that group.

The reactions of various pressure groups to bills to promote education by federal aid during this period emphasize the fact that pressure groups in our national life offer support or opposition to bills regarding education relative to the objectives, aims, or purposes of the particular group. It is apparent, at this point, that these pressure groups must be reckoned with in any attempt to secure federal aid to education. The bills proposed during this
period did not meet the demands of a sufficient number of these pressure groups to secure their passage. Also contributing to the defeat of these bills were state and sectional jealousies and prejudices; the lack of a realization of the importance of providing adequate educational opportunities for all children; the division of opinion regarding the responsibility for financing education; and the defects in the proposed bills.

The "economy" cuts to the Office of Education made it apparent that it lacked adequate support by strong pressure groups and the people in general. On the other hand, the protection given the vocational funds makes it evident that strong pressure groups support these funds.

The majority report of the National Advisory Committee on Education resulted in (1) the discrediting of matching-of-federal-funds-by-state-funds provisions theretofore included in federal aid bills, and (2) the questioning of the allocation of federal funds for special kinds of education, as vocational education. The minority report of the Negro members of the Committee drew attention to the need of federal funds for Negro education. The minority report of the Catholic members of the Committee confirmed the Catholic position of opposition to a Department of Education and federal aid to public education. The votes against certain sections of the majority report by the vocational education members of the
Committee made it apparent that they would not concede willingly to being dispossessed of federal funds for vocational education.
CHAPTER IV

FEDERAL AID TO EDUCATION DURING THE DEPRESSION (1933-1935)

In 1933, President Hoover and the 72nd Congress passed to
President Roosevelt and the first session of the 73rd Congress
(March 4, 1933 - June 16, 1933) the problems resulting from an
economic depression and 12,000,000 unemployed persons. The public
school system was directly affected by these economic circumstances,
since the public schools were supported by tax funds. There were
those who were convinced that by restoring the economic stability of
the nation the stability of public institutions would also be restored.
On the other hand, there were those who believed that public institu­
tions, as the public school system, should be aided simultaneously
with other segments of our national life.

Senator Walter George of Georgia was of the latter group. He
introduced into the first session of the 73rd Congress a bill (S.501)
authorizing the Reconstruction Finance Corporation to make loans
to the states for educational purposes. The Reconstruction Finance
Corporation had been authorized to make loans to business, the banks,
agriculture, and to the states for relief purposes. He believed that
the states were in dire need of such loans to maintain their educational
systems as well. No action was taken on this bill but several Congress­
men directed their remarks to the proposed legislation. Among these
was Congressman Russell Ellzey of Mississippi. He summed up the situation regarding the importance of the public schools, reasons for the near collapse of the schools, and the obvious solution to the problem, as follows:

Every normal community of this Nation rejoices at the accomplishments of our public-school system. Yet, today, the very existence of our schools is threatened because of prevailing economic conditions. With so many heavy financial losses in bonds, bank deposits, stocks and foreclosures of mortgages on homes, there remains for the average taxpayers only one hope for his child, and that is an education at public expense.

Briefly I shall submit to you some reasons for the threatened collapse of the public-school system. Recently the national survey of school finance found that one-half of the States of the Nation obtain 90 per cent of financial support for schools from a general property tax and five-sixths of the States receive 80 per cent revenue from property tax.

During the great economic crisis two factors must be considered in planning school budgets. First, serious thought must be given to the tremendous shrinkage in the assessed valuation of property, necessarily resulting in decreased tax returns. Secondly, officials must remember that the earning power of the American citizen has so decreased, because of low commodity prices, lower wages, unemployment, and bank closures, that a surprisingly large number of patriotic and honest taxpayers have been unable to pay taxes. Remember that these same factors threatened, and in many cases have destroyed, other American institutions within the past two years. In analyzing this question, one so vital to the hearts of all Americans, let us consider very frankly what has happened. When financial institutions saw dangers ahead their leaders came to the Federal Government and successfully demanded financial assistance. The Government has extended loans, millions of dollars, to banks, insurance and railroad companies, and other public corporations. Furthermore, private industry is now turning to the Federal Government and making insistent demands for financial
assistance through the Federal Treasury. I merely mention these convincing facts to clearly show you that other public and private institutions have had to face a threatened collapse, and that the school system is no exception to a general rule.¹

Congressman Russell Ellzey pointed out that the public schools had always practiced economy and had cut all possible corners to meet the situation. He said that in addition to cutting salaries, cutting personnel, and cutting services, the local communities had gone in debt and the public educational system was facing a crisis. He believed that because of the unequal distribution of wealth it was the duty of the states to equalize educational opportunities within the states during prosperity as well as during depressions.

As for the role of the Federal Government in providing educational opportunities and financing education, he said:

   The Federal Government owes the same protection to all sections of the Nation. Likewise, each American child is entitled to an equal opportunity in life. Therefore, I am firmly convinced that the Federal Government should share its part in the cost of public education.²

He pointed out that such action had been taken in other countries and in comparison listed the following countries and the part of the government budget allocated to education:

   Denmark....................... twenty per cent
   Belgium...................... thirteen per cent
   Germany......................eighteen and three-tenths per cent

¹ Congressional Record. 73rd Congress. 1st Session. Vol. 77, Part 4, p. 3946.
² Congressional Record. 73rd Congress. 1st Session. Vol. 77, Part 4, p. 3948.
Norway............ fourteen and nine-tenths per cent
Rumania........... seventeen per cent
Sweden............. seventeen and one-tenth per cent
Switzerland...... twenty-four and six-tenths per cent
United States..... four-tenths per cent

As for Great Britain, in 1932, the government budget for education was $202,470,000, while our Federal Government appropriated $17,000,000 for education.3

There were others, such as Congressman Wallace H. White, Jr. of Maine who believed the problem would solve itself if "our monetary system could be revised, broadened, and recast so that business and the producing interests of this country may be restored to a measure of prosperity that will insure the support of our schools in the present state of efficiency."4

It was obvious that Congressman Wallace H. White was not alone in holding this opinion, since the Congress and the President focused their attention and actions in this direction. After reopening the banks, President Roosevelt followed in the footsteps of President Hoover and proposed an economy bill "to maintain the credit of the United States" (H.R.2820). It was passed March 20, 1933. The next step was to revise the Reconstruction Finance Corporation to allow federal credit on less security, at lower interest rates, and with easier methods of repayment for the farmers and the property owners.

The Congress went along with the President on these bills but

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3 Ibid., p. 3949.
4 Congressional Record. 73rd Congress. 1st Session. Vol. 77. Part 3, p. 2645.
the clamor for a different approach to the problem gained momentum. Congressman Robert L. Doughton of North Carolina quoted Henry Harriman, President of the United States Chamber of Commerce as saying, "the purchasing power of the American people had dropped from $84,000,000,000 to $40,000,000,000 and that if the present rate of descent continued, next year it would not be over $30,000,000,000." Other Congressmen pointed out that there was a surplus of agricultural products and that manufactured goods were piled on the shelves of the nation. People needed food, clothes, household equipment, cars, etc., but they had no money with which to purchase these items.

The President was finally convinced that production must be brought in line with the consumer market and that deficit spending by the Federal Government was necessary to create an adequate consumer market. As a result of this changed attitude legislation was approved by the President and passed by the Congress providing for the Agricultural Adjustment Act; public works for the relief of unemployment, including the CCC; the Federal Emergency Relief Administration; the National Industrial Recovery Act; and others.

This change in attitude on the part of President Roosevelt had not happened without a struggle. This was made evident when on June 10, 1933, six days before the end of this session of Congress, President Roosevelt was finally convinced that production must be brought in line with the consumer market and that deficit spending by the Federal Government was necessary to create an adequate consumer market. As a result of this changed attitude legislation was approved by the President and passed by the Congress providing for the Agricultural Adjustment Act; public works for the relief of unemployment, including the CCC; the Federal Emergency Relief Administration; the National Industrial Recovery Act; and others.

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5 Congressional Record. 73rd Congress. 1st Session. Vol. 77. Part 4, P. 14203.
the President, after having endorsed bills providing for over a billion dollars in deficit spending sent a message to Congress which began:

Pursuant to the provisions of section I, title III of the act entitled "An act to maintain the credit of the United States Government," approved March 20, 1933, I am transmitting herewith an Executive order to certain regroupings, consolidations, transfers, and abolitions of executive agencies and functions thereof."

and ended:

The justification for sending the Executive order up, even at this late hour, is that it will effect a saving of more than $25,000,000. This is well worth while.

Among the items in this Executive order for quick action were:

Section 15. Vocational Education

The functions of the Federal Board of Vocational Education are transferred to the Department of the Interior, and the board shall act in an advisory capacity without compensation.

and:

Section 18.

The following functions are abolished in part: Co-operative vocational education and rehabilitation, twenty-five per cent thereof. Payments for agricultural experiment stations, twenty-five per cent thereof. Co-operative extension work, twenty-five per cent thereof. Endowments and maintenance of colleges for the benefit of agriculture and the mechanic arts, twenty-five per cent thereof.7

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6 Congressional Record. 73rd Congress. 1st Session. Vol. 77. Part 6, p. 5598.

7 Ibid., p. 5705.
Congressmen and "constituents" arose to the occasion. Congressmen enumerated the ill effects such action would achieve for vocational education, the farmer, et. al. The "constituents" enlarged the Congressmen's mail pouches, and Senators Robert M. La Follette, Jr. of Wisconsin, Arthur Capper of Kansas, James F. Pope of Idaho, and Royal S. Copeland of New York favored the Congressional Record with eighteen of these "constituent protests."

Congressman Ross A. Collins, of Mississippi, characterized this as the "last straw." He said:

And now when the public schools established on State funds are collapsing comes this additional blow - the devastating curtailment of the work in vocational education.8

Congressman Ross A. Collins included in the Congressional Record a pre-election letter from the presidential candidate, Franklin D. Roosevelt, to C. A. Cobb, editor, The Progressive Farmer and Southern Ruralist, Atlanta, Georgia, which was as follows:

My dear Mr. Cobb:

I have received your letter of July 19 inquiring about my attitude toward the support of agricultural education.

I have spoken often on this subject in this State, so that our people here have no doubt whatever about where I stand. I believe thoroughly in agricultural education. I regard it as one of the most important and essential branches of the whole educational effort that is being carried on in the United States. I am a firm believer also in the value of the co-operative research and experimental

8 Ibid., p. 5960.
work and the extension service which State institutions, in cooperation with the Federal Government, are rendering.

I think it would be nothing short of a disaster if any of this work were seriously curtailed. Particularly in these times when farmers are having such a desperate struggle to maintain themselves, I think it supremely important that they should have the benefit of the expert advice that colleges, experiment stations, and extension services are able to give them, and it is equally important that we should continue to hold out to their children opportunities for an education that will make them something more than field drudges.

What I have said with respect to the agricultural colleges and their allied services applies with equal force to the lesser schools of agriculture and to the agricultural education now being carried on with such excellent promise in consolidated high schools in the rural communities.

I am glad I have had the opportunity of expressing myself on this subject, on which I have very strong convictions.

Very sincerely yours,

Franklin D. Roosevelt

R. A. Pearson, Chairman Executive Committee, of the Association of Land-Grant Colleges and Universities, was quoted in the Congressional Record regarding this change of attitude on the part of the President as follows:

We believe the President expressed not only his own best judgment but the best judgment of the great majority of intelligent people. We do not think he has changed his mind, but it is difficult to reconcile his emphatic pre-

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<sup>9</sup> Congressional Record. 73rd Congress. 1st Session. Vol. 77. Part 6, p. 5960.
election statement with the action now indicated, unless it is that he has been wrongly advised. For the sake of the millions of people who are depending on land-grant institutions for advice and help, we hope the President's order will be held in abeyance, so that our work will not have to be severely curtailed at this critical time.  

Congressman Ross A. Collins of Mississippi also added a recent statement by President Roosevelt which seemed to add to the confusion. It was in part:

The last question relates to keeping children in school to the age of 16. I am in favor of that. Furthermore, I go along with the thought that we must increase vocational education for those children who otherwise could not receive adequate training. That kind of vocational training will raise the standards of worthwhile employment, not only now but also in normal times.

My own observation leads me to believe that in many parts of the country we have tended to an educational system devised too greatly for academic training and professional careers. We know that already many of the professions are oversupplied and it is a fair guess that during the coming generation we shall devote more attention to educating our boys and girls for vocational pursuits which are just as honorable, just as respectable, and in many instances, just as remunerative as are the professions themselves. The Federal Government, without in any way taking away the rights and the duty of the several States to manage their own educational affairs, can act as a clearing house of information and as an incentive to higher standards.

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10 Congressional Record. 73rd Congress. 1st Session. Vol. 77. Part 6, pp. 6083-6084.

Senator Charles McNary of Oregon on June 15, 1933, presented the following Senate Joint Resolution (63):

Resolved, etc., That notwithstanding the provisions of title IV of part II of the Legislative Appropriation Act, fiscal year 1933, as amended, the provisions of section 13 of the Executive order providing for certain regroupings, consolidations, transfers, and abolitions of executive agencies and functions thereof, transmitted to the Congress, first session, shall be, and the same is hereby, suspended until the convening of the next session of the Congress, and for 60 days thereafter.\textsuperscript{12}

This resolution was approved by the Senate. Senator Joseph T. Robinson of Arkansas, majority leader, advised that this would be sufficient action to stay the President's hand for the time being - and he was right.

By the time the second session of the 73rd Congress (January 3, 1934 – June 10, 1934) had convened the public school system was near collapse. Thousands of schools were closed and others were open only because of the "faith, hope, and charity" of the teachers. Every state and local unit was hard hit and the Congressmen returned to the second session with bills in hand. There were twenty-five or thirty bills introduced providing for federal aid in some form to public education. These bills may be categorized as follows:

1. Bills such as S.2402, 2522, 2837; and H.R. 7477, 7479, 7525, 8137, 8219, 8433, 9544, 9786, 9907

provided that money be given from various sources

\textsuperscript{12} Congressional Record. 73rd Session. Vol. 77. 1st Session. Part 6, p. 6080.
and be administered by various agencies to keep
the schools open for another term.

2. Bills such as S.6375; and H.R. 6093, 9465, 7981
   provided that money from various sources be given
   or loaned to the states to meet the debts owed
   and warrants held by the teachers.

3. Bills such as H.R. 7873, 6533, 7520, provided that
   money be given from various sources and administered
   by various agencies to keep the schools open and
   that money be either loaned or given from various
   sources to meet the debts owed and warrants held by
   the teachers.

The various sources of funds for education mentioned in the
various bills were: grants from the Federal Treasury; allocation
of part of the $950,000,000 authorized for federal emergency relief;
and loans from the Reconstruction Finance Company.

It must be noted that some of these bills are different from
those proposed previously. Heretofore the bills providing for
federal aid to the states for education required that the states
match the funds to be appropriated, while some of these bills
provided for unmatched and unrestricted grants-in-aid. The new
proposals marked the end of the matching-of-funds proposals and the beginning of the unrestricted grants-in-aid period. This change may be attributed to the desperate situation existing at this time; to the recognition of unequal needs and corresponding unequal abilities to meet matching requirements on the part of the states; and to the fact that such a procedure was recommended by the United States National Advisory Committee on Education in 1931.

Not only did Congressmen present educational bills but they described the educational situation on the floors of Congress. They and various pressure groups were so demanding that the House Committee on Education held hearings on February 26, 27, 28 and March 1, 1934 on House bills providing for federal emergency relief for education. The National Committee for Federal Emergency Aid for Education, representing thirty-two civic organizations, was responsible for presenting the case for emergency aid.

Persons representing the following groups appeared before the hearings to plead for emergency aid to education: American Home Economics Association; National Congress of Parents and Teachers Association; American Federation of Teachers; State Education Associations; National Federation of Business and Professional Women's Clubs; National Young Women's Christian Association; National Women's Trade Union League of America; National Advisory Committee on Education; National Committee for Federal Emergency Aid.
to education; National Council of Jewish Women; American Farm
Bureau Federation; National Education Association; and, the
National Service Star Legion. Others appearing and favoring
emergency federal aid to education were state superintendents of
schools, Congressmen, various people from state departments of edu-
cation, college professors, the Commission of Education, and others.
Harry Hopkins, Federal Emergency Relief Administrator, and Stanley
Reed, general counsel, Reconstruction Finance Corporation, were
invited for questioning regarding these two agencies.

The reaction of Harry Hopkins to funds being taken from the
Federal Emergency Relief Administration and given to education was
as follows:

I believe relief funds should not be used to
finance educational work in the United States. I do
not think the relief department should have anything
to do with education in any way, shape, or form. I
think you know that we have paid the wages of needy
unemployed teachers and permitted them to teach in rural
schools, but that has been through unemployment relief.
Those appropriations have been made for the purpose of
giving relief to the unemployed, and not to maintain the
educational system. Now, as a matter of fact, it has
calmed us within recent weeks and months to be giving
them school teachers, and I presume now at the present
time we have 15,000 or 20,000 teachers who are needing
employment, assigned to various rural schools throughout
America. It may be that will increase to as many as
30,000 or 35,000 before this school term is over. These
teachers are authorized for any schools in any rural
school in a town under 5,000 population. Now, if there
is to be an appropriation for education in any form, it
seems to me it should be a direct appropriation on the
merits of the case, and not by means of taking a part of the money already appropriated for a totally different purpose. We need all the funds which have been appropriated to us by the Congress for the purpose for which they were given, and if any of our funds are taken for this purpose it will simply mean that needy unemployed people are not cared for to whatever extent this fund is tapped.

Regarding the requirements for participation in benefits which might be provided through the Reconstruction Finance Corporation, Stanley Reed gave the following information:

**MR. REED.** Mr. Chairman and gentlemen of the committee, these bills divide themselves into two classifications: First loans from the Reconstruction Finance Corporation which are made on the security of warrants or certificates of indebtedness to teachers which have been issued by municipalities, counties, or States and securing direct authorization to advance funds to the States for the purpose of furnishing additional funds. Insofar as these loans are concerned, the committee, of course, would have in mind that the Reconstruction Finance Corporation is making loans through intermediate finance institutions. In other words, through the banks in the local communities, if these warrants or the teachers' certificates were presented direct through the banks, the banks have obtained loans from the Reconstruction Finance Corporation.

The other type is where the Reconstruction Finance Corporation is asked to make an appropriation to the States. That, of course, is a different type of operation and which we are now conducting in the Reconstruction Finance Corporation.

If you were to do what is suggested in the bill,
to make appropriations available for the
allotment to commissioners of education, of
course, there is no provision in the present
legislation whereby the Reconstruction Finance
Corporation can allot any of its funds.

So far as the corporation itself is concerned we,
of course, have no suggestion to offer as to the
propriety or impropriety of the bill. We feel
that is a legislative function and is something
for you gentlemen to decide.11

Speaking before the Committee Harold A. Dawson, Director of
Research, of the Arkansas Department of Education, stated the
purposes of the Committee, as he understood them. (Chairman John
J. Douglass of Massachusetts approved his statement):

MR. DAWSON. Mr. Chairman and members of the committee, as
I understand it, the desire of the committee as
expressed by the chairman and as I have gained it by
questions that have been asked others is that you
would like to know from the various States whether
an emergency in the public school systems actually
exists, and to get facts regarding the extent of
that emergency at this time and also what the States
have been doing in trying to meet the emergency; and
also whether it is probable that the emergency can
be met next year, and the next two years, or whether
a permanent program is anticipated.15

To summarize the evidence presented at the hearings relevant
to purposes of the Committee, it may be said that the evidence
presented proved beyond a reasonable doubt that an extreme emergency
existed as far as the public schools were concerned. Many schools

11 Ibid., p. 81.
15 Ibid., p. 86.
had not opened in September; others had closed after a short term; some were running on a tuition basis for a few students; school services such as kindergarten, health services, classes for the handicapped, etc. had been discontinued; there were 60,000 fewer teachers than in 1932, with resulting larger classes; one-fourth of the teachers (200,000) were receiving less than $750 per year, the minimum paid factory workers under the blanket code of the National Recovery Act, and 85,000 of these were receiving less than $450 per year; the states were in debt to the teachers for over $40,000,000 (some estimates ran as high as $100,000,000); 40,000 were on the relief rolls and 60,000 were expected to be on the relief rolls before the end of the year (Hopkins' statement quoted above referred to rural teachers; this is a total figure); and, the enrollment in the public schools was increasing, especially in the high schools. In many states building construction and school repairs were at a standstill, except for the Civil Works Administration projects. Projects under the Public Works Administration were barred to the most needy states, since the allocation of federal funds for such projects required an allocation of state funds. The thirty per cent federal grant for a seventy per cent state loan could not be met by states already in debt to the extent of their constitutional limits.
Harold A. Dawson's description of the educational situation in Arkansas, precipitated by flood, drought and the economic crisis, prompted Congressman Charles M. Bakewell of Connecticut to make the following comment:

...it appears from what you say that the conditions in your State are scandalous.16

This could have been said of other states as well. Examples of relevant evidence given at the hearings follow:

Teachers on relief rolls:

Arkansas: One-third of the teachers were on the relief rolls. They were teaching approximately one-third of the children of the state.17 "Without assistance from the Federal emergency relief funds this year, out of a total of approximately 1,500 schools in the State, more than 1,400 would not have had any free schools at all, 270 would have been in session an average of three months, 1,959 would have been in session an average of six months, and only 226 would have been in session nine months. Out of the total of 675 that offer some kind of high school work, 138 have not had any free high school until Federal emergency-relief funds became available about February 20. 18

Georgia: Mr. COLLINS. Therefore during the last scholastic year they had paid for only one month of the nine-month term.

All of the schools in some Georgia counties closed last November. Schools in three counties closed last Friday, but they will open again this week, because of the public spirited action

16 Ibid., p. 100.
17 Ibid., p. 86. (Harold A. Dawson) Arkansas State Department.
18 Ibid., p. 89. (Harold A. Dawson) Arkansas State Department.
of Mr. Harry Hopkins and his associates.\(^{19}\)

The Federal Government has given us $51,000 a month for the last few months on this emergency educational program, and something like 4,000 schools plus would close in the next ten days or two weeks in Georgia, if it were not for this expected fund that we are going to receive.\(^{20}\)

**Teachers' salaries:**

**Arkansas:** The average salary per teacher has been reduced from $735 in 1930-31 to $410 in 1932-33, a decrease of 40.1 per cent\(^{21}\) and this was paid in paper which has no immediate commercial value, and they (the teachers) are simply hawking them around in the districts, realizing twenty to fifty per cent of them.\(^{22}\)

**Georgia:** Mr. Collins. In many places in Georgia scrip has been issued to teachers that has sold in one or more places at around eighty-five per cent discount...

Mr. Hughes. Is that an eighty-five per cent discount of frequent occurrence?

Mr. Collins. Yes; but not general over the State, because some did not issue scrip; they just let the teachers go on and on and on without even giving them even that much encouragement.\(^{23}\)

**Mississippi:** Mr. Bond. The average salary before the depression, including all of us, the superintendents, teachers, and all the way down, was $650 a year. The average

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now, including everybody, city school superintendents, and all the way down, is $100. That includes every teacher in Mississippi.

MR. FLETCHER. You have no pension system?

Mr. BOND. No; the average for elementary teachers now is about $300. Of course, there are some getting as little as $100 a year for four months.  

Contributions of the Teachers:

Arkansas: A typical situation is for the teacher to take four of the six months with pay and teach two or three months without pay in order to keep the schools open, running a normal length of time to complete the course.

Mississippi: When the depression came, we either had to close the schools six months, or make some other shift. The teachers of the rural schools, eighty-two per cent of them, agreed to give the seventh month, if we could pay them anywhere from $30 to $50 for the other six months.

MR. FLETCHER. On that basis, what is the total amount that the teachers have contributed to education?

Mr. BOND. Mississippi teachers have contributed in free service during the last two years approximately $1,000,000 annually. That is how we got by. I attended one school meeting in a consolidated district, being a ten mill county, and they had on top of that ten mill district levy for maintenance; it looked like closing the schools. One of the girls got up and said, "If you will give me two meals a day I will stay on."

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24 Ibid., p. 156. (J. F. Bond, Mississippi State Superintendent of Education and Congressmen Brooks Fletcher of Ohio.)

25 Ibid., p. 89. (Harold A. Dawson, Arkansas State Department.)
On the basis of contributing a month’s salary, the teachers have paid more taxes than any individual group in the State.

I think that is true.26

The fact that teachers were on the relief rolls in many states was evidence enough that Dawson’s statement concerning Arkansas was applicable to the states in general:

In other words the emergency in public education in Arkansas has already been conceded by an important division of the Federal Government.27

To meet the emergency many states had introduced reforms in the organization and administration of their public school systems. However, the economic conditions within the states were such that many states could not hope to support unaided a satisfactory program of public education for years to come. In many cases the states had reached their constitutional limits for indebtedness; their credit was exhausted and Arkansas, for instance, had been sued by Pennsylvania for the refinancing of bonded indebtedness necessitated by the failure of Tennessee banks. The number and kinds of taxes the states levied for revenue left nothing to be exploited. The assessed valuation of property in the states had declined

26 Ibid., pp. 156-157. (W. F. Bond, Mississippi State Department of Education and Congressman Brooks Fletcher of Ohio). There were other cases where the teachers were boarding around and making extreme sacrifices to keep the schools open for the youth of America.

27 Ibid., p. 87.
ately eighty per cent of the school funds of the nation came from property taxes), as well as the ability of the taxpayers to pay their taxes. This inability on the part of certain taxpayers to pay their taxes had removed this land from the wealth producing potential of the states. It was estimated that fifteen per cent of the land in Arkansas was being held because of such unfortunate circumstances. The evidence presented was sufficient to prove that many states had made efforts to meet the emergency but because the economic conditions precipitated by the national economic crisis they could not promise for years a satisfactory program of education, for the youth within their boundaries without federal aid.

As to how long the emergency funds would be needed, most of those appearing before the Committee were reluctant to predict. Mr. Richmond, Superintendent of Public Instruction to the State of Kentucky, and Chairman of the National Committee for Federal Emergency Aid for Education, replied to the question as follows:

Mr. JOSEPH L. BAILEY, JR. Congressman of Texas. I have in mind the question of the emergency that you are seeking to tide over: Have you any assurance that the years 1935 and 1936 will not find you in exactly the same condition you are in in 1933 and 1934?

Mr. RICHMOND. No; I have not. I cannot assure that any more than Mr. Hopkins. I do not know what the future will be in that respect.28

28 Ibid., p. 26. (Congressman Joseph W. Bailey, Jr., of Texas and Mr. Richmond, Superintendent of Public Instruction of Kentucky).
Mr. Dawson answered the question as follows:

Mr. RUSSELL ELLZEY, Congressman of Mississippi. How long do you think it will be before you can take care of your needs, if you have this relief?

Mr. DAWSON: To be perfectly frank with you, with the limited conditions, limitations placed upon us to meet prior obligations, I do not think I can say within two years; frankly I do not see exactly how we could do anything within less time than that.

Regarding whether a program of permanent federal aid was anticipated, there were various reactions, such as:

The CHAIRMAN. Mr. Richmond, does your organization believe that this should be a permanent business over and above what you have already said?

Mr. RICHMOND. I cannot speak for my organization. We are not working for permanent aid. We are asking for emergency aid, and it is that in which we are interested. I stated to you at the outset, Mr. Chairman, that I personally (and I corrected a certain statement in that article which has my name to it, it should not have been there) and not as superintendent of public instruction, and not as chairman of this committee, but as a citizen of the United States, I believe in permanent Federal aid to the schools.

The CHAIRMAN. I could see that from a reading of the Congressional Digest that you would like to have it that way.

Mr. RICHMOND. I do believe it.

The CHAIRMAN. That is the real purpose, is it not, of this proposed legislation?

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Ibid., p. 99-100. (Congressman Russell Ellzey of Mississippi and Harold A. Dawson, Arkansas State Department).
Mr. Richmond. No, sir.

The Chairman. Don't you think if this emergency legislation should be passed that it would make an argument for permanent action and control of contribution of funds by the Federal Government?

and:

The Chairman. May I ask what your opinion on the permanent policy is?

Mr. Dawson. In view of the increasing interdependence of the people of the country, economically and socially, and in view of the variation of methods used among the States, and in view of the fact that the Federal government has an interest in the citizenship of the entire Nation, which is certainly equal to the interest of the State or community, it would seem that the Federal Government should undertake to pay for a portion of these benefits.

But I am not suggesting that here.

The Chairman. That is the unanimous opinion, is it not, among the sponsors of these bills?

Mr. Dawson. I cannot answer that. From my conversations during the last year with men from all over the country, who have been in Washington, and apparently who have been in other sections, I would say that the opinion is considerably divided among the schoolmen themselves.

Mr. Bakewell. I think, in order to keep clearly before us the purpose of these measures, that the question of permanency of such a policy is entitled to consideration, because it is an extremely important question...If this means permanent policy of Federal aid for the State that is one

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Ibid., p. 20. (Chairman John J. Douglass of Massachusetts and Mr. Richmond, Kentucky Department of Public Instruction).
thing. If it is purely emergency relief that is another. 31

Further Congressman D. D. Glover of Arkansas, appearing before the Committee, said:

**Mr. Glover:** Ordinarily, I would not favor the thought of Federal aid to schools if schools could be financed through the States normally like they will be when we get restored to proper conditions - then it will be different. I am unalterably opposed to federalized schools. 32

In his final statement to the Committee, Mr. Richmond, chairman of the National Committee for Emergency Aid to Education, said:

I want to impress upon you gentlemen again that we are coming before you asking merely for emergency aid to the schools. It has given you considerable concern as to whether or not our appeal was merely a camouflage for permanent Federal aid. You asked different ones if we believed in permanent Federal aid; I told you frankly I did; I told you with the same frankness that I am appearing before you now for permanent Federal aid and that I have not mixed the two problems in my own thinking.

If, in the future, I shall have the honor of appearing before this or any other committee of Congress, asking for permanent Federal aid, I shall not stultify myself by calling to your attention any emergency aid that in your generosity you may see fit to extend. There is an emergency now, an emergency that affects the ambitions, hopes, and desires of millions of children, children who have not gambled with other peoples' money, children who are not responsible for the mess we find ourselves in, children who must be educated.

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31 Ibid., pp. 100-101. (Chairman John J. Douglass of Massachusetts, Harold A. Dawson, Arkansas State Department of Education and Congressman Charles M. Bakewell of Connecticut.)

32 Ibid., p. 71.
today or not at all. They are incapable of coming before this distinguished committee and before Congress to appeal for themselves...

In the ceiling up there I see the Latin phrase, E pluribus unum, from among many, one the design of the 48 states is the design of America; the hopes of America is interwoven with the hopes and dreams and ambitions of every child on every hillside and on every plain of America.

And so, we are coming to you and pleading with you to give us a chance to help these boys and girls; schools are closing; opportunities are denied our children; tragedy hangs over them, and when the Government, with all its generous bounty, has taken corporations and every other agency within its enfolding wings, please do not forget the 30,000,000 who must be saved today or never saved.33

The members of the Committee on Education of the House of Representatives represented the following sections of the country:

Northeast................................. 8
Middle West............................... 7
Northwest................................. 1
Far west................................. 1
Southwest................................. 2
Southeast................................. 2 34

They represented the states according to per capita income in 1929, as follows:

Highest twelve states.............. 13
Next highest twelve states........ 3
Next highest twelve states........ 2
Lowest twelve states.............. 3 35

There were nine Catholics and eight Protestants on the Committee

33 Ibid., pp. 229-230.
34 Ibid., Title page.
and the religion of four is not known. The chairman of the Committee, Congressman John J. Douglass of Massachusetts, was a Catholic and his views regarding permanent federal aid were as follows:

**The CHAIRMAN.** Your argument is that we have not enough money to carry on the State system of education that we have exercised all through the years, and the day has arrived when the Federal Government must step in; that is what you claim?

**MR. BYNUM.** Yes, sir.

**The CHAIRMAN.** Personally, I do not agree with you.

We have some indication as to what went on behind the scenes by reading the speeches of various Congressmen included in the Congressional Record. Reluctance to act on the part of the Committee on Education is indicated by the words of Congressman Wilburn Cartwright of Oklahoma, who said on May 1, 1934, two months after the hearings before the Committee on Education of the House:

...it is regrettable that the Committee on Education in the House has not yet reported out a bill providing for Federal relief for schools. Some 25 or 30 splendid bills along this line have been introduced by individual members, including my own bill—H.R. 7520 of January 31, 1934—which was one of the first introduced, but the Committee

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has not yet passed one of these bills nor finished drafting one of their own. In my interviews with members of the Educational Committee over this delay, I always get the same response, "We are making a thorough study of all the bills introduced for the relief of education and incorporating the best features of these into a committee bill which we will finish drafting as soon as we can call upon the President and ascertain his views in the matter.

This I would agree, is proper procedure, but the millions of friends of education throughout the Nation are getting impatient over this continued delay which, it seems to me, is unnecessarily prolonged, in view of the fact that Congress is considering adjournment at no distant date.

Congress must act and do it at once for the schools of the Nation will begin the next school term in September of this year and Congress will not be in session until January 1. I am placing a copy of this speech in the hands of every member of the Committee on Education, and I plead with them to draft and report a bill at once so we can work for its passage.38

Several days later, on May 8, 1934, Chairman Douglass introduced a bill (H.R.9544) and it was reported out of the Committee on Education and referred to the Committee on the Whole House on the State of the Union. The bill designated that $75,000,000 of the relief funds be earmarked for education. The purpose of the bill as stated was "To provide for the co-operation by the Federal Government with the several States and Territories and the District of Columbia in meeting the crisis in education."39

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38 Congressional Record. 73rd Congress. 2nd Session. Vol. 78. Part 7, pp. 7812-7813.

39 Congressional Record. 73rd Congress. 2nd Session. Vol. 78. Part 6, p. 8359.
After this bill was reported out of the Committee on Education, many Congressmen rallied to the support of federal aid for education. Among these was Congressman Brooks Fletcher of Ohio, who in addition to presenting all kinds of statistics, added the two graphic figures on the next page which seemed to sum up the argument for emergency federal aid at this time.

An indication of what might have happened had Congressman John J. Douglass' bill been brought to the floor of the House is suggested by Congressman Christianson's words:

> The gentleman from Massachusetts (Mr. DOUGLASS) has introduced a bill for Federal aid to schools that I shall support. I shall go further than supporting it; I shall insist that the appropriation be increased from $75,000,000 to $225,000,000. Surely if we can afford $400,000,000 for roads, we can spare a little more than half as much for education.\(^4\)

Congressman John J. Douglass' bill did not come to the floor of the House, however, and on the last day of this session of Congress (June 18, 1934) Congressman Ernest Lundeen of Minnesota said:

> I want the record to show I opposed adjournment of Congress until we have made adequate provisions for our schools....\(^1\)

It was Congressman Thomas A. Jenkins of Ohio, who wrote the obituary, in a speech he was to deliver later but had included in the Record at this time. Excerpts follow:

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\(^4\) Congressional Record. 73rd Congress. 2nd Session. Vol. 78. Part 9, p. 9721.

\(^1\) Congressional Record. 73rd Congress. 2nd Session. Vol. 78. Part 11, p. 12539.
FIGURE 1

ANNUAL SALARIES OF RURAL SCHOOL TEACHERS

Receiving more than $750 per year

Receiving $450-$750 per year

Receiving less than $450 per year

Below N.R.A. Codes

FIGURE 2.

RECENT TRENDS IN SCHOOL ENROLLMENTS AND SCHOOL EXPENDITURES

Index No.

High School Enrollment

Total Enrollment

Total Expenditure

Expenditure for Buildings and Equipment

1926 1927 1928 1929 1930 1931 1932 1933 1934

Figures 1 and 2. Congressional Record. 73rd Congress. 2nd Session. Vol. 78, Part 10, p. 10955 and 10951.
Extensive and interesting public hearings were held before the Committee on Education. The National Committee on Emergency Aid to Education presented its case in a very intelligent manner with many persuasive facts and much convincing data seeking to show the necessity for immediate action by way of the enactment of laws carrying approximately $150,000,000 in Federal aid... But Congress adjourned without meeting the request of this committee.\(^2\)

All these facts prove that an emergency exists and that only the Federal Government can reach it. The National Committee of Federal Emergency Aid to Education prefers the enactment of legislation. The President having refused to accept the plan providing for direct legislation favored a plan that would provide money from the general relief funds. Mr. Hopkins, the Federal Relief Director, has indicated his willingness to set aside money from the general relief funds. The deficiency appropriation bill, passed the last night of the Congressional session just closed, carried an item of forty-eight millions for schools. It is claimed that this will not be enough. No doubt more will be made available from the relief funds when need is shown.\(^3\)

The Douglass bill which provides for an earmarking of $75,000,000 of general relief funds for schools was reported out favorably by the Committee on Education of the House of Representatives, and was on the calendar when Congress adjourned. For some time before adjournment it was evident that no legislation providing direct aid to public schools would be enacted by the Congress then in session. The subject was well considered by the Committee but the opposition of the President was an obstacle difficult to overcome.\(^4\)

\(^2\) Congressional Record. 73rd Congress. 2nd Session. Vol. 78. Part 11, p. 11930.

\(^3\) Ibid., p. 11930.

\(^4\) Ibid., p. 11931.
and, finally:

Whether the Seventy-fourth Congress which will convene next January will favor direct legislation is uncertain. There are many who will oppose any attempt by the Federal Government to supplant the States in the control of the public schools. They will not oppose emergency relief but they are opposed to extending federal powers. The determining factor will be the wishes of the President, if a majority of the Congress will be of the same political party with the President...

To my mind aid to the schools is more essential than aid to many that have received it. The public schools are so dear to the American people that they will sanction any reasonable efforts to keep them open. Whether aid from the emergency relief will be the best course or whether aid by special legislation will be the best course is now difficult for me to decide in view of Presidential opposition. Should the depression lift it is reasonable to suppose that emergency relief will be adequate. Should it continue I think the welfare of the school children will have such an appeal that the President would be inclined to change his course if it was inimical to the best interest of the children of the Nation. 45

It seems necessary at this point to draw a distinction between educational funds administered through the relief agency and through the regular educational system. According to Harry Hopkins the relief given the unemployed rural teachers had "been made for the purpose of giving relief to the unemployed, and not to maintain the educational system." The purpose of the educational system was to promote the optimal development of youth for effective participation in a democracy. It is obvious that the purpose of the Federal Emergency Relief Administrator and the purpose of the

educators caused them to approach social well-being from two entirely different angles.

The Federal Emergency Relief Administrator was administering relief funds on February 26, 1934 as follows:

Dr. HOPKINS. We have done two types of education, the teachers in the rural schools, and we have done a fairly substantial job with adult education with the several States, and I presume at this moment we have 40,000 teachers in the various parts of the country who are in need, paid from relief funds. I venture that will jump before the end of this school year to 50,000 or 60,000 teachers. I presume in terms of dollars, we are spending somewhere between $2,000,000 or $3,000,000 a month for relief work which is identified with educational enterprises.46

On August 5, 1934, Miss Eunice Barnard wrote in the New York Times concerning the Federal Government's emergency relief school program as follows:

In terms of student enrollment and teacher employment, two-thirds of the Federal Government's emergency relief school program has thus far been devoted to pioneering in these new educational realms. Technically the program has given employment to some 46,556 needy jobless teachers. From the larger viewpoint of educational advance it has demonstrated the potentially eager response to learning of those who heretofore have been generally considered below or above school age.

Figures for the first half year of the program given by its executive, Lewis R. Alderman, in School Life, show more than a million of the 1,501,704 pupils in these two groups. Of them some 600,000 are adults who have voluntarily

floated into classes in 500 non-vocational subjects in one of the most spectacular mass educational movements in history.

Only a third of the whole number of pupils benefited are in the regulation school and college system. Of these 423,300 are in the rural schools which the government funds are keeping open, and 75,000 are college students, for whom the government is providing subsistence jobs.47

At the hearings Harold A. Dawson, an educator, had this to say about the emergency relief program of education:

I would like to make this observation with regard to the expenditure of Federal money for education in times of emergency. My colleagues and I are all in agreement with the position that I understand Mr. Hopkins took yesterday, that it would be far better to have any funds going to the schools allocated directly for schools rather than for personal relief of unemployed teachers and have it administered by school people rather than by people who are interested more in dividing it among other objects.

Now, as a result of an unfortunate political situation in our State, for some two or three months the school people had nothing whatever to do with the employment of unemployed teachers, and in a good many of the schools we got a lot of undesirable people teaching school, who happened to get a certificate but have no qualifications for the positions, and many of them got their certificates years ago and have not taught since that time, and that resulted in considerable difficulty in working together around that program. That never would have occurred, of course, if that fund had been turned over to the regular constituted educational authorities as set up by the State. And so, under this emergency program, whatever fund is made available for educational purposes should be turned over to the legally constituted authorities rather than to be administered through relief workers who may be working within the State, but who do not understand the school problem and who are

primarily interested in the public schools.\(^48\)

Regarding the emergency relief program of education, George F. Zook, Commissioner of Education of the United States, told the Committee at the Hearings:

I think you can see, even under the best circumstances, a relief program cannot be very effective as an educational program. In other words, to whatever extent State and local administrators have found it necessary and desirable to retain control of these funds as, of course, is entirely proper in many respects, you have a kind of dual authority which you immediately set up, and to whatever extent the States and local relief administrator exercises his judgment in the selection of teachers in the conduct of the program, he may do so intelligently, but the chances are he will not do it, we feel, as intelligently as the regular educational administrator. I believe Mr. Hopkins would be as anxious to say it to you as I have been. I have found him uniformly most co-operative; he realizes, as the Office of Education realizes, that no relief program can be entirely satisfactory as an education program.\(^49\)

In addition to specifying that $48,000,000 of the relief funds be spent to employ unemployed teachers, this session of the 73rd Congress took the following action described by Congressman Ernest Lundeen of Minnesota as follows:

Officials of the American Federation of Teachers inform me that over a hundred million dollars is owing the teachers of this country at the present time. This House has passed an amendment to the loans to Industry bill giving the Reconstruction Finance Corporation


\(^49\) Ibid., p. 218.
power to loan 'upon full and adequate security' up to $75,000,000 to school districts or other similar public school authorities for the purpose of payment of teachers' salaries.' This is not a grant; it is a loan which has to be repaid. And it is for overdue salaries alone; it makes no provision for the opening of schools next fall. It does not even cover the entire debt to the teachers alone.50

It may be remembered that the Reconstruction Finance Corporation was established January 26, 1932. For over two years individuals and institutions, other than educational, had benefited by the loans at a low interest rate provided by the Reconstruction Finance Corporation. State and local units had requested Reconstruction Finance Corporation benefits for education to no avail. Robert C. Keenan, representing the American Federation of Teachers, of Chicago, Illinois, talking before the Committee on Education and directing his remarks to the need of Chicago for a Reconstruction Finance Corporation loan, participated in the following discussion:

Mr. KEENAN. As a loan; we will absolutely pay back; the Commonwealth of the State of Illinois and the city will pay that back.

Mr. FLETCHER. Should you not make an appeal to the R.F.C. instead of to this committee?

Mr. KEENAN. I have been here four times before applying to the R.F.C. We were here during the previous administration and could get no help. I was here with the late mayor of Chicago and we were turned down.

Mr. FLETCHER. Did they not consider it a good loan?
Mr. KEENAN. The R. F. C. has had a policy of refusing to loan to municipalities or local governments, under the Reconstruction Finance Act as it stands today. Mr. Jones maintains and, I think correctly, that he may not make such loans, which requires an amendment to the law as it stands. There has been no question raised as to the security.51

Lack of such a loan precipitated a situation in Chicago where it was rumored the teachers were considering quitting or, as some said, striking. This situation was described at the hearings in the following discussion between Miss Theodora Carroll, a teacher from Springfield, Massachusetts; and Congressman P. H. Moynihan, a member of the Committee from Illinois:

The CHAIRMAN. Would you approve of teachers abandoning their position in emergencies like this?

Miss CARROLL. Yes; because she has got to live. It is not a question of whether she can remain or not; it is not a question like that of the Boston police where they were striking for higher wages. The teachers are not striking for higher wages; they are striking for something to live on. If they quit their jobs it is because they are placed in a position of want.

The CHAIRMAN. What do you say about the Chicago teachers that have had trouble for two or three years?

Miss CARROLL. I think they have submitted to it too long. I think it was only fair for the Chicago teachers to go on with their work for a certain length of time. However, I think they have gone on

too long; I think the teachers have gone along so long that the city feels that the teachers can shoulder the difficulty and get along somehow and yet I have read that teachers in the Chicago schools have dropped, for want of food, in the classrooms.

I have one Chicago teacher in mind, just ready to retire, who lost everything she had. I do not know what she is doing now unless she is living on charity.

Mr. LOYIHAN. Mr. Chairman, may I just interrupt here to say that I think Miss Carroll's information is wrong in regard to the Chicago situation.

The Chicago school teachers, it is a fact, have not been paid a portion of the amounts due them. The business houses have accepted their warrants which have been issued by the school board, and I do not think that there is any school teacher in the schools of Chicago who has not received a part of their salary. While these teachers may have been embarrassed financially they have not reached the stage where they are falling in the classrooms for want of food, as was indicated by the witness.

Miss CARROLL. My information came from what I read.

Mr. LOYIHAN. Now, just let me say this; if the school teachers of the United States have the interest of the children at heart to the extent that the Chicago teachers have had during all of these trying times it would be a great improvement for the children of the United States.

And I further state: A special session of the legislature of the State of Illinois authorized and we are going to issue bonds, by the school board, of Chicago, in the sum of $10,000,000, and it is expected and we hope that the Reconstruction Finance Corporation will accept these bonds.
We also have the right by the act of the legislature to offer $30,000,000 worth of property which the school board owns, and which the school is not using for school purposes, and offer that as further security, collateral, for the loan. We will pay $28,000,000 that we owe the school teachers who have been employed in the schools.

I want to emphasize the fact that that is going to be done; that is the reward to the teachers in Chicago, for their sterling qualities in passing through this period caused solely by the tax situation in Chicago....

I was really surprised yesterday to hear the leaders in educational movements stand on the floor here and advocate the closing of public schools. I think that is the wrong attitude for the educators of the United States to take, to say that they are willing to close the schools and put the kiddies out on the street. I am sure that every community recognizes the worth and the ability of its teaching profession, and I think they do appreciate what they are doing for the children, and I am sure that there is not any community where they have not tried to find some way to care for them.

If the teachers in Chicago had walked out when they did not receive their full compensation, they would have been like all other employed. The City of Chicago and the school board of Chicago owes those teachers the sum of $28,000,000 and they have that due them. They have something coming to them. That is what they will receive for remaining on the job, if I may say it that way. We certainly appreciate what the teachers in Chicago have done, and I feel that they have set an example to the educators of the United States.
Miss CARROLL. May I say that I gained the information I gave from an article in the Atlantic Monthly?

Mr. MOYNIHAN. I know there is a great deal of criticism offered by people who are not familiar with the city's trouble.

Miss CARROLL. This was by a Chicago school teacher.

Mr. MOYNIHAN. I do not question that.

The situation in Chicago was unusual in that many of the teachers belonged to the American Federation of Teachers, the organization Mr. Keenan represented. They were organized and made their demands collectively. There is no question but that the Chicago situation exerted considerable pressure on the Congressmen to extend the services of the Reconstruction Finance Corporation to education at this time. It was a case of greasing a squeaky wheel to keep the wagon rolling.

The funds allocated were not sufficient to cover loans for all debts owed the teachers, nor would it have been more than a nice gesture, since many other state and local units were lacking as to "full and adequate security." They had within this period, put up "full and adequate security" for other purposes to their constitutional limits for indebtedness. At this point they had nothing left to mortgage in case they were so disposed. And, there is some question as to whether or not many of the states

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52 Ibid., pp. 84-86.
and local units would have arisen to the occasion, since at the state and local levels there was a similar trend to by-pass educational needs to serve other needs.

This lack of realization of the importance of education in a democracy at the national, state, and local levels made itself evident in the attacks on the "fads and frills" in education. There were those who believed the enforced cuts in educational offerings were not without merit. For instance, from the hearings we have the following concerning Chicago:

**Mr. KEENAN.** Last July, in a program designated as an economic program, with thirty-two points, our board of education made a terrific slash; ... in Chicago principals have been cut down to the point where one principal must serve at least two schools, probably on an average of 1,000 to 2,000 children... The teaching situation has been cut down; over 1,000 teachers were discharged last year. The gentleman who asked us to go back to the standard of 50 years ago is getting his wish in Chicago. We have gone back at least 25 years. By child in the public school in Chicago is not getting the advantages I had when I was in the same grade 25 years ago.... One-half of the kindergarten teachers have been discharged; formerly we had two teachers in the kindergarten. If you gentlemen can recall taking care of one or two children back at the age of five, you can imagine what the problem is to take care of sixty, not merely the mental, but the physical requirements, to put on rubbers, to see that they are properly muffled up before going home, and a thousand other things to be done when handling any large number of children.

Home economics have been entirely abolished from the elementary schools. That is one of the things.
The CHAIRMAN. If you have to retrench, you have to begin somewhere; where could less harm be done than in the kindergarten and the home economics, when the real object of public education is to take care of the younger children? You have to start somewhere.

Mr. KEENAN. That is probably true. It started also with the physical education in the schools.

The CHAIRMAN. That is a matter which has been much over-done

Mr. KEENAN. I judge from your attitude that you refer to what is known as fads and frills.

The CHAIRMAN. I am quite convinced that a lot of physical education I have seen is a frill, and absolutely unnecessary. I am free to say, that if you have to retrench, there is the place to retrench, in the frills and the really non-essentials.

Mr. BLACK. I cannot agree with the chairman, especially when you consider conditions in the big cities. The only outlet the child has is in physical training. That is the disadvantage of the child of today, over the child of 25 or 30 years ago.53

During this Congress a Senate Sub-committee was also delegated to investigate and make recommendations regarding the prevalence of anti-social attitudes and the increase in criminal acts. The Sub-committee found that $13,000,000,000 was spent annually on crime, in addition to "costs in human suffering, in wasted lives,

53 Ibid., pp. 207-209. (Mr. Keenan, American Federation of Teachers Representative, Chairman John J. Douglass of Massachusetts, and Congressman Loring M. Black of New York).
in sordid ideals, and in vain pursuits." Senator Royal S. Copeland of New York, the Chairman of the Subcommittee, said, "We pluck leaves from the tree of crime when we should put an axe to the root." Putting an axe to the root to him meant transferring a portion of the $13,000,000,000 spent for capturing and punishing criminals to the expansion and improvement of the educational opportunities for youth in the public schools. He said:

As I see it, one of the most vital means of combating this growing evil is through the organized effort of the public schools and the united co-operation of the citizens of our Nation by giving our educational agencies their whole-hearted support. Teachers have it in their hands, not only to deepen the culture of our people, but also to elevate the standard of national righteousness.

and again:

What we have learned centers upon one point -- the necessity of preventing juvenile delinquency. To accomplish this the schools can do more than all other agencies within public control.

As a result of the investigation and the recommendation of the Sub-committee, $87,000 was allocated for an experiment in character education in the schools of Washington, D. C. The experiment was

54 Congressional Record. 73rd Congress. 2nd Session. Vol. 78. Part 6, p. 6610.

55 Ibid., p. 6609.

56 Ibid., p. 6609.

57 Congressional Record. 73rd Congress. 2nd Session. Vol. 78. Part 4, p. 3963.
begun in September 1934. It was discontinued in January, 1935, because of the withdrawal of the allocated funds by the first session of the next Congress in its first few days in session.

During the second session of the 74th Congress in 1936, the funds were again allocated with a "red-rider": "Provided, That, hereafter no part of any appropriation for the public schools will be available for the payment of the salary of any person teaching or advocating Communism." The explanation given for attaching the "red-rider" was that W. W. Charters, a well-known educator, had been called in as a consultant on the project. Dr. Charters had once held an exchange fellowship at the University of Moscow and there were those who voiced their disapproval. The reallocation of these funds was probably due to Senator Royal S. Copeland's persistent efforts and such data as the following:

It almost dumbfounds us when our attention is called to the fact that in 1932 we spent only $2,968,010,000 to educate and train the youth of the Nation, while we spent $12,000,000,000 to look after crime and all its ramifications. In other words, we spent practically four times as much money in 1932 for crime as we did to educate and train our youth.

In summary, this Congress set aside $18,000,000 of relief money to employe unemployed teachers, and it authorized the Reconstruction Finance Corporation to set aside $75,000,000 to be


59 Congressional Record. 74th Congress. 2nd Session. Vol. 80. Part 8, p. 8351.
leaned on "full and adequate security" to the few states and local units with something to mortgage. Direct emergency aid from the Federal Government for opening the school doors to the 30,000,000 children was not forthcoming.

On the floor of Congress, in Committee meetings and elsewhere the teachers were offered sympathy and praise for their noble sacrifices but, — to quote from the hearings:

The CHAIRMAN. I want to make one comment: The teachers of Chicago, for their self-sacrifice in the interest of the children of Illinois, deserve to be commended.

MR. KEENAN. We appreciate that immensely. In the last year we have gotten barrels of sympathy, but it buys no groceries.60

As to whether or not the President and the Congress should have been commended for their actions regarding educational responsibility at this time there may be differences of opinion. However, there is a bit of irony in the situation when it is remembered that the youth deprived of educational opportunities during the depression period were, for the most part, the men called by the same President, with the approval of most of the same Congressmen, to sacrifice their lives in defense, not only of the state and local units, but of the entire nation.

Congressmen introduced into the first session of the 74th Congress (January 3, 1935-August 26, 1935) between thirty and forty bills pertaining to education other than proposing amendments to other bills and offering resolutions. There were bills which would authorize the Reconstruction Finance Corporation to make loans to state and local units to cover educational indebtedness; there were bills providing for emergency grants-in-aid to the states and territories; there were bills providing for permanent grants-in-aid to the states and territories; and, there were bills designed to aid special fields of education, such as kindergarten and vocational education.

Among the bills authorizing the Reconstruction Finance Corporation to make loans to state and local units to cover educational indebtedness was S.3123 which was passed in lieu of H.R. 8626. According to Congressman David D. Terry of Arkansas, the provisions of the bill were as follows:

...this is a bill authorizing the R.F.C. to make loans to public-school districts, where in the opinion of the R.F.C. the security offered by the school districts is adequate and the need is demonstrated. The bill provides that when the school district applies to it for a loan, the R.F.C. shall investigate the financial ability of the district, and if the R.F.C. finds an agreement has been made by the school district with the bondholder which agreement will,
in the opinion of the R. F. C. furnish a sufficient reduction in the outstanding obligations, then the R. F. C. is authorized to make the loan upon such terms as it may see proper.

This bill made it possible under certain circumstances to transfer loans thereby lowering the interest rates on the loans the districts were paying. The money saved by the difference in the interest paid on such debts could then be released for educational expenditures. Had this action been taken on January 26, 1932, when the Reconstruction Finance Corporation was established the state and local units would have had the benefits of this interest rate differential for the intervening three and one-half years which would have meant millions of dollars for educational expenditures at a time when the educational system was desperate. According to the Congressional Records, records of the hearings, etc., many industries, banks, and farmers were regaining solvency as a result of these early loans and were now repaying them. This offer of a cheaper interest rate for educational indebtedness on "full and adequate security" represented "too little, too late," as far as the three and one-half years in the lives of 30,000,000 children were concerned.

The Committee on Education of the House of Representatives held another hearing on the emergency and permanent federal aid

bills introduced, but no record was printed nor did the Congress take any action regarding emergency or permanent federal aid to education.

While by-passing aid to education, this Congress began aid to students in the public schools through the National Youth Administration. During 1933-1934, needy college students had been given aid up to $15 per month for work on public projects to help defray college expenses. The National Youth Administration, as set up and to be administered by Aubry C. Williams, offered to students in all non-profit institutions below the college grade an opportunity to work not more than ten hours per week or three hours per day, for no more than $6.00 per month on work that "would not otherwise be performed, such as clerical work, library assistance, checking of students' exercises, etc."62 This work could be made available only during the regular school term and "Youth to be aided must be selected from families on relief on certification made to school authorities. They must also be willing and able to do high-grade school work. Only students carrying three-fourths or more of a regular school program are eligible."63 In addition, "The number of students to receive aid will be seven per cent of the number eligible by age on the relief rolls on May 1935."64 The sum of


63 Ibid.

64 Ibid.
$11,463,760 was allocated for this purpose so that 212,292 students would be provided with money for carfare, lunches, and incidentals necessary for them to continue in school. With only seven per cent chosen from those on relief to benefit from these funds the inadequacy is apparent.

There were those who disagreed with this action by the Congress. For instance, George Aubrey Hastings, who was Extension Director of President Hoover's White House Children's Conference, dissented. In addressing the Morris County Teachers Association he said regarding the National Youth Administration:

If there is any function of government which has been firmly established as a local responsibility it is that of education. This principle must not be changed by a temporary, makeshift measure in the name of educational opportunities for needy children, which might become permanent and gradually extended. Here is one federal gift horse which may well be looked in the mouth by teachers and educational institutions. It is well that danger signals are beginning to fly.65

The total relief appropriation for this session of Congress was $14,800,000,000. Senator Bronson Cutting of New Mexico offered an amendment to the relief appropriation bill "which was adopted by the Senate, earmarking $40,000,000 of the appropriation carried by the work-relief joint resolution for relief of the schools during the present school year."66 These funds were to be used to employ

unemployed teachers as before.

There were Congressmen who were dissatisfied with the expenditure of these funds. Congressman Jed Johnson of Oklahoma told of Federal Relief Administrator Harry Hopkins being at the hearings March 21, 1935, before the House Committee on Education and implying that with $14,583,659 all rural schools were kept open the last year. Congressman Jed Johnson of Oklahoma took issue with this statement and said there were schools in Oklahoma closed from lack of funds and read a letter from the State Superintendant of Education of Oklahoma in confirmation of his statement. Congressman Josh Lee also of Oklahoma said 250,000 children in Oklahoma were being thrown out of school from lack of funds. Congressman Ernest Lundeen of Minnesota said last year "over 3,000,000 American Children in twenty-five states either had no school at all or had their school terms shortened one to eight months, and this is only a partial survey of a situation that exists in every part of the country. What little education these children receive is through missionary work of unpaid teachers."67 According to an article in the New York Times by Eunice Barnard, May 19, 1935, 2,400 schools in seventeen states were closed and 15,000 additional schools would be closed if teacher's salaries were required to be

Congressman Ernest Lundeen explained why relief funds for unemployed teachers had failed to keep the schools open as follows:

...most of the educational work now being done by the FERA is for adults and is carried on in connection with special fields of education. Insofar as it touches the public-school system, which, after all, should be our first concern, the emergency educational program aids only the schools in the most desperate circumstances, and not all of these... How far relief funds have fallen short of meeting the real educational need is apparent, not only from the deplorable conditions in the schools to which I have referred but also from the most cursory analysis of the relief funds used this year to keep schools open. Complete figures are not available with respect to the amount of money actually paid out for schools by the Relief Administrator this year, but on the basis of definite reports from thirteen of the nineteen states said to be most eligible for Federal aid and it is relatively certain that not more than $1,500,000 had been used to keep schools open through April 25, 1935. Yes; only a million and a half dollars, as compared with the $75,000,000 which the Education Committee of the Seventy-Third Congress, after extended hearings fixed as the amount of Federal emergency aid which should be used on behalf of the schools during the present school year 1934-35... Incidentally, the deficiency appropriation requested by the Relief Administrator, including the $28,000,000 for schools was enacted, whereupon the Education Committee withdrew support from its bill appropriating $75,000,000 for education. Then came the drought and other increased demands on the Relief Administrator, with the result that only $1,500,000 has been found to keep schools open.68

In other words, from Congressman Ernest Lundeen's and Harry L. Hopkins' statements, of the $48,000,000 allocated to employ

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unemployed teachers, approximately $1,500,000 was used (school year 1933-34); and of the $40,000,000 allocated for the same purpose (school year 1934-35), approximately $1,500,000 was used up to April 25, 1935. As a result, as the Congressmen complained, many schools were closed.

There were other attacks on Hopkins' use of relief funds to employ unemployed teachers of a different nature.

The educational program being carried on by the Relief Administrator was defended today by Harry L. Hopkins, administrator, in a statement taking sharp exception to by the Federal Grand Jury Association of New York City that relief money is being used to teach the overthrow of the government. He declared that he would welcome a Senatorial investigation if the Senate should decide to accept the Association's suggestions.

Defying "anybody to point out a single part of the program that is designed to harm our country," Mr. Hopkins said that "everybody knows that all the work projects under the Relief Administration have been set up for two purposes - to provide an opportunity for needy, unemployed people to earn their relief allowances and to provide structures, facilities and services of value to the public as a whole."

Anyone who says that any part of it is carried on for the purpose of destroying the country or spreading foreign propaganda or spreading Communism just doesn't know what he is talking about.69

When the relief appropriation bill for $4,800,000,000 was being considered, Senator M. M. Neely of West Virginia offered the following amendment:

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Sec. 10. (a) Not less than $500,000,000 of the sum appropriated by this Act shall be utilized for the construction, preservation, or improvement of school houses, and buildings used exclusively or principally for educational purposes.  

According to Senator M. N. Neely:

Federal funds for the construction of school housing would help materially to:

1. Relieve insanitary, overcrowded conditions in thousands of school buildings.

2. Improve instruction by making it possible to organize classes of normal size.

3. Discontinue the use of hundreds of schoolhouses, already condemned by public health departments or fire marshals, which daily menace the health and safety of some 700,000 children.

4. Discontinue half-day sessions and give some 40,000 children a more normal educational opportunity.

5. Discontinue the use of portable shacks, rented buildings, and other substitutes for schools now used by about 6000,000.

6. Increase the efficiency and economy of rural schools. Some 16,000 could be quickly established in areas which are ready to consolidate, but which cannot do so for lack of funds.

In showing the advantages of such relief expenditures, the following discussion in the Senate is interesting:

Mr. NEELLY. Not only are the schools in need of school buildings but the workers in the building trades are in need of jobs. In 1929 there

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70 Congressional Record. 74th Congress. 1st Session. Vol. 79. Part 1, p. 1058.

71 Ibid., p. 4060.
were 2,114,610 workers in the building trades. In December 1934, 619,058 were employed in the building trades. There is no type of building project of a socially desirable character requiring skilled workers which could put many men to work as the construction of school buildings. It is estimated that a $600,000,000 school building program would give employment to 300,000 workers in the building trades...

Mr. COSTIGAN. Would not the adoption of the amendment also result in the employment of much indirect labor—perhaps an equal number?

Mr. NEELY. Undoubtedly; and also the sale of great quantities of building material. In turn, the manufacturers of such material would require the employment of armies of workers in the various enterprises which are related to the building industry.

Mr. COSTIGAN. Mr. President, some recent estimates which I have seen indicate that surveys will be required in advance of the construction of such buildings, and that approximately 45,000 white-collar workers outside of those to be engaged as workers on these buildings would also be given employment.

Mr. NEELY. Furthermore, when the buildings have been constructed by virtue of the adoption of the amendment, thousands of idle school teachers who have been without employment for five or six years will be again placed on the payroll and afforded an opportunity to serve the country, by educating its children and preparing them for the duties of life....

This Congress has appropriated about a billion dollars for military purposes. Let it not insult every school teacher and school child in the country by refusing to make available half that sum for educational facilities. Let us not continue to make our educational system a pauper and our military establishment a prince.72

Ibid., pp. 4059-4060.
The joint remarks by Senators M. E. Keely and Edward P. Costigan are a part of a skillful appeal to the pressure groups. In this case they almost made it. The amendment was rejected with thirty-five yeas and forty-four nays, with eighteen not voting. Among those voting against the amendment were Senators Harry Truman, Albin Barkley and David I. Walsh, chairman of the Senate Committee on Education and Labor.

The arguments against were that relief money should not be earmarked and that as far as the educational system was concerned there were more pressing needs. To quote Senator Walsh:

Mr. WALSH. (Mass.) — Mr. President, I was impressed by the idea expressed by the Senator from Wisconsin (Mr. LaFollette). It seems to me the whole subject ought to be given special study before we adopt an amendment of this kind. I think what are needed more than school buildings are the primary facilities for education. As Chairman of the Committee on Education and Labor, I have had pressure brought upon me to provide relief money for textbooks, and I have had exhibited to me worn out and tattered textbooks unfit for use, which in many parts of the country the schools are obliged to use. So if we are going into this field of relief, it does not seem to me now is the time to do so; we ought not to begin with erecting buildings, but we ought to begin with supplying the basic needs of the pupils of the schools. The whole subject should be especially studied before we adopt amendments relating to only one aspect of this problem.73

Senator David I. Walsh had been interested in supplying textbooks with relief money in the preceding Congress.

73 Congressional Record. 74th Congress. 1st Session. Vol. 79. Part 4, p. 4061.
Senator Walsh was from Massachusetts and many of his "constituents" were involved in the textbook industry and had reminded him of the great need for textbooks. He had included in the Congressional Record some of their arguments pointing out the benefits of such a procedure. According to the Record, as chairman of the Senate Committee on Education and Labor, Senator David I. Walsh had not conducted hearings on this subject, though he said "it should be especially studied"; nor had he taken any action, other than delaying action, during the 73rd and 74th Congresses to meet the emergency in education.

The questioning by Congressmen, during this period, of the efforts exerted by the various states to meet the educational situation prompted some educators to conduct elaborate investigations on the subject. Among these were Leslie L. Chism and Nabel Newcomer. Even though the reports of these studies were not published until 1936, the results were so revealing that they were made available to Congressmen and were introduced into the Record.

In general, the reports showed that the poorest states were making the greatest efforts, with a correlation of -77 between ability and effort. Chism, by applying a model, uniform tax program recommended by the National Tax Association, came to the conclusion that some poor states would have to spend six times as much of their tax revenue as would some rich states to provide the same educational facilities. Newcomer, applying a revised, model,
uniform tax program recommended by the National Tax Association found some poor states would have to spend thirteen times as much of their tax revenue as would some rich states to provide the same educational facilities. Chism found the amount spent on education was an index to the adequacy of the education (the correlation between ability and adequacy was .82). Chism and Newcomer also found that to maintain equal educational opportunities some poor states would have to spend more than all the revenue they could collect under the model and uniform tax system. This would leave nothing for other governmental expenditures. The results showed plainly that it was impossible for some states to maintain comparable educational system with maximum effort.\footnote{The Efforts of the State to Support Education as Related to Adequacy and Ability. Research Bulletin: Vol. XIV. No. 3. May, 1936. National Education Association, 1201 Sixteenth Street, N.W. Washington; 163 pp.}

With these facts in hand, and suffering from discouragement resulting from attempts to get federal emergency aid, "friends" of education in Congress began to direct their efforts toward securing permanent federal aid for education. However, before taking up the fight for permanent federal grants-in-aid, several Congressmen favored the Record with their remarks as to why their efforts to secure emergency federal aid had been blocked. Among these was Congressman Ernest Lundeen, of Minnesota. In a speech entitled, "Retrenchment, Retrogression, and Ruin -- The Three R's
of Economized Education," he denounced the advocates of "3-R education" which had been stripped of the "fads and frills" as follows:

**Mr. ERNEST LUNDEEN.** Eight per cent of our school buildings date back to the Civil War period, and thirty-four per cent were built between 1870 and 1899.

In these antiquated buildings the citizens of tomorrow are being taught course equally as antiquated. Some of the most valuable courses have been removed from the curricula. Adult education and kindergarten work have been greatly reduced or eliminated. What are great civic and patriotic organizations doing to save our schools? Is the powerful press arousing the country to action? I know of no great mass meetings called by chambers of commerce to halt retrenchment in our schools. If there have been such meetings, their sponsors are to be commended. I see no national organized campaign of the public press to obtain Federal aid for schools, while billions are appropriated for armies and navies and battleships to meddle and muddle on continents across the sea.

**Organized Retrenchment Campaign.**

Captains of industry and finance have refused to join in a Nation-wide patriotic appeal to save the American school. Instead they have conducted a vicious, organized campaign of destruction. With banners bearing the slogan 'Economy' they march forth to battle against teachers, education, and the Nation's youth. They are the rich and they do not want to pay.

Often the sponsors and even the motives of their campaign cannot be traced. They masquerade behind a patriotic guise of economy in government. Question them as to the meaning of their plea for retrenchment, and they deny having made such a plea. They pass the responsibility
to some unknown source. The insidious campaign of destruction goes on relentlessly. A short-sighted, un-American so-called 'solution' is advocated; the three R's of economized education — retrenchment, retrogression and that means ruin.

Either certain suggestions for retrenchment were actually recommended by the United States Chamber of Commerce or that organization merely disseminated the ideas furnished by someone else. The effect is the same. The suggestions were made by someone else. The effect is the same. The suggestions were made by someone and broadcast Nation-wide through the medium of the United States Chamber of Commerce. Many different methods of retrenchment were advocated.

Eleven Crimes Against the Nation's Youth.

First. Shorten the school day an hour.
Second. Increase the size of classes.
Third. Increase teaching hours.
Fourth. Suspend all increases of salary.
Fifth. Reduce salaries.
Sixth. Shorten the school year.
Seventh. Discontinue evening classes.
Eighth. Discontinue kindergarten.
Ninth. Reduce elementary school by one year.
Tenth. Reduce the high school from four to three years.
Eleventh. Charge tuition for high school students.

There eleven crimes against the school indicate a woeful lack of social vision on the part of powerful minority interests. It is difficult to determine which is the worst crime against education and the schools. The so-called "frills and fads" of education which these interests wish to subject to the economy guillotine include music, art, home economics, foreign languages, physical education, health, agriculture, commercial courses, and industrial arts.

The organized campaign for retrenchment has been a success from the point of view of its sponsors.

Teachers themselves were sought out as the first victims of the economy axe. They have met the onslaught of privileged interests with heroic self-denial and courage... They have been patriots in the highest and finest sense, fighting with a solid front against the only enemy of America not yet defeated: entrenched wealth. By their examples they have furnished object lessons in loyalty the Nation over.
In the Office of Education itself... seven persons were eliminated including nationalists who were conducting research... Industrial and financial leaders who led the campaign for the cruel Economy Act in 1933, and crippled valuable governmental research and educational agencies are well aware of the value of research... Oh, yes, big business recognizes the value of research for profit, but it fights for a law that denies the benefits of Government research to the people... It occurs to the intelligent person that the laboratories of great industries belong to the captains of industry and operate for their benefit. The secrets they uncover can be utilized if they create profit or kept hidden if they do not. Research by the National Government, on the other hand, is conducted for all the people.75

Senator Walter George of Georgia included in the Record an arcile by Dr. Paul Mott, of Columbia University, which revealed that similar pressures against educational expenditures had been exerted all over the land.

An epidemic of taxpayers' associations sprang up over the land. They were represented en masse at all Budget hearings. There representatives brought pressure to bear upon public officials at every possible point. Interestingly enough it is shown clearly by statistics that the schools for some reason suffered the greatest losses from their activity.76

Congressman Ernest Lundeen also commented on the support given to federal emergency aid by labor organizations.

Organized labor has always viewed the problem of education from a long-range intelligent perspective... This is natural, since labor constitutes the great mass of American people who receive the benefits of free public education... The minority of the population not

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included in the labor group could afford private schools and tutors...and it is a fact that cannot be denied that where illiteracy prevails among workers in some sections of America a lack of a militant labor organization also exists. The workers in these sections have not been able to make a strong demand for public education. The hope of labor for better opportunities in the future lies in the education of all the people.

The AFT, affiliated with the AFL, is a militant, progressive body to which friends of education everywhere owe a debt of gratitude for its unceasing efforts on behalf of education.

This great organization is today co-operating to the fullest extent with friends of education in Washington who are working for national legislation of benefit to education and the schools.77

Senator Royal S. Copeland of New York introduced into the Record a speech by Mr. James A. Farley which summed up the case for the need for expansion and improvement of educational opportunities.

In a very real sense, education is the symbol and the instrument of a democratic form of government. History teaches us that, without education among the people, government tends to degenerate into autocracy of the most cruel and selfish character...

It is true that public education makes the masses of the people more and more conscious of differences of wealth and in opportunities. It makes them demand that these differences be eliminated so far as is humanly possible. In many countries of the world autocracy has been secure until the coming of education has made the people conscious of their own power and their own rights. Education has, therefore, been the basic force behind progressive changes in government and social life.

But education does not perform its full service to the people when it makes them merely want their rights. It must go beyond this and teach us not only the meaning of our rights but the meaning of the rights of others... Education must not only teach the people to demand their rights; it must teach them their duties and their responsibilities. Essentially a free government is a government in which self-denial and unselfishness become a habit of mind on the part of the people. They must learn the fundamental fact that no one of us is secure except insofar as all of us are secure.\

SUMMARY

During this period (1933-1935) the Federal Government was vitally concerned with restoring the economic stability of the nation. To accomplish this purpose the Federal Government offered financial relief in various forms to needy individuals, organizations, and institutions. In spite of the fact that the public education system was in dire need it profited indirectly only as students, teachers, and workmen benefited from the relief funds. It must be clearly understood that educational opportunities provided for the youth in the Civilian Conservation Corps was not aid to the public schools; that aid to teachers and students on the relief rolls through the Federal Emergency Relief Administration and the National Youth Administration was not direct aid to the public school system, yet was the only form of indirect aid actually earmarked for the

designated purposes; and that the funds used by the Public Works Administration and the Civil Works Administration were not earmarked for the purpose of building and repairing school buildings, but only came about because the P.W.A. (under which the P.W.A. and the C.W.A. were established) was authorized to help needy unemployed individuals by giving them employment on public projects. School buildings happened to be public projects.

In the allocation of this relief the Federal Government acted through its own agencies and not through the regularly constituted channels of the state educational authorities. These federal agencies, operating from Washington and offering indirect aid to education, were viewed by the state educational authorities as constituting a threat of a dual system of education under federal control. The fear that direct emergency federal aid to education would set a precedent for permanent federal aid to education was instrumental in causing the pressure groups opposed to permanent federal aid to education to exert sufficient pressure to prevent direct emergency aid to education.

Vocational education continued to receive federal funds through the Smith-Hughes and subsequent acts (George-Reed Act of 1929, expanding the vocational program; and the George-Ellzey Act of 1934 providing additional funds for a short term) of augmentation.
CHAPTER V

ATTEMPTS TO SECURE FEDERAL GRANTS-IN-AID TO EDUCATION (1936-1941)

The effects of the depression had focused attention on the need of federal aid to the states for education. The report of the National Advisory Committee on Education had discredited the principle of matching federal funds with state funds. These two factors prompted Congressmen to attempt to secure the passage of federal grants-in-aid to the states for education.

The Harrison-Fletcher Bill

A companion bill (S4793 and H.R. 13021) by Senator Pat Harrison of Mississippi and Congressman Brooks Fletcher of Ohio was introduced into the second session of the 74th Congress (January 3, 1936–June 20, 1936). This marked the beginning in a long series of bills providing for permanent federal grants-in-aid to the states and territories for education.

The Harrison-Fletcher bill excluded federal control and provided an initial appropriation of $100,000,000 and an increase of $50,000,000 annually until a maximum of $300,000,000 was reached. The basis of apportionment of the funds to the states and territories was on the number of persons five to twenty years of age in each state or territory.
In support of their bills Senator Harrison and Congressman Fletcher presented most of the facts and arguments that were used in one form or another by the proponents of the federal aid bills proposed to subsequent Congresses. Excerpts from their speeches disclosing these facts and arguments follow:

In 1930, one out of each five native-born persons in the United States was living in a State other than that in which he was born...The percentage of interstate migration ranges from 7.8 in Maine to 57.5 in Wyoming...in California more than two and one-half million of her four and one-half million American-born population first saw the light of day in other States.¹

It has been reliably estimated that during the decade 1920-1930 the contribution of rural to urban areas resulting from migration of persons over fifteen years old to cities was $35,000,000,000.

It is from the farms that the increase in our future population will come, and on the farms and in the villages that large numbers of future urban dwellers are being reared.²

In seven large cities, the population of which consists chiefly of American stock, the birth rate is forty per cent short of the rate required to maintain a stable population; in all cities having over 100,000 population the deficiency in birth rate averages over twenty per cent, and the smaller cities the deficiency averages about eight per cent.

On the other hand, our farmers and their wives are rearing children at the rate of fifty per cent more than required to replace the farm population, and the rural non-farm population rears children at the rate of thirty per cent greater than the number required to replace themselves.³

¹ Congressional Record. 74th Congress. 2nd Session. Vol. 80. Part 10, p. 10360.
² Congressional Record. 74th Congress. 2nd Session. Vol. 80. Part 9, p. 9692.
³ Ibid., p. 9692.
The rearing of children who migrate to the cities is an expensive proposition for the rural people.\(^4\)

There is no sound reason why the farmers of the Nation should be compelled to bear unassisted the whole cost of educating the future population of the cities and other States and of supplying free of cost the future employees of business and industry.\(^5\)

Among the geographical areas and regions of the United States it is an observable fact that the richer the area, the fewer the children in proportion to the adult population.\(^6\)

For example, in the Nation as a whole when divided into six levels of economic ability—based on income-tax returns, radios, and domestic telephones—it is found that the excess ratio of children to women of child-bearing age running from the poorest to richest is for the different levels as follows: In the poorest areas the excess number of children is 62.5 per cent; in the next poorest areas the excess is 44.1 per cent; in the third to the poorest areas the excess is 32.4 per cent; in the fourth from the poorest areas the excess 3.9 per cent; in the next to the richest areas the deficiency is 10.3 per cent; in the richestest areas the deficiency is 24.5 per cent.

Expenditures for schools run in exactly the opposite direction, the richer the area the more for schools. Among the States the situation is the same.\(^7\)

Among the States there are great differences in the number of children as compared to the number of adults. In one State the number of persons five to twenty years old is only twenty-five per cent of the total population, while in another State the number is forty-one per cent. In these

\(^4\) Ibid., p. 9692.

\(^5\) Ibid., p. 9692.

\(^6\) Ibid., p. 9692.

\(^7\) Ibid., p. 9692.
same States, if we consider the number of children of elementary and high-school age as compared to the number of persons of productive age, twenty-one to sixty-five years old, we find that in the first there is only one child to 3.4 adults, while in the second State there is one child to 1.4 adults. The State with the relatively small number of children has three times as great per-capita wealth and per-capita income as the State with the relatively large number of children. There is small wonder then that the first State spends nearly five times as much per pupil for schools as the second State.8

All of the best-known measures of wealth, income, and spending ability of the several States lead inevitably to the conclusion that the richest State is from six to eight times as rich per capita as the poorest and is more than that many times as able to pay taxes for the support of the schools and other government services.

Recently studies have been made showing that if the second model tax plan recommended by the National Tax Association were put into effect in each of the forty-eight states and each State spent for schools the average amount spent per pupil in the Nation as a whole, the richest States would find it necessary to spend only 16.5 per cent of its tax resources for schools, while the poorest would have to spend 96.5 per cent, leaving practically nothing for all other governmental services. There are twelve States that would have to spend more than fifty per cent of their tax resources for schools while there are 11 States that would have to spend less than twenty-five per cent for that purpose.9

All the known facts as to the ability of the States to pay taxes, the effort they make to support schools, and the amount they spend for schools show that the adequacy of the schools of a State is largely determined by the economic ability of that State to pay taxes and not by the effort made to pay for schools. For example, the State of South Carolina, according to the latest researches, ranks

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8 Congressional Record. 74th Congress. 2nd Session. Vol. 80. Part 10, pp. 10360-10361.

9 Congressional Record. 74th Congress. 2nd Session. Vol. 80. Part 10, pp. 10361.
forty-sixth among the States in economic ability per capita to raise public revenues, forty-fourth in the expenditures per pupil for schools, but ranks eighteenth in the percentage of tax resources devoted to schools. My own State of Mississippi ranks seventh in her effort to support schools, but in spite of that fact ranks forty-sixth in expenditures because she ranks forty-eighth in economic ability. On the other hand, some of the States that make the highest expenditures per pupil, because of great wealth, do so with the least effort. The facts presented are an irrefutable argument against the contention that adequate support of schools is a matter of State willingness. 10

Senator Pat Harrison and Congressman Brooks Fletcher presented statistics regarding all states to prove these statements. They also pointed out that in time of war and national peril youth belonged to the nation and not to the family, the community or the state. They implied that the nation had a responsibility for the education of youth it could call to its defense. Regarding the economic importance of education to the nation, Congressman Fletcher said:

The wealth of any nation must depend largely upon the character of the land and the people.

The abundance of natural resources is a gift of God; the moral fiber, intellectual power, and the skill of the people are dependent upon the training received by each generation of children.

The production of wealth depends upon the knowledge, skill, and energy of the people as applied to the development and use of natural resources and the use of capital.

Knowledge and skill are the only factors in our economic life that can be increased indefinitely, and upon their increase depends, in the last analysis, all economic growth and progress.

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Ibid., p. 10361.
The economic welfare of the Nation depends directly upon the productive capacity of our people and upon their qualities as consumers.

The schools give training that is absolutely necessary to the development of efficient producers and that raises the standard to living and desires of our people, thereby making them better consumers.

Schools, therefore, are the first line of our economic defense, and as such are a necessary object of support for the National Government.

To overcome unemployment Congressman Brooks Fletcher suggested that "The most practical way to provide employment for persons displaced by machines is to utilize the field of personal and public services." By this he meant education, health, recreation, etc.

As for unemployed youth, improved and expanded educational opportunities were suggested, since:

There has, however, for two reasons, gradually developed a strong sentiment against the employment of children under eighteen years old. In the first place, enlightened people believe that the routine, blind-alley employment of children, and young people in industry is detrimental to their mental, physical, and moral development, and that the period of childhood and youth should be spent in receiving the best training for full development into useful and happy adulthood...In the second place, the increase and improvement of mechanical production has made unnecessary the employment of children and youth.

11 Congressional Record. 74th Congress. 2nd Session. Vol. 80. Part 9, p. 9692.

12 Ibid., p. 9692.

13 Ibid., p. 9692.
The fact that educational needs and economic resources were so unequally distributed and that the Federal Government had taken from the states tax resources (and rightly so, since the Federal Government was in a better position to impose equal rates), led them to believe that the Federal Government should return some of the taxes collected for educational purposes. In other words, they considered the Federal Government as the best agency to collect the revenue where it existed and to distribute it where it was needed.

As to why the Federal Government should be concerned with education, Senator Pat Harris explained:

That public education is a matter of first concern for the Federal Government, as well as for the States and communities, is evidenced by the fact that ours is a representative form of government founded upon the democratic principle that final power and authority rests upon the will of the people. Being founded upon the authority of the ballot the Government, in order to perpetuate and protect ideals, purposes, and institutions, must see to it that each individual citizen is given full and free opportunity to acquire the knowledge, attitude, and will to exercise intelligently, honestly, and effectively the privilege of suffrage. That public education is a necessary function of government founded upon the principles of democracy has been well recognized by statesmen from the early days of the Republic.

According to the Declaration of Independence, one of the inalienable rights of man is the right to life, liberty, and the pursuit of happiness, it must necessarily follow and the right to be educated is an inalienable one. No man has liberty nor can pursue happiness who is permitted by his country to grow up in the thraldom of ignorance.
The opportunity to nave one's abilities, aptitudes, and capacities developed to their fullest potentialities is necessary to the pursuit of happiness and is, therefore, the inalienable right of every American child....

What is now needed is the guarantee of an acceptable standard of educational opportunity for all the children of all the people.14

Congressman Brooks Fletcher believed the control of education should remain with the several states since:

The traditions and principles of American Government make the control and management of our schools the exclusive function of State and local governments. It is firmly believed that democracy will thrive best if the schools are controlled by local boards of education. I am in whole-hearted accord with this principle of government. The Federal Government should not control our schools. What I am advocating is that the Federal Government bear its fair share of the cost of education, that it face squarely the economics of the situation and take such action as will bring about a fair and equitable distribution of opportunities for all our people.15

Senator Pat Harrison attempted to allay the fear of federal control by explaining that:

The fabricated bogeyman of Federal control is but a flimsy excuse for failure to admit squarely the economic and social justice of Federal assistance to the States for public education.16

Congressional Action Affecting Vocational Education

Into this second session of the 74th Congress was introduced
H.R. 12120, by Congressman Braswell Deen of Georgia which was a
companion bill to S.2883 introduced into the first session of this
Congress by Senator Walter George. According to Senator George:

The purpose of this bill is to place vocational education
on a permanent basis; that is, so far as the additional
appropriations carried in the bill are concerned. The act
of 1917, known as the Smith-Hughes Act, provides for
continuing appropriations, but from time to time since 1917
additional appropriations have been made for limited periods.
This bill, if enacted into law, contemplates a continuing
appropriation to cover and to increase the appropriations
heretofore made for limited periods of time, supplementing
the original continuing appropriation made by the Act of
1917.17

The companion bill provided $12,000,000 for vocational edu-
cation. Added to the fields of vocational education benefiting
from these funds was distributive education; $1,200,000 was set
aside for matching purposes in this field. The companion bill
was passed by an overwhelming majority in the House and without
a dissenting vote in the Senate.

There was little opposition to the bill. Senator William H.
King, an ardent states righter from Utah, was in favor of the bill
but was afraid it might set a precedent, as he said:

I am somewhat apprehensive that this measure, which
has great merit, may later on be regarded as a precedent for
the intrusion upon the part of the Federal Government into
the educational systems of the State. It may be that
efforts will be made to secure large Federal contributions

17 Congressional Record. 71st Congress. 2nd Session. Vol.
80. Part 6, p. 6270.
for expenditure in every educational field. It would be most unfortunate if demands were made upon the Federal Government to control our schools and direct our education, and this measure pointed to as a precedent and justification for such action. It is to be hoped that such will not be the case.\textsuperscript{18}

The fight for the passage of this bill attracted the attention of the President of the United States. In a letter to Congressman Deen regarding this bill President Roosevelt stated:

\begin{quote}
I have approved H.R.12120, a bill to provide for the further development of vocational education in the several States and Territories, because of my deep interest in providing our young people with adequate opportunities for vocational training. So many criticisms have been directed at the bill in the present state, however, that it seems to me advisable, before the act goes into effect on July 1, 1937, that a disinterested group review its provisions in relations to the experience of the Government under the existing program of Federal aid to Vocational education, and the relations of such training to general education to prevailing economic and social conditions.

Accordingly, I shall take steps in the immediate future for an appointment of such a group, with instructions to make studies and recommendations which will be available to the Congress and the Executive at the beginning of the next session.\textsuperscript{19}
\end{quote}

The committee appointed by the President was called the "Committee on Vocational Education." In 1937, the name of this committee was changed to the "Advisory Committee on Education" and it was asked to consider all the aspects of the relationships

\textsuperscript{18} Congressional Record. 74th Congress. 2nd Session. Vol. 80. Part 6, p. 6271.

\textsuperscript{19} Congressional Record. 74th Congress. 2nd Session. Vol. 80. Part 9, p. 9648.
between the Federal Government and the state and local conduct of education.

An instance concerning the administration and control exerted by the Federal Government regarding the vocational program was recorded in this Congress. It presents an example of action taken to preserve the "letter of the law" as established by Congress. It is pertinent here since much has been said about federal control of education.

As may be remembered, the Smith-Hughes Act set forth certain safeguards standards, etc. which would insure vocational funds being spent as designated. Complaints regarding the program in certain sections of the country became so persistent that the Department of Labor and the Office of Education made an extensive investigation. It was then brought to the attention of Congress by certain of its members. Congressman Florence P. Kahn of California said "The report has not been published, but some who were fortunate enough to get a sight of it have been scandalized by its revelations...."20

In general, the report revealed that certain industries, especially garment and textile, from the Northeast, having had labor troubles and having previously used prison labor had moved to certain Southern states for the following reasons revealed by Congressman Richard E. Wigglesworth of Massachusetts and Congress-

Mr. WIGGLESWORTH... I may say that the report indicates, among other things that all sorts of inducements have been held out to industrial plants to move into certain States, particularly the South. These inducements have included the gifts of factory buildings, the assurance of exemptions from local and State taxation, the promise of labor trained partly at public cost, and the striking fact is that these plant-training schools to which I referred, reimbursed out of State and Federal funds, under the Smith-Hughes Act, have been a definite feature in the inducements which have been offered.

...From the report it appears that the instructors in various instances have not been instructors at all in the accepted sense of the word. They have been foremen or managers or employees of less experience, from the firm for which the particular school has been operated. Students have been obtained locally and instructed in schools conducted in the plant of the firm for which they have been taught. Courses have consisted in the training for no more than a single operation in the course of the manufacturing process of the plant operating the school.

If we look at the question of wages, we find that the so-called students have been compelled to work for as much as six to nine months at a time without receiving a single cent, and thereafter on a basis of partial payment only. Raw materials have been advanced by the firm interested, and the finished commodity has been offered in the general market in competition with legitimate enterprises in other States of the Union...

Mrs. KAHN. Is it not a fact that there are no academic or cultural subjects taught, but purely mechanical subjects, and that many of the operators in these schools—because they are nothing but operators—are children, and that this is a way of avoiding the child-labor law?
Mr. WIGGLEWORTH. I would say to my colleague that it is certainly true, in instances included in the report, that there has been no related instruction whatever.

Mrs. KAHN. Is it merely a mechanical school, where they are taught the principles of this trade for a number of months, and their services are given free, and many of them are minors whose parents sign contracts, relieving the workmen's compensation act of responsibility in case of accident?21

Congressman Richard B. Wigglesworth said "It raises squarely the whole question of the responsibility of the Federal Government for the safeguarding of grants-in-aid, and for the maintenance of proper standards for vocational programs."22

The above discussion took place on January 30, 1936, and on January 31, 1936, Congressman Fred L. Crawford of Michigan introduced into the Record a report from the Commissioner of Education, J. W. Studebaker, explaining how the investigation had been made, what had been revealed, and what had been done.

The proper administrative action, called for by the facts disclosed, was accordingly taken, and these local programs which were found to be not in conformity with Federal and State policies have either been modified to meet accepted and approved standards for vocational schools or the States concerned have given assurance that Federal funds would not be used in reimbursement for the work.23

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21 Congressional Record. 74th Congress. 2nd Session. Vol. 20. Part 2, p. 1266.
The Harrisson-Black-Fletcher Bill

Between fifty and sixty bills pertaining to education were introduced into the 1st Session of the 75th Congress (January 5, 1937-August 21, 1937). Many of these bills were for permanent federal aid to education, while others provided for federal aid to special fields of education, such as the handicapped and crippled children, kindergartens, etc. Of the bills providing permanent federal aid to education the Companion bill Harrison-Black-Fletcher received the most attention (S.119 was introduced into the Senate by Senators Pat Harrison of Mississippi, chairman of the Committee on Education and Labor, and Senator Hugo Black of Alabama; H.R.5962 was introduced by Congressman Brooks Fletcher of Ohio).

This companion bill authorized that $100,000,000 "be appropriated and apportioned annually to the several States and Territories to be used by them for improvement of their public schools in the manner prescribed by their respective legislatures, and the sum authorized to be appropriated and apportioned annually for such purposes is hereby increased by $50,000,000 for each fiscal year:
Provided. That the total sum appropriated for any fiscal year for such purposes shall not exceed $300,000,000."24

The funds were to be apportioned to the states and territories relevant to their inhabitants aged five to twenty years. The states and territories were required to maintain a "system of public schools" available for not less than 160 days, and to maintain their level of school expenditures for the year 1936. Audits and reports from the several states and territories were required and "If any portion of the money received by a State or Territory under the provisions of this Act be diminished or lost, an amount equal to the amount so diminished or lost shall be withheld from the next ensuing apportionments until replaced." 25

Regarding control and definition of public schools, Section 11 said:

Sec. 11. This Act shall be construed as intending to secure to the several States and Territories control of the administration of this Act within their respective jurisdictions and to preserve State and local initiative in the operation of schools. No provision of this Act shall be construed to delimit the States and Territories in the appropriation of funds for the support of schools received through the benefits of this Act; nor to restrict or define the kind of schools or the character of the educational programs to be supported by the respective States and Territories; nor to grant to any officer of the United States, or to any of its agencies, departments, or officers, any power or authority to approve or reject the educational programs to be supported by the respective States and Territories; nor to confer upon any officer of the United States, or of any of its agencies, departments,

25 Ibid., p. 3.
or offices, any power or authority to supervise or any way exercise management and control of the educational programs of the States and Territories, it being the purpose of this Act to leave all supervision, management and control, and choice of educational means, processes, and programs to State Territorial, and local governments.26

**Hearings on the Harrison-Black-Fletcher Bill**

The Senate Committee on Education and Labor held hearings on S.419 on February 9, 10, 11 and 15, 1937. Many individuals and group representatives appeared before this Committee to present evidence and speak for federal aid to education. Among the groups represented were the National Education Association; state and sectional educational associations; National Congress of Parents and Teachers; various Negro groups and Negro educational associations; Masons and other Protestant organizations; the American Federation of Teachers of the American Federation of Labor; and, the American Farm Bureau Federation. While these groups endorsed the principle of federal aid to education there were objections made and amendments offered to the Harrison-Black-Fletcher bill.

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Several Negro groups appeared before the Committee and the following series of quotations presents their opinions and positions:

W. C. Hueston, representing the Colored Benevolent Protective Order of the Elks said:

I want to say in the very outset that we are definitely in favor of the passing of this bill, on the broad theory that to increase the education of any one individual in a large group aids all. 27

T. C. Walker, of the Negro Society of Virginia said:

I am heartily in favor of the bill and would suggest perhaps a little amendment; this is purely for the reason that it would be possible to get a little more equitable division of funds among the races. 28

The statement of Mrs. Lucy Slowe, executive secretary of the National Council of Negro Women of America and Mary McLeod Bethune, president of the National Council of Negro Women of America, presented by Mrs. Slowe, revealed the following data:

Of the 11,891,143 Negroes in the United States, eighty per cent of them live in fifteen Southern States where separate school systems are maintained.

In these States, the average expenditure per pupil enrolled in public schools in 1930 was $35.32 - $44.31 for each white pupil and $12.57 for each Negro pupil, while the average for the United States as a whole was $90.

The average per-capita wealth in these States in 1930 was $1,785, while the average for the United States outside the South was $3,609.

27 Ibid., p. 201.
28 Ibid., p. 218.
The largest States east of the Mississippi River with over a million Negroes comprising one-third of the school population, spent during 1931-32 on the white children more than six times as much for school equipment, ten times as much for health service, thirty times as much for library books, forty times as much for lunches for the underfed and a hundred times as much for transportation of pupils...

The facts indicate that under the C.W.A. in Georgia 86.1 per cent of the Federal money spent for repairs and additions to buildings and work on school grounds was spent for whites and only thirteen per cent was spent on these purposes for Negroes; and that under the F.E.R.A. 94.7 per cent of the Federal funds spent for the educational purposes in the States were spent for whites, and only 5.3 per cent for Negroes.29

Charles H. Houston, special counsel for the National Association for the Advancement of Colored People added the following data concerning educational expenditures in certain Southern states.

...in South Carolina the figures were respectively, $66.06 and $7.54; in Mississippi they were $45.34 for the white child, $5.45 for the Negro child. These figures do not tell the worst on account of the spread within the State itself. For example, in Alabama where the average was $36.43 for the white child and $10.09 for the colored child, there is one county in which the figures were found to be $75.50 for the white child and only $1.82 for the Negro child. It (report of interracial commission) says that in hundreds of counties in many of the States the proportion runs as high as ten or twenty to one in favor of the white child...

This is the significant thing, generally the States apportion school funds to the county per capita, that is, they take the school population of the county and proportion the school funds accordingly, in the same way that it is proposed in this bill to apportion the Federal money to the States per school population.

29 Ibid., pp. 102-103.
Then when you have a large Negro population in the county, the local authorities in the county divert the money from Negro schools to the white schools, so that the diversion between the amount of money spent per capita on Negroes and white children is greater in the counties having the large Negro populations than it is in the counties having small Negro populations because there is not the advantage to be gained from diverting these funds. 30

In a memorandum sent to the Committee by the Secretary of the National Association for the Advancement of Colored People this is found:

Instead of the South making progress toward equalizing educational opportunities as between white and Negro children, the differential against Negroes is increasing. Per pupil enrolled the disparity between Negro and white school expenditures is twelve Southern States in 1900 was forty-eight per cent; the disparity in 1930, 252 per cent. The statistics on education in the South reveal that left to their own devices the more money the Southern States have to spend for public schools, the less proportionately they spend on Negro schools. 31

In addition to desiring that provisions be made for equal allocations of funds for education this group was concerned with certain language in the bill regarding the length of the school term, to quote from the Hearings:

MR. HOUSTON. ...the bill reads that there must be a system of public schools available throughout the State and Territory for not less than 160 days. The difficulty is that it does not say that no school shall be opened less than 160 days. Now this is not being captious. Let me give you an illustration.


31 Ibid., p. 220.
Mr. CHAIRMAN. (interposing) Of course, that feature is in the wording of the bill. What I am getting at is suppose the bill provided in language that is clear and unequivocal that any Federal aid would be extended to States where they did have school terms of 160 days, and it was unequivocal?

Mr. HOUSTON. I should say that would be one of the greatest advances that had been made in public education and I hope to see that it will be done.32

The essence of the recommendations for amendments by the National Association for the Advancement of Colored People are as follows:

First, we would like to see a division of the funds - equitable and fair division of funds - and so earmarked in States which have separate schools under authority of law.

We would like to see it so that no school in the State would be opened for less than 160 days, acts of God excepted.

We should like to see an accounting...and finally, we should like to see that the States spend a sum of money on each division of the schools not less than was spent in 1936.33

The American Federation of Teachers summarized its endorsement of the principle of federal aid and objections to the Harrison-Black bill as follows:

The American Federation of Teachers reiterates its hearty endorsement of the general policy of increased Federal aid to education and of what it considers to be the general purpose of the Harrison-Black bill. However, in the light of principles here held to be valid, an

32 Ibid., p. 158.

33 Ibid., p. 173.
analysis of the bill reveals several major defects. They inhere in the fact that the bill as now drawn (1) provides for appropriations which are markedly inadequate; (2) would tend to perpetuate or increase existing inequalities among states in ability to support schools; (3) permits gross inequalities in length of school term; (4) assures no increase in the proportion of educables in regular attendance at school; and (5) would make the Federal Government a party to the perpetuation of gross inequalities between white and Negro schools. These defects are fundamental and require correction. To this end, specific recommendations have been proposed. If the suggested amendments are effected, the Harrison-Black bill will receive the full support of the American Federation of Teachers.34

Regarding the equalization principle, referred to so often by proponents of federal aid to education; D. A. Wilkerson, representing the Legislative Committee of the American Federation of Teachers, gives the following tests of validity which should serve as criteria for judging adequacy of federal aid legislation:

Equalization principle: Americans have long cherished the ideal of 'equality of educational opportunity.' In any literal sense, of course, that ideal is impossible of attainment. If interpreted, however, in terms of a guaranteed 'foundation program of education for all children within the Nations,' it becomes a proximate goal, well within our reach. Few will gainsay that its attainment should be a major purpose of Federal aid. Several requirements would seem to inhere in the 'equalization principle' as applied to Federal aid to education: (a) Definition of a defensible minimum educational program for all children of the Nation; (b) appropriation, from the receipts of Federal taxation, of funds to achieve that program; and (c) distribution of those funds with due regard for each State's educational need and tax-paying ability. These, surely are valid tests of Federal-aid legislation.35

34 Ibid., p. 193.
In discussing the Harrison-Black bill, D. A. Wilkerson was enlightened by the chairman as to what he considered necessary to pass a federal aid to education bill:

**Mr. Wilkerson.** Yes, every State will get more than it is getting now, but South Carolina would get no more per child to be educated than New York would get per child to be educated. In that connection may I--

**The Chairman.** (interposing). Of course, you understand when you start a system of Federal aid which aids some of the States and does not aid others, irrespective of the fact that it might not bring about an exact equality on the amount spent on each child, the people from the States that do not obtain any part of the Federal appropriation might feel that they were not for the bill.

**Mr. Wilkerson.** I understand it. It may be that opportunism alone rather than the sponsor of the bill desires dictated--

**The Chairman.** (interposing). There is a difference between opportunism and the desire to help children where they cannot get educated, and the knowledge that you have to follow certain well-known inclinations of the human race in order to enact legislation.

**Mr. Wilkerson.** I do not know but that we are in agreement and the testimony introduced here earlier such as to show that New York collects, or rather that the taxes are collected in New York, and hence, there is justification in spending more of that money....

**The Chairman.** Yes; I agree with that fully, but since your organization is for the bill, I wish your argument would aid us in passing the bill.
Mr. WILKERSON: You believe that so far as we point out what is a really defensible program that would be the only justifiable basis for appropriating money, that we are arguing against the bill?

The CHAIRMAN: I would not say that is the only justifiable method; there is plenty of argument that can be advanced for the justification of granting aid to the States in the proportion to the number of children to be helped. There are arguments on the other side, that you should only grant it to States who needed it the most, but it might be difficult to make the other States believe that the latter position was wholly justifiable and right to them and their people.

Mr. WILKERSON: I believe I understand your point of view, which is that the thing we would like to get passed could not get passed.

The CHAIRMAN: My own judgment is it would be wholly and completely impossible; that is my judgment, individually, to pass a bill along the lines that you suggest; that is my belief.

Mr. WILKERSON: Which may be true, and you are certainly more competent to judge than our organization...

Several Protestant groups appeared before the Committee. The following excerpts taken from their statements reveals their objections and proposed amendments to the Harrison-Black-Fletcher bill.

Elmer E. Rogers, representing the Supreme Council of the Scottish Rite Order, Southern Jurisdiction, said:

We are opposed to the Black-Harrison-Fletcher bill chiefly because the terms 'public schools' and 'public education,' frequently used in the measure, are subject

Ibid., pp. 195-196.
to two widely different interpretations. The average American citizen understands these terms to mean 'tax-supported free public schools' and 'tax-supported free public education.' However, there are many who interpret them to include all kinds of schools open to the public.

He entered the statement of Grand Commander John W. Cowles which contains the following:

The tax-supported, free, public-school system is the bulwark of the Nation. Our public school system is the only melting pot by which a homogeneous nation may be created. The tax-supported, free, public schools should be superior to any and all other schools in the land. They should be the most efficient and produce the best results. If the financial aid proposed in the Black-Harrison-Fletcher bill, is permitted to be divided with private and sectarian schools, it will improve them at the expense of the public schools. If allocation of these funds is left to the States, influence and pressure will be brought to bear by private and sectarian school interests for what they will claim as their just proportion of the Federal-aid funds. They will argue that, as the bill left the distribution of Federal-aid funds to the States, it was intended purposely that the private and sectarian school should receive their proportion of these funds.... It will be a step toward the union of church and state. It will be a step toward the Government taking away from the States the control of education.

As to why the Harrison-Black-Fletcher bill should be amended Elmer E. Rogers said:

...the support of sectarian school in part or as a whole from funds derived from taxation, is, so far as the taxpayer is concerned, an enforced support of religion.

The struggle to attain religious liberty and its natural corollary, political liberty, was long and bloody.

A careful study of the State and Federal Constitutions, as well as the decisions of the State and Federal courts, will disclose that there is a very plainly expressed

37 Ibid., p. 84.

38 Ibid., p. 84.
determination to maintain that liberty by guarding against the slightest approach toward uniting church and State.

The places in our social system where reaction toward the unity of State and church will first manifest itself is the introduction of religious teachings into the public schools or the support of sectarian schools in any manner from the Public Treasury.

Our tax-supported public education, free from sectarian influence, invades the right of no one. So maintained, such education justifies its permanent support by general taxation on the grounds that it adequately meets the general educational needs and establishes a homogeneous and free people.

However, if our tax-supported public education is to provide the greatest benefits and privileges to the States and thus preserve for posterity all the implications of our free institutions, it must ever maintain a complete separation of church and State.

During the past two decades a well-organized effort is abroad to break down that liberty by attacking tax-supported public schools and seeking to divert funds raised for them to sectarian schools. This is seen in the demands that are being made by the sectarian schools in almost every State for free transportation, free textbooks, free gymnasium privileges, and the portion of public taxes paid by certain religious groups.

We are of the opinion that the Black-Harrison-Fletcher bill, if passed unamended, will make a possible realization in many States of much that the sectarian schools have demanded.

We feel that any bill which gives Federal financial aid to education should be worded throughout in the spirit of the first amendment.39

and:

...we should like to see this bill amended, if it is possible, to make these Federal funds support only tax-supported public education.40

39 Ibid., p. 88.
40 Ibid., p. 93.
The following statement was submitted by H. E. Woolever, Director, American Christian Foundation, relevant to the objection to this bill by this group:

GE N T L E M E N : I, Harry E. Woolever, director of the American Christian Foundation, an organization devoted to the preservation and promotion of American ideals and principles, desire to enter the following objection to the Harrison-Fletcher bill as it is now written, on the grounds that it is loose legislation and, therefore, subject to use as an instrument in the hands of those who would divert public funds to private purposes and injure the free public school system of this Nation....

The Harrison-Fletcher bill as now prepared would permit institutions which are hostile to the American free public school system to command use of public funds contrary to the whole spirit of our American democratic system. We have held in this country to the principle of separation of the church and the State, and we still believe that no sectarian school should be supported by public funds. This measure opens that door and already the forces that would override this historic principle of our American democracy are looking into the possibilities of profiting by the Federal appropriations which would be provided under this proposed legislation. Fordham University, which is a Jesuit institution conducted by a group so prone to interfere in governmental affairs that most foreign countries have exiled them as being inimical to the best government interests of the people, has made a comprehensive survey of the possibilities under this law. It has concluded that in more than half of the States, despite constitutional provisions, bills could be passed in the State legislatures which would divert the funds under consideration to sectarian schools rather than to the public free schools under the jurisdiction of State and local governments.

History provides abundant evidence of the opposition which this group fosters to the American public school system. We feel confident that no Senators or Congressmen, when they have looked into what this means, will be willing to open the way for a new conflict between the forces that support our democratic school system and those that support parochial schools.
I believe this difficulty could be easily eliminated for the greater good of all concerned if the bill were so changed as to say 'tax-supported free public schools' or 'tax-supported free public education'; or the difficulty might be further met by a clarifying sentence which would state that funds appropriated under this bill are not to be used directly or indirectly for the support of sectarian or private schools not under the supervision of Stateschool authorities.

We believe this makes our point very clear and we request of the committee that it make this change in the bill for the protection of all concerned.41

Excerpts from Charles S. Longacre's statement representing, as general secretary, The Religious Liberty Association of America are as follows:

Our organization stands for the complete separation of church and state in America and the protection of the rights of the individual as safeguarded under the Constitution. I am in favor and our organization is in favor of this bill, provided certain sections of it could be safeguarded in the wording, so that the money that is going to be appropriated by the Federal Government will go exclusively to the public schools, or to the State tax-supported schools, and not be side-tracked to any other purpose.42

I would like to have Congress safeguard the use of the money and see it is used in a way that is permissive under the Constitution of the United States and not in violation of it.43

The Supreme Court has defined the limits of Congress appropriating money for use in support of religion. That is prohibited. Therefore, the Congress of the United States has a perfect right according to the interpretation of the Supreme Court decision, to withhold the use of any

41 Ibid., pp. 95-96.
42 Ibid., p. 145.
43 Ibid., p. 146.
of its money for use for religious purposes.\textsuperscript{44}

Regarding the controversial phrase in Section 11 he recommended that the following be substituted:

Nor to restrict or define the kind of schools or character of educational programs in tax-supported schools, to be afforded by the respective States and Territories.\textsuperscript{45}

Dr. Thomas Little, representing the American Protestant Defense League, referred to various attempts at encroachment on religious freedom in the various states. He cited three proposals which were in the New York state legislature. The first proposal "would permit the State and its cities to give funds to private and religious schools on the basis of the number in attendance"; the second, "would require that the public schools register the religion of each pupil, these records to be available to religious groups"; and, the third "would authorize instructors of religion selected by various religious bodies to teach in public schools."\textsuperscript{46}

Relevant to these proposals his group had presented the following resolution:

Whereas separation of church and state, freedom of worship are guaranteed in the Constitution of the United States of America.

Whereas the experience of the Protestant Christian people in many countries of Europe where the union of

\textsuperscript{44} Ibid., p. 150.

\textsuperscript{45} Ibid., p. 151.

\textsuperscript{46} Ibid., p. 302.
church and state has been practiced in any degree resulted in a state of spiritual decay, chaos, and revolution.

Whereas any law that would compel one religious group to pay taxes to support another group's religious schools is contrary to both State and National Constitutions.

Whereas the enrollment of public-school children into religious groups would take away their freedom and create a spirit of intolerance and bigotry and hinder the child's progress in its formative years, and at the same time destroy the continuity of our public-school system.

Now, therefore, we, the members and friends of the American Protestant Defense League, which includes ministers of all denominations, assembled in the Methodist Episcopal Church, 1941 Bathgate Avenue, in the Borough of the Bronx on Lincoln's Birthday, February 12.

Resolve, That we are opposed to the enactment of such laws as contained in the above proposals.47

His objection to the Harrison-Black-Fletcher bill was that the bill did not specifically define 'public schools' or 'public education.' His reaction to the bill was as follows:

Framers of the bill, in their laudable effort to avoid Federal control of education, have failed to protect the Federal appropriations which, on the surface at least, are intended for tax-supported public schools and tax-supported public education in the States.

Unless the Harrison-Fletcher bill is amended so as to leave no doubt that aid to tax-supported public schools and tax-supported public education is intended, it were better that the bill be defeated in the committees of the House and Senate.

Any diversion of any part of any apportionment to sectarian schools would not only be contrary to the understanding of many supporters of the measure and the apparent intention of their framers, but would be a violation of the principles of the separation of church and State. 48

Charles H. Gray, the Washington representative of the American Farm Bureau Federation submitted the following statement, relevant to the Harrison-Black-Fletcher bill, setting forth the objections and proposed amendments of the American Farm Bureau Federation:

Among the resolutions adopted at the Eighteenth Annual Convention of the American Farm Bureau Federation in Pasadena, California, December 11, 1936, was one on rural education, which reads as follows:

We advocate the policy of Federal financial participation in the cost of rural education to the extent only that such financial support on the part of the National Government will tend to effect an equalization of educational opportunity.

It will be noted that this resolution contains two main ideas: (1) that the Federal Government should begin active financial assistance in regard to rural education; and (2) that educational opportunities as between country and city children should be equalized....

The measure sponsored by Senator Harrison, of Mississippi, and Senator Black, of Alabama, in the main complies with the long-established Farm Bureau policy of the Federal Government assisting in carrying the burden of cost of education. To that extent the bill has the approval of the Federation; but the formula contained in section 2 of the measure for allotting the funds provided in the bill is faulty, in that, instead of equalizing educational opportunities in various parts of the Nation, accent would be given to the presently existing disproportion of educational opportunities between the cities and the country. In the measure the one factor in the formula which is proposed to give the allotment of funds to the States is the proportion 48

Ibid., p. 304.
of the inhabitants of the school age, five to twenty years, inclusive, in any state relative to the total number of such inhabitants in the United States.

Obviously this one factor formula would give the lion's share of the funds provided for in the measure, to a half dozen of our most populous States; obviously too, the States which are largely rural, many of which have small populations, comparatively speaking, in most of which educational facilities are lower then they should be, would receive inadequate portions of the total funds. Consequently, the Federation urges most earnestly that the formula for allotment of funds will be based upon rural-school population.

...if the one factor formula as first above recommended - that of farm population - cannot be incorporated in the measure, the two-factor formula of farm population and total population each governing one-half the Federal funds provided, should be incorporated in the measure before it becomes law.

Since the measure S.419 in its general objective is happily in accord with the policies of the American Farm Bureau Federation, it is recommended to the Senate Committee on Education and Labor that it be given a favorable report when changed as recommended in this statement; namely, by making the formula for the allotment of Federal funds to the States one which will really equalize educational advantages over the Nation...

There were others who wanted equalization provisions included, as the National Congress of Parents and Teachers. On the other hand, many groups and individuals believed this bill would tend to equalize educational opportunities. Among these were the National Education Association and various state educational associations whose representatives appeared before the Committee with all kinds

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_Ibid., pp. 305-306._
of statistics and charts in defense of the bill. There were many

groups who did not appear before the Committee but sent resolutions

or statements of endorsement. Among the seventy-two national,

state, and local organizations listed the American Legion, a

national organization, forwarded the following resolution:

Whereas the American Legion in its last three

national conventions expressed itself in favor of Federal

aid for public education without Federal control; and

Whereas the right to free education has been

guaranteed by the Constitution to every child and since

the inequality of wealth amongst the States has made it

almost impossible for some States to fully meet this

responsibility; therefore, be it

Resolved, That the Federal Government be encouraged

to make the continue financial contribution to the States

that adequate educational advantages be afforded to all

children.50

The American Federation of Teachers represented the American

Federation of Labor at the hearing in keeping with the following

promise:

The American Federation of Labor since its inception

has striven for compulsory education and sufficient funds

to permit the education of every child in the United States.

The identical bills introduced by Senator Harrison and

Representative Fletcher will be of the greatest benefit

to the children if they become law.

Rest assured that representatives of the American Fed-

eration of Labor will appear at any hearings that are held

to support the measures.51

50 Ibid., p. 81.

51 Ibid., p. 80.
The American Federation of Labor also promised to support the bill.

S.4793 by Senator Harrison, and H.R.13021, by Representative Fletcher provide an appropriation of $100,000,000 to assist the States and Territories in providing more effective programs of public education...

The executive council, appreciating the conditions surrounding the education of our children, believes that the Federal Government should give whatever aid is possible to the States in order that not a single child shall be prevented from securing an education. The bills will be reintroduced in the next Congress and every support possible will be given for their passage.52

Congressional proponents of these bills presented much of the evidence given at the hearings on the floor of Congress.

Senator Black of Alabama described the inability of the states to tax wealth created in the states:

As an illustration of the necessity for and justice of Federal taxation to aid the States, evidence was given to our Committee that only one-tenth of one per cent of the profit-paying stock of the power companies operating in Texas was actually owned by the citizens of the State. Evidence showed it to be owned by the holding companies with residence chiefly in the States of Delaware, Pennsylvania and New York. The State of Texas, however, cannot tax profits of these holding companies, although the evidence showed that in many instances the annual profit on investment was as high as fifty-one per cent. A Federal tax can aid in sending back some of this wealth to help educate the children in Texas and in the States where the wealth was actually produced. This can best be done by giving Federal aid to education.53

52 Ibid., p. 80.

It is sometimes argued that the Federal Government has no right to collect taxes in one State and spend them in another... To limit Federal expenditures to the source of taxation is not only out of date but impossible, in that no one can trace a tax to its source. 54

There were Congressmen who were concerned about the security of the Nation. They believed in adequate military expenditures but as Congressman Case said, "We shall make a mistake if we think national security rests only on arms of war," 55 and as Senator Josh Lee said:

Our Congress is being asked this year to vote over a billion dollars for National defense, but, in my opinion, America's greatest danger will not come from outside. I believe that if we should spend one-tenth of the amount of Federal funds for education of the youth of America, it would constitute a greater national defense than the passage of this huge appropriation for armies and navies...

No Federal obligation is more vital than that of self preservation. It is not only the right but the duty of our Government to perpetuate its existence, and the proper education of our children is essential to that end. 56

Congressman Donnero of Michigan expressed his enthusiasm for federal aid to education as follow:

If I had it within my power, I would like to deduct $50,000,000 from the Navy bill and $50,000,000 from the

54 Ibid., p. 463.


Army bill and pass the Harrison-Fletcher bill providing $100,000,000 for public education to the States."

The Senate bill S.419 was passed unanimously out of the Senate Committee on Education and Labor (March 19, 1937) and put on the calendar of the Senate. It had the backing of groups representing millions of people. It had endorsements from state legislatures, as Arizona, California, Georgia, Nebraska, Oregon, Wisconsin, and others. Yet, it died on the Senate calendar.

Action on the bill in the Senate was postponed in spite of the efforts of the proponents. When action was sought opponents offered arguments similar to the following:

Mr. ROBINSON. Under the state of the revenues, as indicated by the estimates and by the receipts, we would have an enormously increased deficit, and that is the reason for my opposing the request of the Senator from Mississippi.

Insofar as I am informed, we have about exhausted the sources of taxation to which the Congress is willing and able to resort. Manifestly, we cannot go on extending Federal activities into new fields and spheres of action, and increasing expenditures without making some provision for meeting them. As every Senator knows, the deficit is already a large one. While many efforts have been made to close the gap between receipts and expenditures, such efforts have not been completely successful. It seems that the time has about come - indeed, it has already arrived - when we should give more careful consideration to that subject. If we authorize $1,000,000,000 in this instance, and then authorize

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57 Congressional Record. 75th Congress. 1st Session. Vol. 61. Part 5, p. 4858.
the additional appropriations and expenditures which are expected to follow, we will have a situation in which it will be necessary to increase taxation and probably find new sources of revenue.

I do not think anyone will insist or can insist that it is our obligation to continue, without limitation as to time or subject, taking on new and added responsibilities for the Federal Government. Undoubtedly, there is need for some assistance to the States which have been unable in the present conditions to keep open their rural schools, but the plan of the bill is to commit the Federal Government permanently to a policy of aiding the States, without regard to their need for aid in the matter of promoting education. It is the one last field into which Federal activity is to be extended. It is my deliberate judgment that very careful consideration should be given to the proposed legislation.

Mr. President, the Senator from Arkansas has stated what was in my mind. The bill will call for $100,000,000 at one and for $50,000,000 a year additional thereafter for some years, but there lying back of the bill are other bills and other measures providing for increased appropriations in new fields. If we are not going to the precipice, economically speaking, we must stop expenditures somewhere.

I have understood from the press that the President is to send Congress a message on Wednesday with respect to the fiscal situation. It is absolutely certain that unless we change the program of appropriations and extending the obligations of the Government we will have to have a new tax bill. I do not think we want such a bill. I think we ought to be able to curtail our expenditures so as to avoid it, and I am quite sure we can. Before I support the measure, notwithstanding the fact I think it has merit, I shall want to know where we are going with reference to expenditures during this session.58

However, proponents, such as Congressman A. L. Ford of Mississippi still protested that:

The children, the teachers, and the parents in many homes scattered over the broad area of the United States are wondering if those who represent them in the councils of the Nation will perform their duty and eliminate this dread danger. What they want and what they should have is a sound, permanent program that will insure the future security of public education. They are entitled to it, and those who are entrusted with the direction of this Government should grant it as speedily as possible.

This was good doctrine two years ago and it is a good doctrine today. The pity of it all is found in the deafness with which the Congressional ear is so often turned to the importunities of a situation crying aloud for the benefit of Federal legislation - Federal legislation which should be easy to enact and easy to administer, with untold benefits resulting from the expenditure of a comparatively small sum of money....

...let me remind you that the Federal Government has assumed in this country, and I am glad that it has done so, my only objection being that the Government has not been liberal enough in its provision for the aged. But let me here and now bring in the thought that uniform education, provided for by necessary assistance from the Federal Government, is a great guaranty of social security. Many are the citizens we have today, both men and women, who would have better equipped themselves with better educations had they been given a reasonable opportunity to do so. That they do not have education highly necessary in these complex times is not their fault; it is the fault of the Government which did not provide the required educational facilities.59

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**Vocational Funds in Jeopardy**

During this session of the 75th Congress, vocational funds of

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$14,483,000 authorized by the previous Congress, in the George-
Deen Act, were placed in jeopardy. The Committee on Appropriations
cut the figure to $7,241,500 or half of the authorized figure. In
both Houses of Congress a storm of protest was raised. As Congress-
man Daniel A. Reed of New York, said:

...the Congress and the President said to the country
'we are going to let you have $14,400,000, and you build
your program around that amount for the boys and girls in
this country.' Immediately, the States proceeded to lay out
their programs and make commitments. I know of one state
that erected at its own expense, ninety buildings to carry
on vocational education. The States made commitments for
teachers, for equipment, and prepared to go ahead, and the
first notice they had to the contrary was when the message
came from the President reducing the amount... Then, of
course, there was confusion in all the States. They had
made these commitments.

It seems to me that sometime in the history of the
country we should keep faith with the American people.

Congressman Dewey Short of Missouri reminded his fellow
members that according to Horace Mann:

In our country, and in our times, no man is worthy
the honored name of a statesman who does not include the
highest practicable education of the people in all his
plans of administration. He may have eloquence, he may
have knowledge of all history, diplomacy, jurisprudence;
and by these he might claim in other countries, that
elevated rank of a statesman; but unless he speaks, plans,
labors at all times and in all places for the culture and
edification of the whole people, he is not, he cannot be,
an American statesman.61

Congressman Deen warned as to the arguments which would be
advanced to cut the appropriations as follows:

60 Congressional Record. 75th Congress. 1st Session. Vol.
61 Congressional Record. 75th Congress. 1st Session. Vol.
...let me remind this House of the fact that before this matter is disposed of there will be an appeal made on the basis that we are unbalancing the budget, that we are putting in this bill $7,000,000 more than was recommended by the Committee. We shall be reminded of a veto at the White House. So far as I am concerned and I want to make this absolutely clear — when I sign a contract to pay, whether it be one dime or one dollar, that contract is binding on me...  

All of congressman Deen's predictions came true. The President sent a message to Congress urging the Congress to hold down appropriations as "it was absolutely essential for the welfare of the Government to balance the normal Budget in 1933." There were those who were in accord with the President's words and they felt that by cutting this appropriation "we will show that we really mean economy, and set an example for the American people."  

There were those who fought back on the economy issue. They mentioned the $30,000,000 for Passamoquaddy, the $100,000,000 for a ship canal in Florida, the billion for defense, the billion and a half for relief, the millions for a battleship without "batting an eyelash," and then trying to cut a "drop in the bucket" like fourteen million for vocational education.

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64 Congressional Record. 75th Congress. 1st Session. Vol. 31. Part 9, p. 1852.
Congressman Lister Hill of Alabama fought back as follows:

I am in favor of this increased appropriation because I am for economy...There is no waste comparable to the waste of human life, and there is no economy to be compared to that which makes possible a life of usefulness and service. 65

The opposition of the President to the George-Deen Act was referred to in the following statement by Congressman John J. Cochran, of Missouri:

The Act was passed by both Houses of Congress at the last session and was signed by the President. Of course, that was during the campaign and before the election last November, when President Roosevelt wanted the votes of school boards, school teachers, poor parents, and the unfortunate youth of the Nation. 66

Neither the threat of a Presidential veto of the appropriations bill, nor the appeal to await the report of the Committee appointed by the President, stopped the Congress from amending the appropriations bill to provide for the $14,483,000 authorized by the George-Deen Act. The House vote was one hundred fourteen votes for and ninety-one against, and the Senate vote was thirty-nine votes for and twenty-nine against.

The probability that "constituent" reaction influenced the Congress to amend the appropriation bill is evidenced by the remarks in the House by Congressman John J. Cochran of Missouri who said: 65

65 Congressional Record. 75th Congress. 1st Session. Vol. 81. Part 5, p. 4857.

In my twenty-five years experience in Washington I have never come in contact with a group that is better organized, from the standpoint of placing its views before members of Congress, than is this group interested in vocational education. Members of Congress are more reluctant about opposing this group's recommendations than any that comes before them. The interest among the Members in this question is intense.67

In the Senate Senator James F. Byrnes of South Carolina remarked:

I want to pay tribute to the most effective work that has been done in a propaganda way in a long, long time. We have become quite excited at times in our investigation of lobbyists and propagandists, and ordinarily we call for the appointment of a committee to investigate. There comes to my attention with reference to this matter an instance of most effective propaganda.

When this matter was pending in the House after the House appropriation Committee had gone into it thoroughly and made its report, some Members of Congress became quite active to increase the appropriation of $14,000,000. That amount was finally provided in the bill as it came to the Senate. Some House Members did not know from whence the pressure came. Finally, it was learned that there had been sent throughout the country a telegram similar to the following:

'Dr. L. A. Wilson, State Department of Education, Albany, New York.

Seems quite apparent that House Appropriations Committee may not recommend sufficient amount for George-Deen Vocational appropriation. Amendment to report of appropriations Committee will be submitted on floor of House by Congressman Fuller, Arkansas, to increase amount recommended by committee on vocational education. Very essential that your Congressman contact, co-operate with, and support Congressman Fuller and his amendment. Unless this is done, vocational appropriations for next five years will be in serious danger. This is most urgent crisis we have faced during the last

three years. We must have flood of telegrams and
aid-mail letters from influential persons and organi-
izations to all your Congressmen requesting them to
co-operate with Congressman Fuller. Changes for
satisfactory vocational appropriations depend upon
magnitude and thoroughness of this effort. Telegrams
and letters must reach Congressmen Tuesday and Wednesday
at the latest. Telegrams to Congressman Fitzpatrick
should not mention Fuller amendment but should urge full
fourteen million vocational appropriation. A thorough
job should be done in his Congressional district.

(Signed) L. W. Dennis, Secretary American Vocational
Association.

The telegrams came and the votes came and the
$11,000,000 was appropriated. The bill was reported to
the Senate by the Senate Appropriations Committee last
Saturday. A few moments ago I was advised that seventy-
three telegrams had been received in my office during
the last three hours. They read alike and that they are
inspired in evident. Somebody has been spending sixty to
seventy-five cents per telegram to wire me to vote for
the proposed increase in this appropriation.

I do not blame the Mr. Dennis whose name appears on
the telegram I have read. I suspect that he has inspired
these telegrams. I do not blame this man for wiring
throughout my State, not only to educators, but to American
Legion Posts and labor organizations and farm organizations;
but it is the most thorough job that has been done since the
days when we received telegrams to oppose the utility holding-
company bill.

This telegram says that 'a thorough job should be done
in the Congressional district' of a certain Congressman. It
may be I have been singled out for similar attention, but
one Senator bows his head to indicate that he has been subject
to the same bombardment in the last few hours.

The second session of the 75th Congress (November 15, 1937 -

68

Congressional Record. 75th Congress. 1st Session. Vol.
51. Part 6, p. 6003. (Fuller amendment referred to in the letter
called for seventy-five per cent of appropriation in case the
one hundred per cent failed).
December 21, 1937) was a short session and did not concern itself with educational matters.

The Harrison-Thomas-Fletcher Bill

Congressmen introduced into the third session of the 75th Congress (January 3, 1938 - January 16, 1938) between twenty-five and thirty bills pertaining to education. The Harrison-Black-Fletcher bill became the Harrison-Thomas-Fletcher bill and the Harrison-Thomas bill remained on the Senate Calendar. The Fletcher bill remained in the House Committee on Education.

Report of President Roosevelt's Advisory Committee on Education

Early in this session the Advisory Committee on Education submitted its report to the President (February 13, 1938) and the President forwarded the report to Congress (February 23, 1938) without comment. Nor did he comment later, which proved to be most disconcerting to friends and foes of federal aid to education.

The Advisory Committee on Education was made up of five representatives of such agencies of the Federal Government as the Departments of Interior, Commerce, Labor, Agriculture and the Tennessee Valley Authority. There were three representatives of business and three of organized labor. Among the others there were
overlapping as to representation but the following were represented:

vocational, home economics, and agriculture, education, the press, and
various religious and racial groups.

The recommendations of the Advisory Committee on Education were
as follows:

The Committee proposed new Federal grants for edu-
cational purposes increasing over a six-year period and
including (a) general aid to public and secondary edu-
cation to reach $140,000,000 the sixth year and (b) aid
to the States in certain other educational activities.
These additional services would include the following:
(1) improved preparation of teachers and other educational
personnel, (2) construction of school buildings to
facilitate district construction of school buildings to
facilitate district reorganization, (3) administration of
State departments of education, (4) educational services
for adults, (5) library service for rural areas, (6)
co-operative educational research, planning and demon-
strations. The total new grants recommended would reach
$202,000,000 the sixth year. 69

As to equalization of educational opportunities the Committee
recommended:

The grants for elementary and secondary schools should
be divided among the States in proportion to their relative
financial needs. The responsible officials in each State
should be directed to use an equalization plan which would
divide the funds among the local school districts so as to
lessen most effectively the inequalities of opportunity
for elementary and secondary education. 70

69 Quattlebaum, Charles A. Federal Aid to Elementary and
Secondary Education. Public Administration Service, 1313 East
Sixtieth Street, Chicago, Illinois, 1948, pp. 63-64.

70 Ibid., p. 65.
As to the equitable distribution of funds among the races the Committee recommended:

It is recommended, therefore, that for all States maintaining separate schools for Negroes the proposed grants be conditioned upon the formulation of joint plans that will provide an equitable distribution of the Federal grants between white and Negro schools, without reduction of the proportion of State and local funds spent for Negro schools.\textsuperscript{71}

As to the expenditure of funds for public and non-public schools the Committee recommended:

Except as specified in the next paragraph, the general aid should be available only to public elementary and secondary schools; for purposes of Federal aid distribution, the States should be responsible for determining what schools are public. Consideration should be given, however, to the fact that large numbers of children receive instruction in non-public schools, and that the maintenance of schools under non-public auspices results in a significant reduction in public expense.

Many of the services of public schools should be available to children regardless of whether they are enrolled in public schools for instruction. It is, therefore, recommended that such portions of the general aid as may be allocated in the joint plans to the purchase of reading materials, transportation, and scholarships be made available so far as Federal legislation is concerned for the benefit of pupils both in public and non-public schools. The Committee also recommends that local public schools receiving Federal aid be authorized to make their health and welfare services available to pupils in non-public schools. The conditions under which health and welfare services and for reading materials, transportation, and scholarships may be made available for pupils in privately controlled schools should be determined by the States, or by the local school jurisdictions receiving the grants if the States so determine.\textsuperscript{72}


\textsuperscript{72} Ibid., pp. 53-54.
As to the vocational education program in the public schools, the Committee recommended:

In order to end interference with local school administration and to make other desirable changes, the Committee recommended revision of statutes providing Federal aid for vocational education. The changes recommended by the Committee would free vocational education from many burdensome restrictions imposed from Federal sources, which tend to keep it apart from the rest of the educational system. With those changes, a new and enlarged opportunity would be provided for the effective expenditure of the special Federal grants for vocational education.73

As to the thinking of the Committee and the reasons prompting them to make these recommendations:

The inequalities of educational opportunity that characterize the educational system today constitute a challenge to American statesmanship. For millions of children the opportunity for anything more than the smallest amount of meager and formal public education is largely determined by place of birth. In communities where there are the fewest children and the most wealth, education is supported liberally. In communities where there are the most children and the least wealth, necessarily the local support of education is far below an adequate level.74

If, for a long period, each succeeding generation is drawn in large numbers from those areas in which economic conditions are poorest, if the population of the Nation continues to be recruited largely from economically underprivileged groups, and if the inability of the depressed economic areas and groups to provide proper education for their children is not corrected by aid from areas and groups more prosperous, the effect of American civilization and on representative political institutions may be disastrous.75


75 Ibid., pp. 33-34.
Education can be made a force to equalize the conditions of men. It is no less true that it may be a force to create class, race, and sectional distinctions. The evidence indicates clearly that the schools of the United States, which have hitherto been regarded as the bulwark of democracy, may in fact become an instrument for creating those very inequalities they were designed to prevent.76

During the years of increasing strain and social instability since 1914, it has become more and more certain that our country cannot succeed if a majority of the citizens are indifferent to the public interest. Democracy depends upon patriotism, but merely sentimental patriotism is not enough. Democracy calls for a continuous intelligent attention to the common problems of the Nation. Democracy needs citizens who are willing to sacrifice some part of their personal interests to the common interest, and who are able to think realistically as to how the material and human resources of the Nation may be built up and strengthened.77

The people of America are our most important resource. Whatever may happen in the conservation or the destruction of our material resources, nothing completely disastrous is likely to happen to a healthy and intelligent people, and nothing but disaster can happen if we are unable to meet successfully the strains and problems of our world. The Nation's future depends on the quality of the American people. Within the limits of practical action and available resources, the Nation should see to it that the next step is taken to give all the people opportunity to develop their capacities to the full, for their own benefits individually and for the best interests of the country as a whole.78

A minority report was submitted by T. J. Thomas, representing business. He agreed with the committee in general, but stressed the need for developing defensible programs of vocational education before any changes were made and adequate provisions to be made to prevent federal control of education.

76 Ibid., p. 33.
77 Ibid., p. 46.
78 Ibid., p. 46.
He differed with the Committee in that he thought the states should make reasonable beginnings of equalization of educational opportunities within their own boundaries before receiving federal aid; and that the President should be supported in his efforts to employ the unemployed first as this problem transcended aid to education since the restoration of industry, thereby employing the unemployed would eliminate many educational difficulties, as he said:

...many of those communities have great need of more fundamental things to be supplied by themselves through increased opportunities for employment and consequent betterment of their living conditions and the sustenance of their bodies, before the Federal Government is asked to contribute large sums of money for the education of their minds.\(^79\)

He therefore recommended:

I favor a program of Federal aid for education much more modest than that proposed by the majority report, although I am in agreement with the Committee in recommending the creation of a special fund beginning with $1,250,000 and increasing to $3,000,000, to be expended for educational research. If wisely administered by the Office of Education, the expenditure of this money should be productive of much good. Exclusive of the research fund, I would recommend the expenditure of not more than $40,000,000 a year for continuing for a period of three years only. I would distribute the $40,000,000 each year as follows:

- General aid to elementary and secondary education: $21,000,000
- Improved preparation for teachers: $5,000,000
- School construction to encourage: $5,000,000
- District reorganization: $8,000,000
- Administration of State: $1,000,000
- Departments of Education: $1,000,000

\(^79\) Ibid., p. 223.
Educational services for adults ........... $3,000,000
Library service for rural areas ......... $2,000,000

This would provide a fund of $120,000,000 for new grants to the States over a three-year period instead of a total of $855,500,000, as recommended by the majority of the Committee for a six-year period. 80

Ambivalent reactions to the Committee report were expressed in Congress. Congressman John J. Cochran of Missouri said:

Mr. Chairman, if the Congress should approve the recommendation of this committee it would cost the people of this country up to and including 1944 and 1945, $855,500,000. You will see this is a very important matter... The staggering amount involved in this recommendation is enough to alarm us... A staggering sum of money would be advanced, and this money would have to come out of the pockets of the taxpayers and be raised either by taxation or by increasing the deficit. Further, by this action you would be jeopardizing the control of our educational facilities by the States of this Nation. I may say, educational facilities by the States of this Nation. I may say, parenthetically, this committee was not composed of Democrats alone but Democrats and Republicans. Probably in order to get support, this committee for the first time, recommends taking care of not only public educational institutions but also parochial educational institutions.

I wish to impress upon the Members of the House the fact that the gentleman from New York (Mr. Snell) was in error when he states that the President had approved this report... Bear in mind, however, that up to this moment the President of the United States has in no way expressed himself as either for or against the recommendations of the committee he appointed.81

The Substitute Harrison-Thomas Bill

On the other hand, Senators Pat Harrison of Mississippi and

80 Ibid., pp. 223-224.
81 Congressional Record. 75th Congress. 3rd Session. Vol. 83. Part 3, p. 21479.
Albert D. Thomas of Utah began working on an amendment to the Harrison-Thomas bill. On April 19, 1933, Senator Thomas presented the amendment to the Harrison-Thomas bill which, in the main, incorporated the recommendations of the Advisory Committee's recommendations.

The amendment provided an appropriation beginning at $72,000,000 an increasing to $202,000,000 in six years was allotted for the purpose of education. The bill provided allotments for lessing the inequalities of educational opportunities within the states; for the improving of the facilities for teacher training; and, for the construction of school buildings. These allotments were to be apportioned on the basis of the number of children within the state five to seventeen years of age, and the ability of the state to support education. In addition, the bill provided allotments for the improvement of the state departments of education; for adult education; for library services; for research, planning and demonstration; and, for the education of children residing on federal reservations and at foreign stations.

The bill excluded federal control; required that there be no reduction in state funds below the amounts spent in the year ending 1933; and held that in states maintaining separate schools for minority races these states should make a just and equitable apportionment.
The Advisory Committee Report had recommended a scholarship fund which was to be available to students in public and non-public schools. Because of the fear of religious controversy the scholarship funds were excluded. The bill stipulated that the proposed federal funds were to be used only for public schools. The Committee's recommendations regarding vocational education were ignored. There were no suggestions included as to changes in the vocational law.

This amendment was approved by the Committee on Education and Labor and remained on the Senate Calendar as the substitute Harrison-Fletcher bill S.419.

Proponents continued to make speeches and include addresses in the Record relevant to federal aid. Many speeches referred to the four to one cost of crime as compared to the cost of education, and the low educational level of criminals. Others emphasized the fact that dictatorships thrived on ignorance and that democracy and civilization depended upon education for survival.

Senator Pat Harrison of Mississippi introduced into the Record a radio address (May 7, 1938) by A. F. Whitney, President of the Brotherhood of Railroad Trainment. In his address Whitney stated the position of his organization regarding federal aid to education:

...organized labor is united behind the program of the National Conference of Federal aid to Education. We support the program unsolicited, for we are in the habit of being in the vanguard in the educational movement.
We unionists are proud of the fact that America's first labor movement was the outstanding champion of the public-school system. We are proud of the fact that labor sponsored the land-grant colleges after the Civil War; proud that labor supported laws compelling school attendance; proud that labor led the move for free textbooks that labor contributed to the adult educational movement; that labor is now co-operating in the extension of workers education; and finally, that labor has brought into the fold of the organized progressive movement of America many of our teachers and professors, who, because of their status as union members, have security and better tenure of employment.

Why, you may ask - why are workers devoted to the cause of extending educational opportunities to all sections of the population? The answer was given one hundred years ago by the workers of Pennsylvania, who asserted:

All history corroborates the melancholy fact, that in proportion as the mass of the people become ignorant, misrule and anarchy ensue - their liberties are subverted, and tyrannic ambition has never failed to take advantage of their helpless condition. Let the productive classes, then, unite for the preservation of their free institutions, and by procuring for all the children of the commonwealth republic education, preserve our liberties from the dangers of foreign invasion or domestic infringement. Our Government is republican, our education should be equally so.

The call for increased Federal grants to the various school systems must be answered. The Harrison-Thomas-Fletcher bill, otherwise known as the Federal Aid to Education Act of 1933 is "must" legislation. Government spending in this direction is right in line with the President's recovery program.

Let no one be startled by any manifestations of vigorous opposition on the part of the Liberty Leaguers and their reactionary cohorts...We expect fascist-minded individuals to oppose much-needed improvements in our educational system. For organized labor is united 8,000,000 strong on this program.

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82 Congressional Record. 75th Congress. 3rd Session. Vol. 83. Part 10, p. 1907.
In the House Congressman Brooks Fletcher conceded defeat early in the session, since the Fletcher bill was still in the Committee on Education and there was little hope that it might be reported out of the Committee. In the Senate, however, the proponents tried again and again to get the bill considered by the Senate, as Senator Pat Harrison said:

The calendar has been called time after time, but some Senator has objected to the bill each time. I have brought what little influence I could command to secure its consideration, but I have been unable to get it up because I have not been able to interest the powers that be in trying to push it along a little.\(^3\)

and again:

I brought it to the attention of the highest authority in the country. I did not get anywhere.\(^3\)

Then defeat was evident the proponents in the Senate turned their attention to mustering promises of support for early consideration of the bill in the next session of Congress:

**Mr. Harrison.** Could the Senator conjure in his mind any reason why the Administration would be against the recommendations of a committee which was appointed by the Administration to study this matter?

**Mr. Barkley.** I have no idea that the Administration is opposed to it.

**Mr. Harrison.** I cannot imagine it, and I do not think so. How welcome it would be if we could get a little lift on this proposal, if we could just hear a world of encouragement.

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\(^3\) Congressional Record. 75th Congress. 3rd Session. Vol. 83. Part 7, p. 8351.
Mr. BARKLEY. If I should happen to be here at the next session, I will give the Senator as much of a lift as I can shoulder to help him get his bill considered.

Mr. HARRISON. I am sure that the Senator has been for the legislation at the time.

Mr. BARKLEY. I have been.

Mr. HARRISON. I would have offered this measure as an amendment when the pump-priming bill was before us, in connection with the $75,000,000 for the W.Y.A.; but I did not wish to embarrass any of the agencies of this Government. But I do think this is a real problem...

Mr. BARKLEY. If it is of any assistance to the Senator, or any consolation, or any assurance, I will state to him that I will take the first opportunity I get to discuss this with very important people in this Government.

Mr. HARRISON. I wish the Senator would do so. I may say that if they oppose it, it will not change my mind.

Mr. BARKLEY. I understand.

Mr. HARRISON. Because, so far as this legislation is concerned, I have made my bed and am going to lie in it, for the reason that I think this proposal is proper and right...

The Harrison-Thomas-Larabee Bill

During the first session of the 76th Congress (January 3, 1939 - August 5, 1939) between twenty-five and thirty bills pertaining to education were introduced into the Congress. The most important was the revised Harrison-Thomas-Fletcher companion bill known as...
the Thomas-Harrison-Larrabee companion bill (S.1305-H.R.3517). The perfected bill carried the same provisions as the amended Harrison-Thomas bill of the last session of Congress. S.1305 was reported favorably out of the Senate Committee on Education and Labor (S.Rept. 214). Individual and minority views were reported in the Senate Report 214, Part 2. The Senate bill remained on the Calendar of the Senate. The Larrabee bill remained in the House Committee of Education.

Congressman John R. Murdock of Arizona, said:

Because I have been a schoolman and am now in the National Legislature, some of my schoolfriends regard me as a "watchman on the tower." They are saying to me, "Watchman, how goes the battle?"

Congressman John R. Murdock could have reported that the battle raged. The proponents quoted and paraphrased the Advisory Committee on Education. They called attention to the huge appropriations for armaments and Congressman W. F. Norrell of Arkansas reminded his colleagues that:

...this Congress has taken all proper steps to protect our institutions from an invasion by force - invasion from without. But our work is no more than half done if we stop at this point. The invasion of ideas through propaganda, spoken and written, must be repelled also...Education no matter what the price we pay, comes cheap. It is the guardian of our liberty and our happiness. In a true democracy, education is and must be universal, if we are to repel alien ideas and idealogies.

85 Congressional Record. 76th Congress. 1st Session. Vol. 84. Part 11, p. 516.
if we are to fight back this invasion which works from within, we must recognize that education is our foremost national problem and that educational opportunities must be equalized throughout the land.86

Senator Robert La Follette Jr. became a little irritated concerning the "economy" issue the proponents projected. He countered with:

I am a firm believer in "economy" if by economy is meant making the most of what resources we have at our disposal and eliminating waste. But I fail to see any economy in a pinch-penny policy that is willing to sacrifice the rights of our young people to a full education simply for a few paltry pieces of silver. The greatest resource America has is its people, and we owe it to ourselves as a nation to see to it that the talents and abilities of the young are developed to the highest degree possible by means of adequate educational opportunities.87

He said further:

There are approximately 3,000,000 people in the country who are totally illiterate, who can neither read nor write. And if you passed a newspaper around the Nation you would find that as many as 15,000,000 adults could not read it. Believe it or not, there are more illiterates in America than there are college graduates.88

Senator Elbert D. Thomas said, "Educationally speaking, the rich are getting richer and the poor are getting poorer" and he issued the following challenge to the opponents of federal aid:

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87 Congressional Record. 76th Congress. 1st Session. Vol. 14, Part 11, p. 3576.

Let him who would deny Federal aid to education come forward, do so openly, and take the consequences from the electorate. Let him reject the scientifically assembled information and declare that he is what he is, an enemy of common learning for the people of this country. 89

The opposition came forward. Congressman Fred L. Crawford said this bill was "cleverly worded" and he did not question the sincerity of Senator Thomas or any of the others who had been working with him and who believed the bill prevented federal control of education, but he reminded his colleagues that:

We must look a few years into the future and consider what some other Congress might do toward completely encircling our educational system and draw it into the network of complete Federal domination on the basis and argument that in 1939 a Congress opened the way for such Federal control. 90

He was also concerned with possible consequences of another controversial phase of this proposed legislation. That was:

...the question of a step toward union of church and State exists in this measure. Power given to the States under this bill do not prohibit any State from providing funds for the operation of certain parochial schools. Thus we step into extremely dangerous territory and tread upon a sacred ground specifically set out in the Federal Constitution. 91

Congressman August H. Andresen of Minnesota introduced into the Record the following editorial from Steele County Photo News of Owatonna, Minnesota, February 9, 1939. The editorial was inspired by the National Youth Administration appropriations but

it had its implications for education in general:

FREE EDUCATION - AT EXPENSE OF HARD PRESSED TAXPAYERS WHO EARNED THEIRS.

Aubrey Williams, N.Y.A. head wants a few more millions or billions - it does not matter which to him - to provide free education. It is heartbreaking to be young and eager for the knowledge that would point the way only to find that education is for those who, by some happy accident of birth or circumstance, have the money to buy it.

Mr. Williams...seems totally uninformed of the fact that thousands and thousands of American men and women were once boys and girls who earned their own education. Some of them were among our greatest leaders - Lincoln, among others. In fact, it seems that the earning of an education is the greatest part of that education and acquiring one because it is given - whether by the Government or by one's parents is actually a great handicap to mental growth and ability.

Many of those who have secured their education through their own efforts are still close enough to that state to be still paying for portions of it. And yet Mr. Williams would tax them to issue free education to a lot of youngsters not proud, ambitious, or energetic enough to make their own way without making already overburdened taxpayers pay for it. The trouble with the Nation today is that it has too many Aubrey Williamses and too many who are his followers in the belief that all human benefits should be issued without being earned.

It would be fine if things could be so managed. But they cannot and someone has to pay for them. These youngsters will find, if they insist on free education, college and on up through life, that there will be no employer to give them jobs when they have gotten to the point where they are ready for them. Those potential employers will long since have been taxed out of existence. And having been taught by Mr. Williams and his ilk that one should not be expected to make his own way, they will not be fitted to establish their own means of earning a livelihood.92

92 Congressional Record. 76th Congress. 1st Session. Vol. 84. Part 1, p. 491. (Note: N.Y.A. funds provided employment for needy youth to earn an education).
The second session of the 76th Congress (November 1, 1939 - November 2, 1939) was a short session and educational bills were not considered.

During the third session of the 76th Congress (January 3, 1940 - January 3, 1941) between fifteen and twenty bills pertaining to education were introduced but no bill providing federal aid to education in the several states and territories received any action. However, the Thomas-Harrison-Larrabee bill had included an allocation of funds for the education of children on federal reservations. The centralization of federal defense activities in certain areas resulted in an accompanying of housing facilities. As a result, the Lanham Act (H.R.10412) was passed October 14, 1940 (Public Law No.849). This act provided for federal housing for persons engaged in national-defense activities where there were acute housing shortages. Also included in this Act were provisions for "community facilities." This included school facilities. Thereby this one provision of the Thomas-Harrison-Larrabee bill was enacted into law.

Congressman Gerald W. Landis of Indiana lamented the fact that not even a hearing had been scheduled on the Larrabee bill introduced more than a year before. He said, "a strange thing about good education is that no Representative or Senator, no governor or other political leader anywhere ever comes out against it. Education is like peace in that respect. Everybody and his uncle says 'I am for it.'
But when you ask to have something definite and constructive done for education - that is another story. He considered "the new plan for education the best self-liquidating project possible."93

Congressman Frank E. Hook of Michigan included in the Record an editorial from the Northwestern Lutheran which quoted Senator Walsh as saying:

I do not subscribe to the doctrine that because our public schools and our educational facilities are a vital element in our national defense, that they thereby become the proper concern and implied responsibility of the National Government. Our schools are one of the few remaining bulwarks of local self-government and community enterprise. They should remain so.

They have, on the whole been well managed and generously supported. We have today too much centralization of control over the affairs of our citizens in a Federal bureaucracy. We should not add to it by this excursion into the field of education.

We cannot undertake to subsidize our public schools with the Federal Treasury and still leave the schools free from the taint of Federal control. Federal domination of education will be the ultimate and, in my opinion, the inevitable consequence. The present bill is the opening we have. The camel's nose is under the tent. Let it be remembered that the most potent weapon of dictators and revolutionists is the control of the schools and the education of youth.

Let us be on our guard against putting schools in our own land under the yolk of centralized bureaucracy and thereby provide the mechanism for possible abuses in the years to come.94

93 Congressional Record. 76th Congress. 3rd Session. Vol. 86. Part 14, p. 1509.
94 Congressional Record. 76th Congress. 3rd Session. Vol. 86. Part 17, p. 5294.
Congressman Martin J. Kennedy of New York introduced into the Record a speech by the Very Reverend Robert I. Gannon S. J. delivered at the one hundred and seventy-second annual banquet of the Chamber of Commerce of the State of New York. The subject for his speech was taken from the following statement taken from the report of the Chamber's special committee on economical and efficient education: "The United States, cannot have or maintain a right system unless it is based on true religious principles, and, therefore, in spite of the fact that some hesitate to include religion in our educational program, we place it first."95

The Very Reverend Gannon said that public schools came into being when men believed the words of the song: "better build schoolrooms for the boy - than cell and gibbet for the man" but "now everytime we put in an order for a classroom, we have to include an order for two sanitary cells and a chromium gibbet."66 He said:

These awful facts have been facing our educators for twenty-five years, and they have tried every remedy but the one you proposed in your report as 'First in our educational program.' Mr. Owen D. Young's inquiry went on record as saying that New York State would have its ideal scholars if there were universal opportunities, a democratic system, good teachers (who must not, however, mention religion), character building (without stressing religious motives), useful schooling, more adult opportunities, home rule, with academic freedom (whatever that means), and finally economy. Religion does not figure in the report.

The very mention of religion is considered to be dynamite - as much in education as in politics, for reasons which were fairly obvious before they were aired yesterday.

95, 96
Congressional Record. 76th Congress. 3rd Session. Vol. 36. Part 18, p. 6722.
at the open hearing of the board of education. There is, first of all, the old church-and-state row; the old Colonial revolt against domination by the church of England. We know how much validity that has today. We know that the repeated cry for the separation of church and state is now little more than a set of brass knuckles for the lowest type of politician.

Our State could never be tied to any church in the country, and no church in the country would ever want to be tied to the State....

Like most of our troubles, the situation is a legacy from another generation. For fifty years ago or more the United States suffered its first severe attack of Ph. D.-itis. It became the academic fad to go to Germany....There our most promising young men and future leaders drank deep draughts of Emmanuel Kent and Paulsen of Berlin and found that "the human mind produces its own object, creates its own truth"....Man thinks differently at times, so that what is true today is false tomorrow. Hence, since objective truth does not exist, who will dare say that anything is nonsense?

From this subjectivism was born the principal fetish of American education - academic freedom. No one has any clear idea of what it means...academic freedom should be immunity from restraint to teach, not anything but to teach what is true - and that supposes some objective standard, too. Subjectivism, however, and superstition, combined with a national contempt for systematic philosophy, have made some of our leading institutions purveyors of elaborate and dangerous nonsense which too many of our teachers have taken seriously....

I'll tell you what we need. We need two virtues in our students which are anathema to the high priests of American education. One is discipline, the other is humility. This discipline should show itself externally in obedience to legitimate authority; internally, not only in trained intellects which can use a set of carefully selected intellectual tools, but even more in trained wills. For as someone has said, "The worst education which teaches self-control is better than the best which teaches everything else and not that." The other essential virtue mentioned was humility.
This has, of course, no trace of hypocrisy or
timidity about it. It is miles away from an inferiority
complex. It is simply an important application of realism.
It is a recognition of my own absolute and relative values.
It shows me my place in the place in the plan of creation.
It shows me my purpose in life. With these virtues cul-
tivated in my youth I can hope some day to be not only
learned but wise. Without them, I can never rise about the
organized campus forces of confusion.

Can anything be done, then, in our present circumstances
that would further the end which we all feel is the first
point of our educational program? Fortunately - yes....
We can use our influence to have our children in the public
schools - at least those whose parents so desire - trained
each in his own religion in a way that will impress the
child with its importance. We can insist that schools be
not controlled and classes be not taught by professed enemies
of all religion, and we can more and more as occasion offers
lighten the burden of schools, colleges and universities where
the ideals that are dear to all of us are still cherished,
sometimes at a great sacrifice....

Remarks during the 1st Session of the 77th Congress

During the first session of the 77th Congress (January 3, 1941 -
January 2, 1942) between thirty and thirty-five bills were intro-
duced pertaining to education. None of these bills were reported
to the floor of Congress.

The enforcement of the Selective Service Act brought to the
attention of the Congress new proposals. There were those who wished
the deferment of students to finish the academic year in high schools
and colleges, since they believed this additional basic training of

Congressional Record. 76th Congress. 3rd Session. Vol.
86. Part 18, p. 6772.
importance to national defense. There were others who saw a need for expanding health, physical education and recreational programs, since it was maintained that such a program "builds strength and vitality - it builds courage and character." As evidence of this need Congressman David D. Terry, of Arkansas pointed out that:

It has been determined that about 2,000,000 have been called under the Selective Service Act. Of these about 200,000 have been rejected because of remediable physical defects.

Congressman Terry added that:

...of those called for service 1,2,000 have been rejected because they do not have a fourth-grade education.

Senator Elbert D. Thomas of Utah reported that according to Owen D. Young, as a result of the Selective Service Act we would set aside a group of our most promising men

...who will be trained to kill and to take the risk of being killed in order that the democratic community of free people may continue to exist. Where the obligation of the citizen to the state is thus carried to the utmost extreme of duty that can be asked of him, it is imperative for all of us to re-examine the extent to which the state is carrying out its obligations toward the citizens.

Relevant to the obligations of the state to the citizen, Senator Elbert D. Thomas quoted from the Advisory Committee's report to the effect that "the educational services now provided for a considerable

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percentage of the Nation's children are below any level that should be tolerated in a civilized country," and that "unless the Federal Government participates in the financing of schools and related services, several millions of children in the United States will continue to be largely denied the educational opportunities that should be regarded as their birthright."  

Congressman Carl T. Curtis of Nebraska introduced into the record a letter from the Nebraska State School Board Association which urged:

...the allocation of funds now expended in W.P.A. and N.Y.A. educational projects to the use of the public schools in the Nation in order that the opportunity for public education be equalized and that the funds result in training by people who are properly certified and qualified to carry on the education of American youth.

Under existing conditions, unless something is done to support the public schools and eliminate competition from political and bureaucratic organizations for funds, we face a time, when free public schools, the bulwark of democracy, will be pushed into the background to make way for agencies whose primary purpose is to promote special interests and bureaucratic control. We urge you and every other Congressman to do all in your power to remedy this situation. We are not opposing relief agencies organized for the benefit of the unemployed worker but we do stand opposed to the use of such agencies as a screen for building up two or three additional systems.

Regarding the teachers in the public schools Congressman John W. Coffee of Washington said, "It is unfair to expect teachers
to perform an inspirin^ job if their compensation is of such a low standard as to make them feel that their self-respect is in jeopardy" and "The last place economy should be imposed is the school system. Just as a chain is as strong as its weakest link, so is a nation as powerful, actually and potentially as its school system."^ {\textsuperscript{103} }

Congressman John J. Coffee included in the Record an article by Richard L. Neuberger in Progressive, October 4, 1941, entitled "Security for Teachers, Too" which described what he considered an unfair situation, to quote:

The quality of teaching can determine whether education is good or bad. Magnificent buildings are not as important as capable teachers...Today the city of Portland spends $2,000,000 more on its school system than in 1933, but $200,000 less for salaries of teachers. This means other activities are being expanded at the expense of the teachers. New superintendents have been hired and football uniforms purchased, but the salaries of the teachers are still where the depression knocked them...

Not so long ago, Ralph E. Dugdale, the Portland superintendent of schools, took a left-handed jab at the efforts of the teachers to get better pay when he said that in a time of crisis like the present they should be loyal to the school system. Mr. Dugdale is slightly confused. It is much more important that the school system should be loyal to the teachers, that it should be aware of its obligation to them and to the community. Mr. Dugdale evidently wants the teachers to lower their standard of living because of the present emergency.

The school superintendent overlooks President Roosevelt's words: 'I would ask no one to defend a democracy which in turn would not defend everyone in the Nation against want {\textsuperscript{103} }

\textsuperscript{103} Congressional Record. 77th Congress. 1st Session. Vol. 87. Part 14, p. 5061.
and privation. The strength of this Nation shall not be diluted by the failure of the Government to protect the economic well-being of its citizens. The better a democracy is run, the more vigorously will its inhabitants defend it. Democracy in Portland, Oregon, can be strengthened by paying teachers there the salaries to which they are entitled.\textsuperscript{104}

Senator Robert R. Reynolds of North Carolina introduced into the Record an editorial from the \textit{New York Daily Enquirer}, March 3, 1941 by Mr. William Griffin, entitled "Education in America is recranted." Senator Reynolds regarded the article as "timely in view of the widespread publicity given the fact that communist ideologies are creeping and sweeping radidly into some of the public-school systems of the country."\textsuperscript{105} Excerpts from the editorial follow:

\begin{quote}
Education in America, public and non-public, represents a tremendous financial investment and burden for the taxpayers and all others upon whom it relies for its monetary requirements. In no land upon earth is so much cash spent upon education as is expended in the United States. But, despite the financial and other advantages enjoyed by education under the folds of Old Glory, American education is far, very far, from what it should be.

One of the primary functions of education is the development of good citizenship in those educated. By good citizenship we mean moral, patriotic, and intelligent citizenship.
\end{quote}

\textsuperscript{104} Congressional Record. 77th Congress. 1st Session. Vol. 87. Part 14, p. 5016.

\textsuperscript{105} Congressional Record. 77th Congress. 1st Session. Vol. 87. Part 11, p. 1492.
Our American schools should be nurseries of sound patriotism. For the greater part they are hotbeds of anti-patriotism and pseudo patriotism. And, with the exception of certain denominational schools, the cultivation of real moral consciousness, which must be based upon a belief in God, is looked upon as out of date and not in harmony with the American concept of education.

The governing preoccupation of our American schools, in the ultramodern and degenerate period in which we live, is propaganda - propaganda for democracy, propaganda for internationalism, propaganda for this, for that, and a hundred things besides.

Patriotism, honest, active, uncompromising love of America, such as that love which burned in the souls and hearts of Washington, Jefferson, Franklin, Carroll of Carrollton, Hancock, Jackson, and Lincoln is absolutely essential to the survival of the United States of America....

Nationalism is the bedrock of this Republic...

Our American schools - we should call them our so-called American schools - are engaged in classroom propagandizing which is destroying the sacred gift of American nationalism that is the birthright of every American boy and girl. 106

On the other hand, Congressman Jennings Randolph of West Virginia said:

I believe that educating men and women to the responsibilities of democratic life is the surest means of attacking the "fifth column" problem.

When men and women understand what America stands for - and civic education means teaching them to understand - this Nation need fear no borer from within or Trojan horse of any color. Fascism, naziism, or communism of any brand can only grow in the fertile soil of ignorance, oppression and intolerance....

Democracy cannot be saved by totalitarian methods—it can be saved by expansion of the democratic process. America will be defended by education that does not use its instrumentalities for indoctrination—education that is based on sound theory and practice, that implores clear thinking and action when the Nation is on the march. Education which practices democracy can be perhaps the greatest means of all in defense of democracy.

In closing I want to say I believe it is necessary to permeate the plain people of America with democratic direction. We cannot face our fundamental tasks with careless thinking; if we do, we evade them. It is our task in this country to realize the ideals of human life—the true task of Americans.107

Senator 7. Warren Barbour of New Jersey introduced into the Record an address by Dr. William Cope in which he said:

Democracies are not crushed from without; they cave in from within. Right here in the United States at the present time, we still have all sorts of pressure groups, blocs, and minority groups, pulling and hauling at the very vitals of our democracy. If we keep up the foolishness too long, I am afraid the story of civilization will have to be written.108

SUMMARY

During this period (1936-1941) attempts to secure federal grants-in-aid to education met defeat in Congressional Committees. The studies of Chism and Newcomer referred to in the last chapter and the report of the President's Advisory Committee on Education described in this chapter presented evidence of need for federal aid to the


states for education. However, these bills like previous bills did not meet the demands of a sufficient number of the pressure groups to secure their passage. These bills distributed the funds according to the number of children in the various states to be educated. The Negro group, the American Federation of Labor, the American Federation of Teachers, and others preferred that provisions be made to distribute the funds so as more nearly to equalize educational opportunities. These bills used the terms "public schools" and "public education." Certain Protestant groups preferred that the funds be specifically allocated to "tax-supported public education." These objections to the proposed bills represented a division of opinion within the ranks of the advocates of the principle of federal aid to education.
CHAPTER VI

ATTEMPTS TO MEET THE IMPACT OF WAR BY GRANTS-IN-AID TO EDUCATION
(1942-1944)

The Japanese attacked Pearl Harbor on December 7, 1941. Selective Service had been calling men into the service during 1941 for a period of military training. The attack on Pearl Harbor changed the function of Selective Service to the calling of men to military service instead of military training. Quotas were increased and deferments decreased until approximately 12,000,000 men were called to military service. In addition, thousands of women joined the Marines, the WAVES, the WACS, and the SPARS to make up the military personnel necessary for waging a successful war. Some of these men and women were taken from the teaching field. However, this number was small in comparison with the number recruited from the teaching field to produce the instruments of war. During this period approximately one-third of the teachers were motivated by patriotic and pecuniary interests to enter the factories and help make America the "Arsenal of the Democracies." Contributing factors to this mobility of teaching personnel were (a) the higher wages paid to factory workers because of the cost-plus guarantee to the manufacturers by the Federal Government, (b) the increase in the cost of living due to the higher wages and full employment resulting in an expanded consumer market without an adequate supply
of civilian goods, and (c) the additional teaching loads and services to be rendered as a result of the decline in teacher personnel and demands of the war effort at a prewar salary, and (d) the deflation of ego resulting from the knowledge that teaching the nation's children was not considered essential according to rationing and deferment regulations.

There were those in Congress who attempted to meet this impact of war by introducing into the Congress bills for federal aid to education. During the second session of the 77th Congress (January 5, 1942-December 16, 1942), between ten and fifteen bills pertaining to education were introduced into the Congress. On June 15, 1942, the Senate Committee on Education and Labor in executive session considered the original S.1313 Thomas-Harrison bill and two modified committee prints submitted to the Committee on February 11, 1942, and June 13, 1942, respectively. The Committee on Education and Labor approved the Committee Print No. 2 slightly amended. The Committee print of this bill, known as the "Educational Finance Act of 1942" contained the following provisions: (1) that the appropriation of $300,000,000 be distributed for the equalization of educational opportunities in elementary and secondary schools without reference to special phases of the problem; (2) that the money be allotted to the United States Commissioner of Education for apportionment; (3) that all but $5,000,000 of the funds be distributed among the states and territories according to a simple
formula in the bill; and (h) that the money be used only for educational agencies and institutions under public control. No action was taken on the measure. In the House no action was taken on any bill.

Pros and Cons Regarding Federal Aid to Education During 1942

Congressman David D. Terry of Arkansas informed his colleagues that the war and its ramifications had "magnified aid." He included in the Record a letter from Willis A. Lawson, executive secretary of Arkansas Educational Association. The areas of irritation as far as the educational situation in Arkansas was concerned were described by Mr. Lawson as follows:

Public education is soon going to cease to be the basic principle in this democracy - so far as Arkansas is concerned - if we don't get Federal aid for elementary and secondary education immediately.

First, the Federal Government is now financing an excellent year-around program of education with well-trained and well-paid teachers for Japanese evacuees, most of whom are American citizens, in war relocations centers at Jerome, and Rohauer in Arkansas and in eight other places in the United States. The Caucasians, though accepting the justification of these centers neither understand nor appreciate such inequality of opportunity.

Second, the Army and Navy are calling upon the schools to put into effect immediately pre-induction and pre-flight courses in order to eliminate the cost of having to give this training after the boys enter the service. This cannot be done without proper personnel.

1 Congressional Record. 77th Congress. 1st Session. Vol. 80. Part 10, p. 3503.
Third, teachers are seeing Government agencies offer minimum salaries far beyond the maximum paid them; seeing workers in defense industries get wages out of all proportion to their abilities and efforts; seeing special groups within the field of education being paid two or three times what elementary and secondary teachers have received, and at long last they are defying the traditional idea that they owe their service to their profession for a pittance and they are leaving the profession by the thousands.

As a result, many schools are closing and many idle children are thus becoming problems of delinquency within their communities.

Fourth, the parents of Arkansas are finally beginning to say aloud "We pay the maximum tax, but our children go to school eight months in the year to poorly paid teachers and have nothing as to a program but the bare essentials for preventing illiteracy - about this the Federal Government does nothing."2

(Average salaries: Japanese Schools - H.S. $2000... Elem. $1,620.)

(Average salaries: State of Arkansas - H.S. $823... Elem. $491.)

Senator Elbert D. Thomas presented a petition from forty-two of the forty-eight states signed by the superintendents of education and executive secretaries of the states requesting the passage of the Educational Finance Act of 1942. (States not included: Maryland, Massachusetts, New York, New Jersey, Ohio, Rhode Island). The petition pointed out that the public schools were necessary to winning the war and the peace to follow; that the basic educational training of civilian and military manpower determined its productivity and efficiency; that the undemocratic distribution of

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2 Congressional Record. 77th Congress. 2nd Session. Vol. 88. Part 10, p. 3503.
educational opportunities, that only the Federal Government could change, was not conducive to furthering democratic principles; and, that at a time when the schools could serve the nation most they were being stripped of their teachers.

Senator Elbert D. Thomas said "the children of this country deserve the freedom we are fighting to give to the children of other nations. We can afford it. We make our children pay for the war when we neglect them during war." He quoted President Roosevelt as saying:

Teachers as a group are performing a great service. Children must not be allowed to pay the cost of this war in neglect or serious loss of educational opportunity.

Senator Joseph Rosier, of West Virginia, injected the following observation:

I should like to say a word about the equalizing of educational opportunities. I suppose that there is no subject on which political orators and orators of all types have expanded themselves more than on their support of public education in this country. It is a good deal like our profession of Christianity; we profess very loudly but we do not practice.

I say we have come to a time in this country when the States as related to local communities and the Nation as related to the States must assume responsibility for the educational problem.

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3 Congressional Record. 77th Congress. 2nd Session. Vol. 88. Part 10, p. 3503.

4 Congressional Record. 77th Congress. 2nd Session. Vol. 88. Part 6, p. 7709.

5 Congressional Record. 77th Congress. 2nd Session. Vol. 88. Part 6, p. 7709.
As to the exodus of teachers from the teaching profession, Senator Elbert D. Thomas included some average weekly salaries of less than $25 per week paid the teachers in twenty-eight states. Mississippi paying $10.75 per week and Arkansas paying $11.63 per week were the lowest. These salaries did not compare favorably with the salaries paid in defense industries, and accounted for the general exodus from the teaching profession.

Senator Robert R. Reynolds of North Carolina included in the Record an article by Harry Daniels entitled "Educate for Democracy" in which Daniels said:

The 1940 census shows that nearly 3,000,000 persons, or 3.6 per cent of the Nation's population twenty-five years of age or over, had not completed one year of schooling. The census also revealed that approximately 7,300,000 persons, or 9.9 per cent of the population had completed only one to four years of schooling. This means, that we have not used freedom wisely as slightly over 10,000,000 persons, or 13.7 per cent of the population have attended school for less than five years.6

Senator Allen J. Ellender of Louisiana presented a table of percentages of persons in the states twenty-five years of age or older who had completed four years of education or less. The states with the highest percentage of illiteracy were Louisiana, 35.7 per cent; South Carolina, 34.7 per cent; Mississippi, 30.2 per cent; and Georgia, 30.1 per cent. In other words in these states approxi-

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6 Congressional Record. 77th Congress. 2nd Session. Vol. 88. Part 10, pp. 3411-3412.
mately; one-third of the inhabitants were functionally illiterate.

Senator Joseph Rosier of West Virginia quoted Thomas Carlyle as saying:

"The greatest human tragedy is this, that a person who is capable of learning should die ignorant."

Another excerpt from the article by Harry Daniels, mentioned above, is as follows:

An untrained, unthinking, uneducated citizen in a democracy is, in reality, public enemy No. 1. In a totalitarian state, he is public citizen No. 1. Without ignorance a totalitarian state cannot exist. With ignorance, a democratic state cannot exist long. In a democracy, intelligent thinking is the true defense of the state. Such thinking can only be obtained through a liberal education. A man who earns his living with pick and shovel should be given a liberal education, just the same as a white collar worker. Such training, in time of peace, as well as in time of war, makes this man the first line of defense of the state. We Americans, if we are to ever become a truly free people, must be delivered from slavery that is the result of superficial education or no education at all. The time has come in which we must open the doors of liberal education to everyone — not only for the well-to-do, but also those who are financially unable to pay for it. If America is to become fully democratic, it will be absolutely necessary for each American to understand that the noblest function of a democratic government is not to legislate laws, but to educate, to make not laws, but schools. A democratic government is, believe me but half secure, while millions of free men with votes in their hands are left without a liberal education.

As to tragedies in the past from lack of reason Congressman H. Jerry Voorhis of California introduced a message from the members of the National Union of Teachers in England to the American Federation of Teachers. An excerpt from the message is as follows:

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7 Congressional Record. 77th Congress. 2nd Session. Vol. 58. Part 6, p. 7713.

8 Congressional Record. 77th Congress. 2nd Session. Vol. 58. Part 10, p. 3411.
There will not be many amongst us who have gone through the grim tragedies of war twice in a lifetime who would try to argue that intelligence has generally been the instrument by which human events have been shaped. Reason, on the whole, seems to have had little to do with the process. It is no exaggeration to say that the forces of emotion rather than that of reason have governed our evolution. Pride, fear, greed, revenge—these seem to have been the shapers of human destiny rather than deliberate attempts to think out the process of development by which mankind might achieve its highest destiny.9

The policy of denying equal educational opportunities to the youth of the nation precipitated a situation which caused Senator Elbert D. Thomas to conclude that "Illiteracy wherever we find it dulls our war effort."10 As proof of this statement he described how the Army was "wasting the time of some of its best officers in attempting to teach the one-tenth of the illiterates who have been accepted by the Army now to read and write sufficiently well to prepare them to understand and execute commands."11 As for the necessary skills required of defense workers Senator Thomas introduced into the Record an article by Dr. Frank W. Hart in which Dr. Hart said:

It has long been urged, because of the inequality of wealth in the several States and the consequent disparity of educational opportunities, that the Federal

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9 Congressional Record. 77th Congress. 2nd Session. Vol. 88. Part 9, p. 1547.
10 Congressional Record. 77th Congress. 2nd Session. Vol. 88. Part 6, p. 3411.
11 Congressional Record. 77th Congress. 2nd Session. Vol. 88. Part 8, p. 437.
Government should in some significant way participate in bearing the cost of our public schools. In peacetime, aside from partial support of a very limited type of strictly vocational training of less than college grade, no progress has been made in thus spreading a portion of the burden of cost. Not until the war and our defense efforts revealed bottlenecks and bottlecorks in almost every craft, skill, trade, or branch of technical knowledge did the Federal Government start pouring hundreds of millions of dollars into the schools to meet in emergency fashion an emergency that need never have been.

If the program of education and training propounded here had been in operation throughout the Nation since World War No. 1 there would have been no bottlenecks in trained manpower in our hour of need today.\textsuperscript{12}

(The millions, referred to above, being spent for emergency training was for the national defense training program for the 4,000,000 being trained for defense work.)

Senator Elbert D. Thomas said "I am almost ashamed of myself... to stand on the floor of the Senate and make a plea for equal education for the youth of our land on the basis of the war effort."\textsuperscript{13} Senator Lister Hill of Alabama declared that "it is a most urgent war measure."\textsuperscript{14} Senator Joseph Rosier of West Virginia added that "The bill in question is really a war measure; it is a measure for the preservation of our Nation."\textsuperscript{15}

\textsuperscript{12} Congressional Record. 77th Congress. 2nd Session. Vol. 88. Part 6, p. 437.

\textsuperscript{13} Congressional Record. 77th Congress. 2nd Session. Vol. 88. Part 6, p. 7709.

\textsuperscript{14} Congressional Record. 77th Congress. 2nd Session. Vol. 88. Part 6, p. 7709.

\textsuperscript{15} Congressional Record. 77th Congress. 2nd Session. Vol. 88. Part 6, p. 7709.
Senator Lister Hill made the following plea for the immediate passage of S.1313:

The failure of the Congress to pass this bill would be a denial of democracy itself. We are today engaged in a great war to preserve our democracy from attack and from destruction by forces from without. If we should fail to pass this bill we would fail to give proper, adequate, and much needed protection to our democracy against forces from within. Long ago Macaulay declared that America need have no fear of the enemy from without; that it was the vandal within who would bring about her destruction. There perhaps is no greater seedhead of vandalism than ignorance. A democracy must live and survive through the character, independence, and enlightenment of its people, and if we fail to give to the children of our country, its future citizens, the opportunity to build and develop character and intelligence, the opportunity to receive enlightenment, then we deny democracy itself, we shut off the springs from which democracy receives its life giving waters. If we shut off these springs the inevitable end must be the death of democracy.

Mr. President, with the single exception of winning the war, of putting forth the efforts needed to win the war, there is nothing more important, nothing more compelling to be done at this hour, than the passage of Senate bill 1313. We should pass it, as the Senator from Utah has said as an urgent war measure. We should pass it as an urgent measure to make provision for the peace, with all its many problems, which is to come after the war. We should pass it so as to protect and preserve our democracy from within, even as we struggle and fight today to protect and preserve our democracy against the forces from without.16

In opposition to S.1313 Senator Francis Maloney of Connecticut, introduced into the Record an editorial from the Hartford (Conn.)

16 Congressional Record. 77th Congress. 2nd Session. Vol. 86. Part 6, p. 7713.
Excerpts from the article are as follows:

That hardy perennial - the bill looking to the subsidizing of education by the Federal Government - is once again banging at the door of Congress... If we are to retain the virtues and advantages of the American school system as it has been developed to meet widely varying social and economic conditions the Federal Government ought to keep its hands off the schools... It does not really help matters in the least to have the first section of this bill say that 'no department, agency, or officer of the United States shall exercise any supervision or control over any school with respect to which any funds are expended pursuant to this act.' Theoretically, the schools will be left free to control their own administration, personnel, curriculum and methods of instruction. Practically that would not long be the situation once the Federal Government began doling out its largess. Federal control is the inevitable accompaniment of Federal support. A former United States Commissioner of Education, John S. Tigert once said, 'My experience in handling Federal subsidies for education, under the limited act now in existence, has taught me that you must have Federal control and interference, or you will have misappropriation and waste.'

If Senator Pepper, of Florida, which spends only $31.66 per pupil, is the most ardent of all the subsidy advocates, Senator Byrd of Virginia, where the per pupil expenditure is only $41.66, is the most frigid toward the whole idea. He says there is no State that cannot well afford to provide its children with a wholly satisfactory common school education. It is merely a question of their willingness to do so.

Dr. Nicholas Murray Butler, in an address he once delivered before the Pennsylvania State Education Association, stated the situation admirably when he said, "It is correct..."
to say that the education of the people is a natural responsibility, but in our American system this does not mean that it is either solely a governmental responsibility or a responsibility of the National Government at all."

In American public law, education is a function of the State and the States have uniformly decentralized educational supervision and control to the largest practicable extent. This is as it should be. The several States will be quite well able to bear this responsibility in the matter of education if they will revise their systems of taxation and treat the schools and their teachers as really fundamental to their thinking on public matters. Too often the schools and their teachers are given what remains after other public needs have been provided for.

No such argument, however, is likely to impress Senator Pepper, who regards the Federal Government as a Santa Claus having unlimited gifts to bestow. "Why, he says, it will cost only $300,000,000 to get this subsidy going; and what is that to worry about in these days when we count expenditures by billions? Senator Byrd well knows that once a beginning of $300,000,000 is made it would not be long before the figure would reach those astronomical proportions that so delight the heart of the Hon. Claude Pepper."

During this session the Record shows considerable attention being given to the influence of communism in the schools. This issue rears its head at various times, quite often when educational bills are about to be considered. Senator Robert A. Reynolds of North Carolina informed the Congress that:

15 Congressional Record. 77th Congress. 2nd Session. Vol. 83. Part 10, p. 1134.
...yesterday a report submitted to the governor of the State of New York asserted that 503 Communist teachers, or teachers under Communist domination have been found in the educational system of New York City, most of them managing to remain snugly in their berths through indifference or for one reason or another. The report seems to have been submitted by the Govdert sub-committee to Governor Herbert H. Lehman and the legislature in Albany, New York.

The article from which I now take occasion to read, Dr. President, was published in the columns of the New York Herald Tribune, on the front page, issue of Thursday, April 23, 1942, which is today. The article is headed:

Govdert Says City Schools Shelter Reds

Govdert's Sub-committee Lays Communist Trend to 503 City Teachers.

Accused Boards of Failing to Act. 19

Senator Robert R. Reynolds explained to the Congress that such accusations were being made but convictions before the courts were not forthcoming. He considered it a case of smear without proof. Senator Alexander Wiley of Wisconsin, however, believed "some so-called, great educators in this country have espoused many false 'isms' and have become disciples - and, what is more, the disseminators - of such false 'isms.'" 20

In remarks concerning the proposal to levy taxes on charity or educational funds by deceased, Congressman Thomas H. Elliot of Massachusetts introduced an article by Harold C. Gardiner which cleared the Catholic schools of the Communist taint, to quote:

19 Congressional Record. 77th Congress. 2nd Session. Vol. 56. Part 3, p. 3663.
20 Congressional Record. 77th Congress. 2nd Session. Vol. 56. Part 6, p. 7716.
...there is no record of any Catholic school or college being investigated by a Rapp-Coudert committee, to ferret out subversive activities on the part of professors. Catholic schools have been free, and loyal because free.21

Consideration of the Educational Finance Act of 1943 on the Floor of the Senate

During the first session of the 78th Congress (January 6, 1943 - December 21, 1943) comparatively few bills pertaining to education were introduced, but for the first time in over fifty years a bill providing federal aid to elementary and secondary education was considered on the floor of Congress. On February 4, 1943, Senators Elbert D. Thomas of Utah and Lister Hill of Alabama, introduced into the Senate a bill (S.637) known as the "Educational Finance Act of 1943." Extensive hearings were held on the bill before a sub-committee of the Committee on Education and Labor on April 6, 7 and 8, 1943. The bill with amendments was reported out of Committee on June 18, 1943, and recommended, "do pass" (Report no. 323). Senators Robert A. Taft of Ohio; David I. Walsh of Massachusetts; Kenneth S. Wherry of Nebraska; Joseph H. Ball of Minnesota; Sykes Bridges of New Hampshire; and Albert W. Hawkes of New Jersey presented a minority report. The bill was debated in the Senate October 14, 18, 19 and 20, 1943, and recommitted to the Committee on Education and Labor on October 20, 1943.

21 Congressional Record. 77th Congress. 2nd Session. Vol. 88. Part 9, p. 2137.
A companion bill (H.R.2849) was introduced in the House of Representatives by Congressman Robert Ramspeck of Georgia. It was referred to the House Committee on Education. No action was taken on this bill.

The "Educational Finance Act of 1943" authorized an appropriation of $300,000,000 for 1944, and each fiscal year thereafter. The United States Commissioner of Education was authorized to apportion to the several States and Territories qualifying by legislative acceptance of this act (1) $100,000,000 to be used for the equalization of educational opportunities in public elementary and secondary schools; and (2) $200,000,000 for meeting emergencies in financing public elementary and secondary schools. The bill provided a method of apportionment to the states and territories based on the financial needs of the states and territories and upon the average daily attendance in the schools. It required that the schools be kept open for a term of not less than 160 days; that the states and local units maintain the salaries of teachers as of February 1, 1943; and, that where separate schools are maintained for minority races the funds be allocated according to the proportion of the number of such minority race in the total population of the state, and the local monies expended for educational purposes of minority races be maintained as of the fiscal year ending in 1942.
Federal Control was eliminated in Section 1 as follows:

Section 1. No department, agency, or officer of the United States shall exercise any supervision or control over any school or State educational agency with respect to which any funds are expended pursuant to this act relating to any contribution made under this act to or on behalf of any school or State educational agency authorize any agency or officer of the United States to control the administration, personnel, curriculum, instruction, methods of instruction, or materials of instruction.\(^2\)

Regarding the participation of private and parochial schools in the funds appropriated, Senator Lister Hill of Alabama explained the provision of the act as follows:

The availability of funds for public schools as contrasted with private or parochial schools has been raised in connection with the pending bill, as it has been in connection with previous bills on the same subject. In some States, such as Louisiana, Maryland, and New York, the State laws permit public school authorities to furnish public transportation for children attending private or parochial schools. Usually such legislation results in making it permissible for children attending private and parochial schools to ride in a school bus operated by local school boards with children attending public schools. In no case is money allocated directly to private agencies. All money is expended by local boards of education, and the services furnished are wholly under public control.

In some States, such as Louisiana, Mississippi, and New Mexico, the State laws provide for furnishing textbooks to children attending private and parochial schools as well as to children attending public schools. No money is allocated to any private school board of private authority. Books are not even given to any private school. Title to the books remains in the State. The children attending non-public schools are merely permitted to use the books. Such laws have been upheld by the courts of the States affected, and in the case of Louisiana by the Supreme Court.

The question of determining whether a State can furnish textbooks and transportation or other services through boards of education, in accordance with the State law, to children attending non-public schools, is a matter wholly within the province of the State, and not a proper subject for Congressional legislation.

The Education and Labor Committee was also of the opinion that it is not appropriate for the Congress of the United States to make appropriations directly to any schools even to public schools. The proper province of the Congress of the United States in dealing with education is to appropriate money to the States for support of public schools, organized and maintained pursuant to the provisions of the State law.

Summary of Senate Action on the Educational Finance Act of 1943

During the debate on S.637 amendments were added which were intended to insure the use of these funds for public schools only; to better define the term teacher; to limit the expenditure of the emergency fund of $200,000,000 to one year after the war; and, to strengthen Section 1, regarding federal control of education. In connection with federal control Senator Charles O. Andrews of Florida endeavoring to eliminate the controversy submitted a proposed constitutional amendment which provided:

Section 1. No law shall be enacted authorizing federal control over any funds appropriated by Congress for the use or benefit of the public schools of any State or county, nor control over the administration,

Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8602.
personnel, curriculum, instruction, methods or materials of instruction.\textsuperscript{24}

The issue regarding the equitable distribution of educational funds between the races in states maintaining separate schools precipitated the Barbour amendment, and finally the Langer amendment which resulted in the bill being recommitted to the Committee on Education and Labor.

The Barbour amendment provided:

Provided, That there shall be no discrimination in the administration of the benefits and appropriations made under the respective provisions of this act on account of race, creed, or color.\textsuperscript{25}

The William Langer amendment went further and provided:

Provided, That there shall be no discrimination in the administration of the benefits and appropriations made under the respective provisions of this act, or in the State funds supplemented thereby on account of race, creed, or color.\textsuperscript{26}

The yeas and nays were called on the Langer amendment, and it was agreed to by forty yeas to thirty-seven nays.

Senator Robert A. Taft of Ohio made the motion to recommit the bill to the Committee on Education and Labor. He asked for a vote of yeas and nays, and the bill was recommitted to the Committee on

\textsuperscript{24} Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8508.


\textsuperscript{26} Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8558. (William Langer of North Dakota).
Education and Labor by fifty-three yeas to twenty-six nays.

Democracy and Education

In defense of S.637 Senator Lister Hill of Alabama pointed out that "the public school system is the agency through which the democratic state undertakes to perpetuate itself," and that the Nation as well as the states has a responsibility for providing this education. He maintained that according to the Declaration of Independence the individual was entitled to educational opportunities to aid him in his "pursuit of happiness" and that according to the Constitution the individuals in the Nation must be provided with educational opportunities "in order to form a more perfect Union, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity." He said:

We hear much talk today, and we are stimulated and inspired at the thought of the "four freedoms." I say there must be a "fifth freedom," which is the freedom from ignorance, and unless we have the "fifth freedom," we cannot have the "four freedoms." 28

Senator James J. Davis of Pennsylvania warned that:

27 Congressional Record. 76th Congress. 1st Session. Vol. 89. Part 6, p. 8381.
28 Congressional Record. 76th Congress. 1st Session. Vol. 89. Part 6, p. 8399.
...the educational standards in America are experiencing a slow but dangerous decline.

The proper education of its people is the keystone upon which any republican form of government such as ours must inevitably depend. This Nation will pay and pay heavily and continuously, if we permit the public education standards in America to fall. We shall pay for a decreased governmental efficiency, we shall pay for an uninformed electorate, and we shall pay for a lack of continuing educational and material progress.29

Senator Lister Hill quoted Winston Churchill as predicting that in the next few years "a man or woman who does not possess the basic foundations of an education will stand little, if any, chance."30

Senator Elbert D. Thomas of Utah said:

Lincoln was not one of those men who said to themselves "I have made good against all kinds of adversities and all kinds of disadvantages. Therefore, we should not bother about attempting to overcome such disadvantages." Lincoln said "That which I suffered was not good for me, and not good for the Nation, and it is not good for the people of the Nation."31

The Teacher Shortage

In describing the latest crisis in education, Senator Lister Hill reported that 300,000 or one-third of the teachers had left the teaching field since Pearl Harbor. This was in a little less

29 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8492.


31 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8306.
than two years time. This had left many positions vacant, the educational programs had been curtailed, classes were overcrowded, and teacher replacements had inferior qualifications.

Senator James M. Tunnell of Delaware informed the Senate that Kentucky had lowered the qualifications to high school training for elementary teachers and two years college for high school teachers, and there was still a need for teachers. Due to the need for replacements thousands of emergency certificates (3,000 in Ohio) had been issued to new, untrained, inexperienced, and unqualified teachers. Some of these replacements in the elementary field had only finished the eighth grade. These conditions prompted Senator Lister Hill to add that "thousands of our schools are rapidly retrogression to standards of two or three generations ago."

It was pointed out that the chief factor contributing to the loss of teachers was the inadequacy of the teachers' salaries in relation to the increase in the cost of living and the wages paid workers in defense plants operating on a cost-plus basis, since where teachers were well paid there were no shortages, and the greatest number of vacancies were in the rural areas where the salaries were lowest and living conditions sub-standard.

Regarding the influence of the cost of living on teachers' salaries Senator Lister Hill pointed out that:
The cost of living from 1938 through 1942 increased about twenty-one per cent in urban areas and thirty-four per cent in rural areas, but teachers' salaries during that period increased on the average less than seven per cent. It should be remembered that the heaviest increases in the cost of living have occurred where teachers' salaries were already lowest.\(^{32}\)

He pointed out that the government had increased salaries twenty per cent during the same period and in comparison he reported that:

The average annual salary of all teachers, principals, and supervisors in public schools in 1942 was $1,500, while for rural teachers the average was only about $900.\(^{33}\) The Congress set $2,000 per year as the minimum wage paid for the lowest grade professional and scientific service; this applies to a college graduate in government service without experience who works under direct supervision. It is estimated that more than fifty per cent of all teachers in the United States are college graduates. Yet forty-four States pay the average instructional employee in the elementary and secondary schools, including teachers, principals, and supervisors, less than the minimum the Congress has set for the lowest grade professional government employee. Remember too that a very large percentage of the instructional staffs in the schools in the low-salaried States have as much college training as many of those in the government service who receive during peacetime a minimum of $3,800 to $4,600 per year.\(^{33}\)

Senator James L. Tunnell informed his colleagues that forty per cent or 360,000 teachers received less than $1,200 and 26,000 less than $600 annually. The average salary in Mississippi was

\(^{32}\) Congressional Record. 78th Congress, 1st Session. Vol. 89. Part 6, p. 8387.

\(^{33}\) Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 3337.
and twenty-seven per cent of the teachers in Mississippi received less than $300 annually. On the other hand, the chairmen in Government buildings at the Nation's Capitol received $1,200 a year. He said college graduates started teaching in Chattanooga, Tennessee at $15 per week while unskilled high school pupils were earning between $3,000 and $4,000 annually in war plants. In Maine, they were considering increasing the pay of the state police to $1,560 a year and at the same time raising teachers' salaries to $720. He quoted a National Education Association correspondent as saying "It is now almost half as important in the eyes of the State to instruct a child as to arrest his father."

In the face of the increased living costs and higher wages in industry, Senator Lister Hill said "The teachers of the country would not be human if they were not attracted by such salaries." As to the sympathy extended to the teachers by various Senators, Senator James L. Tunnell said:

Some Senators have expressed their sympathy for the teachers of the United States. Such sympathy seems to me to be futile. They sympathize with the teachers and vote against measures for their improvement. Members

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34 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8492.

35 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8385.
of the Senate should not waste their sympathy upon
the teachers. They should think of the future of
the children of America; they should think of the
effect on the adults of the next generation.... Can
you expect the young men and the young women of
America who now are teaching to remain as teachers if
they are paid less than charwomen are paid?.... No, Mr.
President; the teachers can quit teaching. Thereafter,
they can at once live better, and educate their children
better, and better prepare themselves for their old age. 36

There were other Senators who considered the situation of the
teachers better in some respects than in the past. Senators Eugene
D. Hillinkin, of Colorado, and Senator William Langer of North
Dakota brought out the point that conditions were better for the
teachers in 1943 than they were in 1933-1935 since in 1943 they
were able to cash their warrants.

The following exchange of remarks between Senator Robert A.
Taft and Senator Elbert D. Thomas revealed how other Senators
were thinking:

Mr. THOMAS. ...even in the State of Ohio twenty-five per
cent of the teachers receive less than $1,200
a year.

Mr. TAFT. Yes, Mr. President. In some parts of Ohio a
teacher particularly a young graduate of an
educational college, living often at home with
her family, working only eight or nine months
a year, may be very well compensated by $1,200
a year. I do not mean to say that that sum is
always an adequate salary, but that is not an
argument which is necessarily conclusive to
persuade Congress to spend $300,000,000 of
Federal funds.

36

Congressional Record. 78th Congress. 1st Session. Vol.
Mr. THOMAS. Are there not living with their families many young persons who work in defense plants and are engaged in other activities? Do we reduce their pay because they are living with their parents?

Mr. TAFT. If the Senator from Utah were to place the teachers of the country on the level with workers in defense plants, he would have to propose the appropriation of about $1,000,000,000 in order to equalize them. There are 1,000,000 teachers and it certainly would be necessary to increase each teacher's pay $1,000 to equalize their earnings with those of workers in defense plants. It would certainly represent an expenditure of $1,000,000,000 to place the teachers anywhere near on the level with the workers in defense plants. It so happens that the workers in the defense plants will be through in a year or so, and then in what work they are to engage no one knows, whereas, after all, the teaching profession is a continuing profession, a highly respected profession, one in which there is employment for many years to come.37

The next day Senator James M. Tunnell had an opportunity to reply to Senator Robert A. Taft's statement as follows:

Yesterday the senior Senator from Ohio (Mr. Taft) said that it would require $1,000,000,000 to place the teachers of the country on an equality with defense workers from a salary standpoint. Are we not in such a position that we have an obligation to pay the billion dollars if that is necessary? I do not know. I remember that a great statesman from Maine once made the headlines in every part of the United States when the appropriations of Congress were criticized on the ground that they had reached a billion dollars. He said that this was a billion-dollar country. Mr. President, the boys and girls of America are billion-dollar boys and girls, and they are entitled to the training that education provides.38


To the proponents contention that better qualified teacher replacements could be secured by the passage of this bill and the offering of more money to the teachers, Senator Robert A. Taft answered:

If the teachers were going to work in war plants, they would not stay in the schools because they were paid $200 a year more. I visited the Jackson Heights plant, in Cleveland, ten days ago. Every girl who had been there three months is being paid approximately $375 a month. It certainly will not make much difference whether the Government increases the salaries of school teachers $25 a month by some form of subsidy.39

Senator Arthur H. Vandenberg of Michigan attributed the teacher shortage to the general manpower shortage and agreed with Senator Robert A. Taft that the wage "differential proposed in the pending bill would not have the remotest effect in holding teachers to their original teaching jobs."40

Senator James J. Davis of Pennsylvania said:

The school teachers of America have long been recognized as probably the outstanding public servants of the Nation. It is a lamentable but historic fact that the American school teacher has never been properly compensated for the services rendered.... We have traditionally paid glowing, abstract tributes to our teachers, we have lauded their vision, we have praised their sacrifices, and we have heralded their great public service. But we have rarely extended our recognition of the American school teacher in any concrete form—a form, that is, which can be recognized and counted in the pay envelope.

39 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8422.
40 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8390.
This I repeat has been our traditional policy and the folly of that policy comes home to us today....

The Army Rejections

The situation resulting from this "folly" Senator Davis spoke of was the inability of thousands of individuals to serve their country in the armed forces or as efficient producers of weapons, due to the fact that the Nation had failed to provide them with educational opportunities.

Senator Lister Hill gave the following statistics regarding the rate of rejectees for illiteracy by the armed forces:

The rate of rejection per 1,000 men ran from none in Wyoming to 136.32 in Georgia. The rate for white men ran as high as 107.11 in Tennessee, and for Negro men as high as 256.29 in Georgia.

Senator Gerald P. Nye regretted the humiliation suffered by these rejectees who returned to their families to tell them they could not serve their country because, "I did not have enough education."
Regarding these rejectees Senator Eugene D. Millikin said:

After we had detailed to us at that committee hearing the Army tests which are given to men, it became apparent, at least to me, that the eight or nine hundred thousand remaining illiterates who have been rejected are not illiterates, but for the most part are morons who are uneducatable. 44

There were quite a few Senators who arose to correct Senator Eugene D. Millikin's statement, and when they had finished Senator Millikin seemed convinced of his error.

Senator Lister Hill said the tragic part was that the situation was presented twenty-odd years ago and the Congress failed to take appropriate action:

We have failed, in the light of that graphic picture of the last war, to take the step we should have taken to prepare and to make certain that we would not again be faced with the same tragic and inexcusable situation due to our neglect. 45

He pointed out that boys were being sent to fight for a "liberty" the Congress had refused them:

We have sent these boys to fight our wars in order that we may continue to enjoy the blessings of liberty; and yet for more than ten years Congress has refused to help the States from which these boys come so that the youth of the Nation might enjoy the American freedom of attendance at a good school taught by a qualified teacher. 46

45, 46 Congressional Record. 73th Congress. 1st Session. Vol. 59. Part 6, p. 3283.
And he added:

The 'unknown soldier' symbolizes equality of sacrifice in American life. Certainly a nation that accepts equality of sacrifice must accept the obligation to provide equality of educational opportunity.47

Senator Lister Hill quoted General Sommerville as saying:

There must be an all-out effort on the education front. Let us be realistic. Every able-bodied boy is destined at the appointed age for the armed services.

Senator Lister Hill spoke of the added expense of having officers in the Army with their relatively higher salaries teaching the ten per cent of illiterates accepted by the Army how to read and write so they might be able to serve their country. However, this added expense was minor compared to the injustice inflicted on these men and their comrades by allowing their lives to be placed in jeopardy by ignorance. Senator Lister Hill said General Sommerville described the unfairness of sending educationally deficient men into battle as follows:

When the boys are trained and educated, the danger to which they are subjected is decreased; they are given a better chance to come back alive and whole of body and mind. It is not fair to send boys into battle in this age of specialization and of mechanism without giving them opportunities for education and training, without thereby giving to them the best chance to save their lives and their bodies.

It is not only not fair to the boy that he is not provided with proper education and training, and is sent into combat and battle without proper education and training, but it is not fair to any other person in his outfit. The

47, 48
Congressional Record. 76th Congress. 1st Session. Vol. 87. Part 6, p. 8383.
chain is no stronger than its weakest link. A combat outfit is no stronger than the weakest man in it. One man in a military unit, be it a platoon, a company, a regiment, or even a division, perhaps who is not adequately educated, and, therefore, is not properly trained, may well endanger the life of every other soldier in the organization. It is impossible, perhaps, unless a man has been in combat, to know how much is life depends upon the actions, the efficiency, and most of all, the intelligence of the men who go into combat with him. So when men are not properly educated or trained, the situation is not only tragic in that they themselves, not trained and prepared, are subjected to greater danger, but it is tragic that every man in the unit is also subjected to greater danger. Let no parent hug the delusion that because his boy is properly trained he does not have to give concern to the training of the other boys who serve with his boy. One ignorant man, one man who, because of lack of education and training, is ineffective, may cost the life of the best educated and best trained man in the whole Army of the United States.49

Senator Lister Hill added:

The educated man can be turned into a educated warrior. The ignorant man remains an ignorant and ineffectual warrior.50

On the other hand, Senator Robert A. Taft though differently:

Of course, Mr. President, being illiterate does not necessarily make a man a bad fighting man, if we are considering the common defense. Many Russians and many Chinese who have done the best fighting in the war are entirely illiterate. It is simply that in its selection of troops, the Army happens to desire to select those who are not illiterate before it takes those who are illiterate. Certainly it is not a ground for the Federal Government interfering in education. Incidentally, educational deficiency is only the eighth cause for rejection among

50 Congressional Record. 78th Congress. 1st Session. Vol. 89, Part 6, p. 8385.
white people. It is first cause of rejection only among Negroes.51

Senator Claude Pepper disagreed with Senator Robert A. Taft as to this being grounds for the participation of the Federal government in education:

If the Federal Government cannot educate its citizens in order that they may contribute to the common defense, the Federal Government cannot effectively provide for the common defense, which is an elementary provision in the Constitution.52

Senator Lister Hill was disturbed that:

Senators will stand on this floor and say that the matter of education, the matter of training and preparation of the citizenship of the country is of no concern to the Federal Government, and that it has nothing to do with the war effort.53

Senator Robert A. Taft disagreed with Senator Hill as to this measure being related to the war effort:

It has no relation to the conduct of the war.... Now we are asked to step into a brand new field, in which the Federal Government never has operated, and nullify all savings which may have been made by an increase of $300,000,000 for education.

Even if the purpose were a worthy one, it is very hard to see how the money proposed to be appropriated would in any way affect the war. The fact that a boy

51 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8420.
52 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8393.
53 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8399.
of seventeen gets perhaps a little better education, that his teacher gets $1,600 instead of $1,400, certainly is not going to affect materially the question as to what kind of soldier the boy is going to be in this particular war. As a long range policy there might be some effect on war, but this is not a war measure, and Congress has heretofore decided that it is not going to consider expending Federal money for non-war purposes, when there is an utterly tremendous drain on the Treasury for purposes directly connected with the conduct of the war. 54

Senator Gerald P. Nye while recognizing the obligations of a citizen to his government intimated that the Federal Government had a dual responsibility as to the defense and welfare of the people and that is could financially afford to assume these responsibilities:

Shall we continue to demand of all the States that they send their sons to protect the flag and then deny to them the rights that flag is said to protect? Or shall we come to ourselves and say that the ten-year-old boy in any State is America's son? Shall we see to it that he has his right to life and the pursuit of happiness? Shall we show him that the framers of the Constitution meant it when they said that it was 'to promote the general welfare and secure the blessings of liberty?' Shall we neglect him while he is yet a child, and then ask him to fight to save the liberty which we through negligence deny him?

Why wait longer? Cannot America pay for war and the welfare of her people? Can we not preserve what we have while we fight the enemy? If this war cost $300,000,000,000, this three hundred million will be only a small percentage of the cost and will pay the greatest dividends of any appropriation we can make. It will increase the effectiveness of our manpower for all time to come, in peacetime and in wartime alike. 55

54 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8419.

55 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8507.
Senator James E. Tunnell said the Federal Government had no legal or moral right to create and then ignore a situation which left the boys and girls of the nation with unqualified teachers, curtailed educational opportunities, and in some cases no educational opportunities. He said the boys and girls of the nation were not responsible for the present world crisis nor should they be allowed to suffer because of it.

Economy

There were Senators who admitted the teachers were underpaid and extolled eulogies and offered sympathy in their behalf, but opposed the bill which was intended to contribute to the welfare of the teachers and the children of the nation. Quite often the Senators who excelled in the eulogistic art and offered the deepest sympathy were the Senators who offered the strongest opposition to federal aid to education. One persistent objection offered to previous bills for federal aid and very pronounced regarding this measure was "This is not the time." To substantiate this objection the condition of the Federal Treasury, the national credit, the staggering debt, the backbreaking taxes, the need for economy, and the inadvisability of entering new fields of expenditure while fighting a war came in for consideration.

Senator Arthur H. Vandenberg of Michigan was concerned regarding the federal deficit and the "sky-high" taxes. He could not see the
point in passing legislation at this time which provided subsidies intended for social progress, as he said:

No amount of social or educational advantage could compensate for a bankrupt Republic. I cannot escape the conviction that we dare not launch any new Federal subsidies for social progress — no matter how inherently worthy — until we have found the way both by new taxes and new economics, to pay our present bills. The maintenance of the public credit is the maintenance of the first line of the national defense. 56

Senator Raymond E. Willis of Indiana considered it his duty to oppose such appropriations because as he said:

The representatives of the people have responsibility to oppose all avoidable new expenditures. This request to add nearly a third of a billion dollars to the Federal tax load is not consistent with the protestations of economy which so many of us have expressed. 57

In the minority report submitted to the Congress by Senators Robert A. Taft, David I. Walsh, Joseph H. Ball, Kenneth S. Wherry, Styles Bridges, and Albert W. Hawkes they pointed out that "this is the start of a revolutionary policy which may cost four billion dollars" 58 and "the whole project is based on the assumption that the more money is spent for education, the better it is" 59 and

56 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8409.

57 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8380.

58, 59 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8295.
but "this conclusion is perhaps open to question," since
"there are other ways in which American education can be improved
besides granting Federal subsidies." They did not enumerate the
other ways American education could be improved but they said:

The adoption of the present bill would undoubtedly
embark the Federal Government in a gradually increasing
expenditure from which it would never be relieved. If
we once pay from two hundred to three hundred dollars of
the salary of every school teacher in the country, how
can we possibly ever withdraw that support? Even if the
States become richer, they will never be willing to take
over this burden. Having yielded once to a strong pressure,
there will be no way in which to prevent a further yielding.

The desires of the educators are almost without limit.
The whole question of Federal aid to education is discussed
in the report of the National Resources Planning Board for
1943, on page 63. That report takes the position that
"the nation is now spending less than fifty per cent of
the amount needed to provide a justifiable minimum edu-
cational program." Current expenditures and capital out-
lay for education in the United States are shown to be
approximately $3,200,000,000. The justifiable minimum
annual expenditures in the post-war period are said to be
$8,365,000,000. The report then says:

During the years immediately following the war it
does not appear probable that the total revenue avail-
able for education from State and local systems combined
can be greatly increased. It is, therefore, evident that
most of the increase in expenditures for education in the
post-war period must be financed almost, if not entirely,
by Federal funds. The only agency that can remedy the
inequality among the States in the tax burden for edu-
cation is the Federal Government. It should accept this
role.

60 Congressional Record. 75th Congress. 1st Session. Vol.
39. Part 6, p. 8295.
61 Congressional Record. 75th Congress. 1st Session. Vol.
62 Congressional Record. 75th Congress. 1st Session. Vol.
They pointed out that "The Federal Government faces after
the war a tremendously serious problem." They mentioned some
expenditures to which the Federal government was already committed
and said there would be many new items clamoring for consideration.
They said:

    We do not know where the point is, but there is a
point at which the burden of the Government will become
so great that it will choke all incentive, initiative,
and enterprise. At some time we can kill the goose that
lays the golden egg, and force the entire country into a
socialistic straight-jacket. It seems most unwise to
commit ourselves now to any policy which will increase the
difficulty of the post-war problem. If expenditures for
education are to be undertaken, they should be undertaken
when we have the whole problem before us, and can consider
the relative merits of each proposal in relation to the
over-all expense.

During the progress of the debate Senator Robert A. Taft
recommended that the bill be referred to the Special Committee on
Post-War Economic Policy and Planning for consideration to "try
to decide whether the Federal Government can afford it, and whether
it fits into the Federal program." He said that a program might
be worked out where federal aid would not be needed, however, if
necessary he would rather spend "a reasonable sum on the education
of children in the poor States as compared with the financing of
rehabilitation in foreign countries to the extent of billions of

63, 64
Congressional Record. 70th Congress. 1st Session.
Vol. 69. Part 6, p. 8296.
65
Congressional Record. 70th Congress. 1st Session. Vol.
69. Part 6, p. 8424.
There were other opinions as to where we should spend and where we should economize:

**Mr. Kiliri.** I wish to make the complementary point that we cannot educate children and do everything else interminably with Federal deficits.

**Mr. Tunnell.** We should not begin to economize at the expense of the children.

**Mr. Kiliri.** I do not know how long we can carry on the education of children with Federal deficits. If we continue to pile up deficits, I respectfully suggest that the time will come when all our institutions, including our educational system, will collapse.

**Mr. Tunnell.** But let us not dwell so much upon economy at the expense of the child. That should not be the first of our economy objectives.

**Mr. Kiliri.** I respectively suggest that it seems to me that we must dwell on the question of solvency of our Federal Treasury, of all forms of Federal aid to which we are committed, many are highly desirable, will collapse.

**Mr. Tunnell.** ... I think common sense teaches us to conserve our financial strength; but I do not believe in doing so at the expense of the poor innocent boys and girls of the Nation....

There were several Senators from the wealthier states who saw no economy in the measure for their particular states since their states would not receive benefits commensurate with their

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65 Congressional Record. 78th Congress. 1st Session. Vol. 68. Part 6, p. 8423.

67 Congressional Record. 76th Congress. 1st Session. Vol. 69. Part 6, p. 8500.
During the last of the debate, Senator Styles Bridges still maintained that:

This is not the time...Let us just once in a while think of saving money.68

To Senator Robert A. Taft's interest in saving at this time Senator Claude Pepper reminded:

...he has referred to it as being a net saving for the country to save dollars and to gain the illiteracy of the Nation's children. I am sure he will not mind my reminding him that I remember the time when on the floor of the Senate he was personally and to a considerable extent responsible for saving money but losing critical materials which our country badly needed for its national defense.

Again the Senator from Utah (Mr. Thomas) is proposing to save the children of the country, and the Senator from Ohio (Mr. Taft) speaks of that as he spoke about the laying up of critical materials before the war started - as an extravagance.69

Senator Gerald P. Nye believed that this expenditure for education by the Federal Government "would constitute an investment that would be returned many times over by its production of benefits to the whole country."70

Senator Lister Hill admitted that the war debt was reaching

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a staggering sum and for the most part it would be charged to future generations who needed educational opportunities to maintain a high level of productivity to enable them to pay the debt. He pointed out that education produced wealth and was necessary for economic well-being. He quoted the Educational Policies Commission as follows:

Nations have grown rich and powerful in the absence of outstanding physical resources by developing their human assets. Others have remained poor and backward in the presence of unusual natural resources. It is human intelligence which gives these resources value. To the savage, coal is black and a waterfall is merely a physical danger to be avoided. To an intelligent man they are the source of energy for power-driven industries of fabulous productivity.71

Senator Claude Pepper quoted from Vernon Power's study entitled "Relation of Public School Support to Subsequent Per Capita Wealth of States" as follows:

In those States in which the percentage of wealth expended for public schools in 1890, 1900, 1912 was greatest, the increase in the average per capita wealth during the following periods was larger than the corresponding increase in States which had provided less adequately for their schools.72

71 Congressional Record. 78th Congress. 1st Session. Vol. 69. Part 6, p. 8382.
72 Congressional Record. 78th Congress. 1st Session. Vol. 69. Part 6, p. 8511.
Senator Robert A. Taft recognized the possibility of wealth being produced through education and suggested that federal aid given on the right basis would not ultimately be an expensive proposition, as he said:

As the financial conditions of the States improves, the discrepancy is bound to become less and less. Under such a policy of the Federal Government I think, inevitably the aid required by the States will grow less rather than grow greater.73

State Surpluses

At this time Senator Eugene D. Willikin could not forget the federal deficit as far as aid to education was concerned:

Could anything be more irresponsible or destructive of national morale than for us, in the face of a Federal Treasury deficit of appalling magnitude, to ask the people of this country to buy war stamps and war bonds so that we can play 'Big Hearted Otis' to sovereignties rolling in surpluses available for the satisfaction of their own educational problems?74

As to the "sovereignties rolling in surpluses" the opposition pointed out that the national debt was $116,000,000,000 and still growing, while the states were reducing their debts. They also pointed out that forty-four of the forty-eight states had "huge" surpluses in their treasuries which could be allocated to the support of education where such a need existed. Senator

73 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, pp. 8426-8427.

74 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 6409.
Robert A. Taft said:

I am opposed to the Federal Government giving any money for subsidies to education or to teachers. The State of Ohio has a present surplus in its treasury of approximately $350,000,000. If the people of Ohio wish to increase the salaries of their teachers, they have the money with which to do it....75

Senator Robert A. Taft also said:

In the State of Ohio we have a system by which certain levies are made for education for the public schools.... Probably ninety per cent of the proposed levies are adopted. With respect to the other ten per cent, the people think their teachers are receiving enough money.76

Senator Eugene D. Millikin of Colorado said he would not vote for federal aid to education as long as his state had $40,000,000 in its treasury. Senator James K. Tunnell informed the Senator from Colorado that of the 9,200 teachers in Colorado 4,460 were paid less than $1,200 and 70 were paid less than $600 annually. He asked what good such surpluses in state treasuries did teachers and pupils in those states and added that:

If the same methods are pursued along other lines that have been pursued with respect to teachers, I should think the State would have $40,000,000 in its treasury.77

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75 Congressional Record. 73rd Congress. 1st Session. Vol. 89. Part 6, p. 6569.

76 Congressional Record. 73rd Congress. 1st Session. Vol. 89. Part 6, p. 8420.

77 Congressional Record. 73rd Congress. 1st Session. Vol. 89. Part 6, p. 8494.
Senators Elbert D. Thomas and Alben W. Barkley explained to the opposition that these surpluses they referred to were such as the funds for unemployment compensation which were building up because of no unemployment; the highway funds, and funds for such as penal institutions which could not be expended because of material and manpower shortages. They pointed out that these funds were earmarked for specific purposes and it would be illegal and a misappropriation of funds to allocate them for other purposes. To divert these funds to educational purposes would require legislative enactments or constitutional amendments in the various states. As far as educational funds were concerned there were no surpluses in any state, only debts in most states.

The Financial Responsibility for Education

The matter of who shall pay the educational bill has been a bone of contention since the establishment of our representative form of government. During the debate on S.637 this issue received considerable attention.

The proponents presented again all the evidence as to the inability of various states to support a defensible program of education at this time or in the foreseeable future. They maintained that the Federal Government was the only agency of the people with the power to tax the wealth of the country and use it for the equalization of educational opportunities for the children of the nation.
Occasionally opponents accused the poorer states of neglect and indifference regarding the financing of education and pointed out the injustice of other states being taxed to give federal aid to the states unwilling to help themselves, for instance Senator David J. Walsh of Massachusetts said:

I cannot see the justification of compelling those States whose citizens make great sacrifices by permitting large valuations of property and imposing high rates of taxation to give aid to those States which value their property at a low percentage of its real value, which have low rates of taxation.78

However, these accusations by the opponents only supplied the proponents with opportunities to present the conclusive evidence to the contrary for the benefit of the Senators unfamiliar with the data proving the sacrifices were not being made by the rich states, as Senator David J. Walsh’s State of Massachusetts, but by the poorer states who had not only the highest taxes but the most taxes. Recognition of this tax situation accounted for the prevalence of absentee ownership in the poorer states and the preponderance of wealthy residents in some of the eastern and far-western states.

The proponents brought out certain additional and interesting evidence at this time as to the inability of various states to provide educational opportunities. Senator John R. Murdock of

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78 Congressional Record. 76th Congress. 1st Session. Vol. 89. Part 6, p. 8312.
Arizona gave the following example of the inability of a state to tax the wealth produced within its borders:

One mine in the State of Utah is today furnishing one-third of all the copper which enters into the war program... In my opinion there will be in the neighborhood of $50,000,000 net profit from that mine this year after payment of all wages, salaries, and taxes to the State of Utah and other taxing units. Of the $50,000,000 net profit from that one mine in one year not one thin dime will remain in the State of Utah because all stock is held outside the State. 79

Senator Lister Hill pointed out that the war situation had accentuated the inequalities in the wealth producing potential of many states, for example:

Of the national total, Arkansas has received thirty-six one-hundredths of one per cent of the amount of money which has been expended by the Government by way of contracts... Ohio has received 7.57 per cent of the war contracts. That shows what I have stated, that the war situation, instead of helping the poorer States and the poorer communities, has concentrated the wealth more and more in the richer sections. 80

Senator Dennis Chavez presented figures showing that in many states the Federal Government owned much of the land of the state and as such was tax free as far as the states were concerned. Some of these and the percentages of land owned by the Federal Government... 81

80 Congressional Record. 73rd Congress. 1st Session. Vol. 39. Part 6, p. 9394.
were Nevada 32 per cent; Arizona 63.05 per cent; Utah 36.45 per cent; Idaho 56 per cent; Oregon 46.29 per cent; Wyoming 42.72 per cent; California 39.46 per cent; New Mexico 35.32 per cent; Colorado 33.34 per cent; and, Washington 32.26 per cent.

On the other hand, Senator Dennis Chavez said:

In the State of Ohio the Federal Government owns only twenty-seven one hundredths of one per cent of the entire area of the State. In Massachusetts the land owned by the Federal Government amounts to only twenty-five one-hundredths of one per cent of the total areas; in Connecticut too only twenty-two one hundredths of one per cent; and, Rhode Island too only ten one-hundredths of one per cent.81

Senator Lister Hill brought up-to-date the statistics regarding the average per capita income of the various sections:

The average per capita income in the seven South-eastern States is $522; in the Middle East it is $1,039; and in the far West $1,157.82

And Senator Gerald P. Nye reminded:

In the 12 low-income States there are from 1,73 to 590 children to be educated for every 1,000 adults, while in the twelve high-income States the number runs from 280 to 347 for each 1,000 adults.83

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As to the welcome extended various citizens of various states by a particular state, Senator Lister Hill added the following to the Record:

California felt that its economic life, its spiritual life, its cultural life, were being so affected, by people who were coming into California, most of whom had not been properly educated and trained, that through its legislature it even tried to outlaw these people, and not permit them to enter. I say to California today that there is an answer to this problem, and that answer is not by immigration laws preventing people from moving from one State to another, not by saying to a citizen of the United States who is subject to call by his Government, subject to be sent to some foreign battlefield thousands of miles away, and subject to die for this Government, "You cannot come into this State." The answer is Federal aid to education....

We know many senior citizens have moved there, many carried to California the property and wealth acquired by them in other States, and the proportion of adults is much greater in relation to children than in other States. 84

Constitutionality and Policy

The opponents of the bill maintained that "Education is not a Federal function" 85; "There is nothing whatever in the Constitution which delegates to the Federal Government power to deal with questions of education"; 86 "It is not an obligation of the Federal Government"; 87 "Federal subsidies to the States for matters which are clearly not within the jurisdiction of the Federal 

government are certainly not justified on the ground that the states are unable to finance adequately the activities which are constitutionally assigned to them"; 68 "Education is primarily the function of the States"; 69 "The States have always financed education"; 90 "All State constitutions contain educational clauses"; 91 and "The practice here for 150 years has established education as a State and local function, and it has been carried out by State and local governments." 92 However, when closely questioned no opponent would say the bill was unconstitutional. They merely maintained that it had been the policy for the State and local units to bear the burden of financing education. To quote Senator Robert A. Taft on this point:

I say that there is no constitutional justification for the Federal Government entering into the educational field.... I do not maintain that the pending bill is unconstitutional. The Federal Government can spend money for State activities. The question is one of policy.... 93

Regarding statements of this kind by Senator Robert A. Taft, Senator Alben W. Barkley introduced into the Record an editorial from the Louisville Courier Journal entitled "Dr. Taft Should Know Ohio Better" which said:

Senator Taft, of Ohio, prematurely opened the attack on the appropriation of Federal aid to public schools with an historical error not to have been expected from the representative of the State formed out of the old Northwest territory. 'It is an entirely new policy,' he protested, "for the Federal Government to subsidize common school education. This is something we have avoided for 150 years and should continue to avoid....''

There was no debate in Congress about the propriety of the act. (Ordinance of 1787). Significantly, however, Congress did debate the question of Federal control over the schools, and decided against it. This is the policy which has been adhered to throughout the Nation's history and is embodied specifically in the school-aid bill.94

Federal Control

The most frequent objection given by the opponents to the Federal Government subsidizing education was their fear of federal control. They predicted this control would eventually come regardless of the safeguards in Section 1 of the bill.

Federal subsidy of schools means Federal control and interference, notwithstanding Section 1 in the proposed bill and notwithstanding what is asserted by the proponents of these Federal subsidies....

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94 Congressional Record. 78th Congress. 1st Session. Vol. 69. Part 6, p. 3305.
Once we depend upon the federal government for the financing of our schools, we have forged the weapons for a system of nationalized control. I do not mean to say that there is anyone in the present government who would do this. However, if the possibility is brought about, it will be only a matter of time until the schools are prostituted in this way by some unworthy personage who might happen to be in the center of things in Washington.95

Our experience with human nature, our experience with other forms of federal encroachment, should tell us that after this thing gets firmly rooted, and payrolls are based upon it, and local responsibilities can be avoided with it, a lively fear will develop that if the right answers are not given, the gravy train might pass without stopping. And thus the harmless-looking form numbered, let us say, service 52-21,199,000, becomes an adroit and far-seeing instrument for gradually conforming to the wishes of the Federal Commission, the administration, personnel, curriculum, instruction, methods, of instruction and materials of instruction in our local schools, despite all contrary protestations of the bill.96

Washington very soon would be telling the school boards what teachers to hire, telling the teachers what to teach — and trying to tell them how to vote.

It's as inescapable as the law of gravity; who has the purse holds the power.97

95 Congressional Record. 78th Congress. 1st Session. Vol. 46. Part 6, p. 8500. (Excerpts from letter by President Tigert of the University of Florida to Senator Andrews of Florida).


The amendment to the bill intended to strengthen Section 1 was agreed to by all. The proponents expressed themselves as
just as desirous of eliminating federal control as the opponents.
Senator Elbert D. Thomas attempted to assure the proponents that
in this bill:

There is no Federal control. There is no Federal
supervision. There is no attempt to change any State
law. However, there is a Federal attempt to help to
make things easier for those who are not getting along;
very well in an educational way.96

Senator George D. Aiken of Vermont answered the opponents
as follows:

Those who contend that the re-allocated funds to
the 48 States for educational purposes will lead to the
establishment of a totalitarian state evidently fear
that future Congresses will be subservient to the executive
branch of the Government and amend the law to permit
Executive control.

This is entirely possible. It is not only entirely
possible, but wholly probable if the people of America
are content to let it come to pass. I maintain, however,
that a Congress so subservient as to amend an act of this
nature for such a purpose would also lend itself to the
enactment of a wholly new act.

I have heard it frequently said that, in spite of
the fact that the wording of this bill strictly prohibits
the Federal Government from interfering in any way with
each States conduct of educational matters, we must not
pass it because the administration would misinterpret or
misapply the law.

96 Congressional Record. 78th Congress. 1st Session. Vol.
69. Part 6, p. 8307.
Let us not talk about weak-kneed Congresses of the past or future, if the time is now here when we dare not enact legislation because the executive department cannot be trusted to interpret and apply it correctly.

If the time has come when Congress is afraid to pass laws for fear the executive department will not obey them, and Congress dares not execute its Constitutional authority then it may be that America is now ready for dictatorship.

I for one refuse to abdicate the authority vested in the legislative branch of our Government. I intend to vote to enact this bill into law. I stand ready to vote removal from office of any executive official who violates or perverts such law. If the executive department will not obey the laws of Congress, the solution does not lie in refusing to pass legislation. The solution is to change the administration of government.

Mr. President, I believe that this bill, if enacted, will do more to prevent concentration of authority in the executive branch of our Government than will be the case if it is defeated. I am not willing to concede that Congresses of the future will be as weak and vacillating as some critics of the bill seem to fear.

Senator James E. Tunnell made the following comment:

From time immemorial humanity has had two principal schools of thought. One school believes in progress. The other is reactionary. One has faith in its fellowmen that their future will be protected by intelligence equal to that of the present. The other school is entirely selfish and without confidence in the intelligence of others or of future generations. One of these schools of thought assumes that there is a duty of man so to work and plan as to benefit mankind. The other school asks the age old question, 'Am I my brother's keeper?'

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99 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8503.

100 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8495.
Senators Walter George of Georgia and Francis Maloney of Connecticut discussed the issue as follows:

**Mr. George.** The basis of the whole case at last comes to the point that there is unequal distribution of wealth and of income and of taxable resources in the country. Probably we shall always have that condition. Against that no one can justly complain, but, that being true, there is a responsibility for interposition by the Federal Government in a matter of vital concern — indeed, a matter which involves the very life of the Republic — the matter of public education....

I have no sort of fear that the Federal Government, either by direct legislative action or by restrictions or conditions, will even be permitted to control education within the States, because the American people have jealously guarded that privilege, and always will; and, after all the American people control the Congress, and they always will write the laws through those who sit in the Senate and the House of Representatives, and eventually they will control the operations of the Federal bureaus, or else the people's liberties are gone.

**Mr. Maloney.** ...If I could believe, as he sincerely professes to believe, that the Federal Government would not one day, after providing the money, control the educational facilities of the land, I should support the bill. But I do not believe it. History, and particularly history of late years, belies that. We have regretfully watched the growing power of centralized government.

I am amazed at Senators who profess an unwillingness to believe that if we pour these millions and millions of dollars into local education, all over the land, the central government will not, one day, in a little while, exert an influence and exercise a direction over local education....

I do not want the Federal Government in local education. I do not want the power of the States over local education usurped by the Federal Government. This is the sole purpose of my opposition to the bill.
Mr. GEORGE. ...I should not be able to convince my good friend the Senator from Connecticut, but the field of education is a field in which the American people, from the first, from the days of the little red schoolhouse, from the days of the Pilgrim Fathers, all the way down, have jealously guarded the right of the local community to control its schools and its school system and never, in my honest opinion, will there come a day when the American people will permit the control of education by any centralized authority in Washington.... Let us not lose faith in the character of America. When the people understand an evil, they will correct it. The first sign of Federal interference with education will certainly demand immediate action by the people. They will hurry to end the great advance of bureaucracy in America.

The bill provides for a modest contribution by the Federal Government to the support of our common school system, based upon the broad ground that wealth and income are not universally distributed, and cannot be universally distributed....

When it was first proposed to increase the Federal contribution in that field, many fears were expressed. I do not believe that anyone can truthfully say that through the contribution made by the Federal Government to vocational education in the common schools in this country the Federal Government has controlled or has undertaken to control the policies of the schools.

Mr. MALONEY. Of course not. There would be no purpose in Federal control of vocational education in our schools.

Mr. GEORGE. It is part of the public school system.

Mr. MALONEY. That is true. 101

Senator Elbert D. Thomas added that:

101 Congressional Record. 78th Congress. 1st Session. Vol. 69. Part 6, pp. 8395-8396.
If our national experience proves anything at all, it is that federal control follows federal aid when the law is written that way, and that federal control does not thus follow when the law forbids. The issue is just as clear as that, and Congress, not a bureau in Washington, will determine what the policy shall be. 102

Senator Lister Hill pointed out that:

The real danger of federal control of education comes from the failure of the Federal Government to have any consistent policy of aiding public education and aiding it through the established agencies of the states. It is not that we do not have any federal aid to education, for the Federal Government has spent hundreds of millions of dollars for education; the danger lies in that the Federal Government oftentimes aids education by indirect methods, administering funds for educational purposes through non-educational channels. 103

He gave as examples of such undesirable federal aid the relief funds allocated through the Federal Emergency Relief Administration with relief officials prescribing the conditions; the funds allocated to nursery schools and kindergartens with such services competing with state educational agencies; the funds made available for building construction through the Public Works Administration which carried a matching of funds clause limiting the availability of such funds to wealthier communities and at the same time often encouraging buildings not according to state standards and recommendations; the Lanham Act for crowded defense

102 Congressional Record. 70th Congress. 1st Session. Vol. 89. Part 5, p. 8316.

103 Congressional Record. 70th Congress. 1st Session. Vol. 89. Part 6, p. 8400.
and military areas under federal administration; on the federal
jails administration, (consequent of P.W.A. and C.W.A.) which in
one instance ignored the recommendations of established state
and federal agencies regarding educational phases of the program.
He added:

Whenever appropriations are made direct to Federal
agencies instead of to the States, instead of being spent
through the machinery of the States, danger of government
control is invited. That is where the danger lies. Because
of financial weakness in States, and because States cannot
do the job properly, they have to turn to the Federal
Government and the Federal Government proceeds to do the
work. Not through the States and the machinery of the
States, but by direct intervention on the part of the
Federal Government.

Federal aid for education being necessary, there is
a wise policy for the Federal Government to follow in
making grants to the States for education. Grants should
be made to the States for general elementary and secondary
schools. Grants should be made according to an objective
formula written into the law so that the amount of money
going to the States will be a matter of arithmetic, and not
subject to the direction of any Federal official. The funds
should be granted through the United States Office of Edu-
cation, and expended by the States through their respective
state departments of education according to the laws of
the States.104

Equalization of Educational Opportunities

While the opponents belabored their fear of federal control,
which was, for the most part, a cover for other objections, the
most defensible objection aimed at the most vulnerable aspect of

104 Congressional Record. 75th Congress. 1st Session. Vol.
29. Part 6, p. 3400.
The bill was projected most forcefully by Senator Robert A. Taft. His objection was that the bill did not make adequate provisions for the attainment of the stated purpose of the bill—namely, the equalization of educational opportunities. The Congressmen recognized that the emergency appropriation of this bill was a side issue compared with the intended establishment of a permanent policy of federal aid to education inherent in the smaller appropriation of $100,000,000 for equalization purposes.

Senator Robert A. Taft's argument ran as follows:

If we are going to adopt an equalization bill, at least it ought to accomplish the purpose it is supposed to accomplish. If I were to propose a State-aid program, in the first place, I think I would certainly confine it to those States that absolutely require assistance, if the object is equalization... If there is to be an equalization program, it ought to be based, it seems to me, on a very simple principle. It ought to be that the United States is concerned with seeing that every child gets an education of a certain standard; that cannot be interpreted in dollars, but, we will say, by expenditure of $40 or $50 a child....

There ought to be a strict requirement, if we are going to give Federal money, that every State shall impose a certain percentage of its income, according to some formula to be developed, before any Federal aid may be extended, and, after that, the Federal Government might make up the difference.

Finally, certainly there should be a State equalization policy of some kind as a condition for any Federal aid.... Gradually, I think, some seventeen States have provided equalization funds which they spread out, but many of the States which are to be assisted under the bill have no equalization fund, and some States are spending twice as much in a given part of the State as they spend in another part of the State. There is no requirement in the pending bill that that situation be corrected....
It seems to me we have to consider it on the basis of permanent policy.

I submit that the failure to educate the children not provided for already is something which concerns all of us. I do not think it is the function of the Federal government; yet it is within the power of the Federal government. If we ever do come to the point of entering upon such an activity as is proposed, I think it should be based on very definite standards.

I have suggested the basis on which that aid should be given, if it is to be given at all, and if it is given on that basis it will not ultimately be an expensive proposition. As the financial conditions of the States improve, and I think their financial condition is bound to improve, the discrepancy is bound to become less and less. Under such a policy of the Federal government I think, inevitably the aid required by the States will grow less rather than grow greater.

Personally I think even then the policy is a dangerous one. I think it is dangerous because I do not see how we are to prevent Federal control of education in the States which receive Federal aid....

I think if we are to put up Federal money we must retain some hold over the manner in which the money is spent, and that will give more or less control depending upon the attitude of the Federal official.

It happens that the Office of Education has always worked through the State departments of Education and has to a large extent kept its hands off the various smaller grants which have been made for incidental education. 105

The following remarks by Senators Robert A. Taft of Ohio and George D. Aiken of Vermont seem relevant:

Mr. TAFT. ...In my opinion, if the Federal Government is going to subsidize common-school education, the Federal Government is going to have to control expenditures. I would be glad to guard, as far as possible, against any extension of the Federal... 105

power to the subjects which are taught, but certainly if the purpose of the Federal subsidy is equalization then we must necessarily impose Federal regulation which will bring about equalization. That seems to me to be a necessary concomitant of any Federal subsidy.

Mr. AIKEN. Mr. President, I understand the Senator from Ohio claims that the Federal Government could insure the equalization better than the States themselves could.

Mr. TAFT. The Federal Government could require, as a condition of receiving Federal aid, that a State take certain specified steps to secure equalization within the State.

Mr. AIKEN. Why cannot the States be trusted to provide the equalization themselves?

Mr. TAFT. They do not. I have spoken of the failure to equalize between districts and sections of the same State. A few days ago I referred to the complete failure in many States to equalize as between white and colored pupils. For instance, the hearings, on page 19, show that the State of Louisiana spends $61.21 per white pupil and $12.12 per Negro pupil and that if the Federal Government gave this aid Louisiana would still spend $76.40 per white pupil and $23.61 per Negro pupil, a greater discrepancy in dollars, though not in percentage, than previously existed. It would be required that the money we gave be fairly allocated between white schools and Negro schools, but it would not make any stipulation as to how in Louisiana the fund should be divided as a condition of receiving this Federal subsidy. The same is true in many Southern States.... If we are to try to bring about equalization, the pending bill would not in any way correct that situation, or attempt to do so.\footnote{Congressional Record. 78th Congress. 1st Session. Vol. 59. Part 6, pp. 8425-8426.}
Senators Claude Pepper of Florida and Robert A. Taft of Ohio disagreed as to the interpretation of the purpose of the bill:

**Mr. PEPPER.** ...will the Senator allow me to observe that the essential purpose of the bill is to provide for an equalization fund - an equalization of the disparity between the distribution of the Nation's wealth and the distribution of the nation's children. That is essentially the equalization which is aimed at in the bill.

**Mr. TATT.** No, Mr. President, I think the Senator is mistaken. The purpose of the bill is to equalize the education received by a colored boy in Louisiana and a white boy in Ohio. That is the purpose; but the bill does not require and it does not provide it. It simply would provide for the handing out of some money to the poorer States, and would say 'Here is some money, because you are a poor State.'

No standard for the kind of education to be provided is established, so far as I know.

**Mr. PEPPER.** Mr. President, I think the Senator has misconstrued the purpose of the bill, or else I have.... All that is aimed at is to equalize the ability of the States to educate their children, who are at the same time the Nation's children. I do not know of any more worthy purpose to which the Federal Government could dedicate itself, and I do not know of any greater safeguard of the States' individuality, and that their prerogatives shall be retained, than the assurance that the Congress is made up of representatives of the States. If the majority of the delegations of the several States composing the two bodies of Congress wanted the Federal Government to have something to do with the educational process in their States, of course it is democracy for them to make such provisions. But I believe that other Senators feel as strongly as does the Senator from Ohio that the Federal function is a function of equalizing ability to educate, and that we will not allow, we will not acquiesce in, we will not brook the intrusion of the Federal Government into the control of the educational system.
Mr. President, it seems to me that the doctrine enunciated by the Senator from Florida is most extraordinary. I have not the slightest interest in the ability of the State of Florida to educate its children. I am interested in the children of Florida obtaining an education. If there is any justification for this bill it is on the ground of equalization of educational opportunities, giving all the children of Florida an opportunity to obtain a minimum standard of education, so that they will have opportunity in the United States from that time on. I do not care whether Florida is able to do it or not. I am interested in whether Florida does it. I am interested in whether educational opportunity is provided. That is the only justification for this bill. I cannot see the object of a bill which simply says 'Florida is not able to educate her children, so here is $5,000,000 for Florida.' That does not interest me. If it were to do it at all, I should want to say 'here is $5,000,000 provided you equalize the educational opportunities in your State.' Obviously, the bill says that the money must be used for education, but it does not say that it must be used for equalizing educational opportunities. Just as we discrepancies can be left between a poor district and a rich district, or between white children and colored children, so far as the bill is concerned. Thus we would not accomplish the very purpose for which the bill is urged.

Mr. Pepper. . . . What we are striving for is equalization of the ability of the several States to educate their children. The Federal Government which shares sovereignty over the children with the State government, has no right to ask the States to do more than their fair ability will permit. The thing we are driving at by the proposed legislation is for the Federal Government to equalize the disparity between the distribution of the Nation's wealth and the distribution of the Nation's greater asset, its children. That is the purpose of the bill Mr. President.
Mr. TAFT. If that were the purpose, we might as well subsidize every poor State, because the poorer States are not well off for any purpose. As I understand, the only object of the bill is to see that educational opportunities are actually equalized. It makes very little difference to us whether a State is able to do it or not, if it does not do it. I think it is perfectly clear that if we are ever going to adopt a policy of assisting the education of children, we certainly are going to have to do it on the condition that the educational opportunity be equalized. It is not equalized. I have read the figures with respect to the Southern States, showing that they spend from three to five times as much on every white pupil as they spend on a colored pupil. I understand the condition. That is the very condition which we desire to correct. This bill would not correct it. It is a condition which most of the Southern States would like to correct. No doubt if they get the money, many of them will do so. Some will not. Even on the basis of the argument that such a bill should be passed. I cannot see that the pending bill would accomplish the only purpose for which such a bill could be justified.107

Senator Elbert D. Thomas looked upon the provisions of this bill as a step toward the equalization of educational opportunities, as he said:

It would begin to do it. The argument of the Senator from Ohio is similar to that which is advanced in connection with many other things. We cannot have absolute equality; it is utterly impossible. We cannot have absolute justice, it is utterly impossible. We cannot have real democracy; it is utterly impossible. We cannot have any of those things in the absolute sense. Such things are impossible in the nature of man and in the nature of circumstances. But we can have a pretty good democracy if we work it right. We can have a fair degree of equality if we work it right.108

107 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, pp. 8428-8429.
The Langer Amendment and the Defeat of
the Educational Finance Act of 1943

The issue regarding the equitable distribution of state funds
in those states maintaining separate schools for minority races
provided the amendment which led to the defeat of the bill.

Senator Langer's amendment as given above was:

Provided. That there shall be no discrimination
in the administration of the benefits and appropriations
made under the respective provisions of this act, or in
the State funds supplemented thereby on account of race,
creed, or color.109

The phrase "or in State funds supplemented thereby" was
obnoxious to many Southern Senators. They had supported the bill
and were now forced into a position of voting for an amendment to
the bill which would lower the salaries of white teachers in the
South to raise the salaries of Negro teachers in many places.
They knew this would not be received favorably by many of their
white constituents. In 1945, before the Senate hearings on S.181,
Dr. Howard A. Dawson explained the happenings as follows:

The truth is, you know and I know, that the Langer
amendment was not offered by the opposition because they
gave a tinker's damn - and I mean in a printer's sense,
not irreverently - whether the Negroes got anything or not.
They did it to put the Southern Senators politically in a
hole so they couldn't pass the bill, and that proposal
didn't get anybody that voted for that amendment any

109 Congressional Record. 78th Congress. 1st Session. Vol.
89. Part 6, p. 8558.
votes from the people in the next general election.\textsuperscript{110}

Before the vote was called the proponents pointed out that Negro organizations as the National Association for the Advancement of Colored People, the American Teachers' Association, and the Association of Colleges and Secondary Schools for Negroes were opposed to any amendment which might jeopardize the passage of this bill. To quote from the telegram of the American Teachers' Association which was similar to the others:

\begin{quote}
We urge the passage of this bill without any amendments or changes that may weaken or jeopardize its passage.\textsuperscript{111}
\end{quote}

The proponents pointed out that a vote for this amendment was not to the best interests of the Negroes. To quote Senator Lister Hill:

\begin{quote}
Mr. President, let us be frank about this matter. No Senator can vote for this amendment and then go back to the Negroes in his State and say that he voted for the amendment in an effort to serve them, in an effort to do something for them.

A vote for this amendment would be a distinct disservice to the Negroes of the country and to any other minority group; a vote for this amendment would be a vote against the best interests of the Negroes and any other minority group, because we know that if this amendment goes on the bill it will seriously jeopardize the bill, and, most likely defeat the passage of the measure, and deny to the Negroes and to all other minority groups the
\end{quote}


\textsuperscript{111} Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8564.
benefits to be derived from the passage of the bill.\footnote{112}

On the other hand, Senator Styles Bridges informed the Senate that another Negro organization:

The National Negro Council desires the amendment to prevent discrimination in the benefits and appropriations made under provisions of the act on account of race, creed, or color.\footnote{113}

Senator Styles Bridges added:

I think the Senator from North Dakota has offered a constructive amendment... I hope it will be adopted.... After all, it is the Negro children in whom we are interested, and not Negro organizations. We are interested to see that the Negro children of this country are given a fair break in education. That is what the Langer amendment would do... I believe it is a dangerous bill. It is the first step toward the control of education.... We are fighting a world war. We are fighting it for our very existence. We are spending more money for war than any nation in the World's history. Today we ought to be thinking about ways to save money, instead of ways to spend more money for other purposes. We are faced with back-breaking taxes. Therefore, we ought to be thinking of methods of saving funds, rather than spending more money. Ten million American men and women are fighting for their very lives to protect this country. Many of them have already given their lives. This is no time to seek out new ways and methods to spend money on problems which have been before us for many years. Let us just once in a while think of saving money.... I am just as much interested in education as is any other Senator.... The school teachers of this country are a fine, patriotic, group of citizens.... I want to do everything I can to advance the cause of education, but in the end this could only bring ruin to the very principle free schools are teaching today, for it would be a step toward Federal control of education. I hope the so-called Langer amendment will be adopted,

\footnotesize{Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8564.}

\footnotesize{Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8559.}
and that the bill will then be recommitted to the Committee on Education and Labor.\textsuperscript{114}

As has been stated the amendment was passed by forty yeas and thirty-seven nays, and Senator Robert A. Taft moved that the amendment be recommitted to the Committee on Education and Labor. He said he made the motion because:

\dots a great many Senators felt that there was a chance to try to reform the bill and meet the dilemma which the advocates of the bill have confronted in this amendment.\textsuperscript{115}

and so:

\dots the so-called George Post-War Committee can consider it, and so far as I am concerned I want to say that I think it should consider the bill for the post-war period in connection with all the other vast expenditures which are proposed for the Federal Government to make.\textsuperscript{116}

Regarding the passage of the Langer amendment and the motion to recommit the bill to the Committee on Education and Labor, Senator Walter George commented that:

\dots in view of the adoption of the Langer amendment, no Senator who really appreciated the necessity for keeping the schools under the control of the local authorities would vote for the bill. I take it, therefore, that Senators who are opposed to the proposed legislation sought that method of killing the legislation.\textsuperscript{117}

\textsuperscript{114} Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8560, and 8563.

\textsuperscript{115} Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, pp. 8565-8566.

\textsuperscript{116} Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8567.

\textsuperscript{117} Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8566.
Senator Elbert D. Thomas summed up the situation as follows:

Everyone knows that the greatest objection to the pending bill has been that it will give the Federal government power to interfere with the conduct of the affairs of the States.

Senator after Senator who spoke against the bill because of the imagined powers it gave the Federal Government over the States, voted for the Langer amendment, which actually gives Federal Power over the disbursement and control of State funds. As a result of a slip of the tongue by one of the Senators who spoke on the bill, we are actually charged with trickery. Those two charges are unworthy of any Senator of the United States, and every Senator in the Chamber certainly knows that this bill has been before Congress, in one form or another, for more than ten years.

Mr. President, I ask you about the sincerity of the Senator who suggested that the sponsors of the bill are insincere and who argued against the bill on the score that it gave the Federal Government power to control the use of Federal funds in the States, but who actually voted for an amendment that would give the Federal Government such control—that is, if it were constitutional.

Imagine a Senator talking about sincerity and being against this bill, and yet voting to give the Federal Government the very power, he says is an insidious power, and might wreck our dual system of government.... No political party, no great Senator, no great person who faces the American people ever does himself a service by trickery.... After doing all we have done for all other groups of our people, we fail to help the group of teachers—a group to which even the opponents of the bill have already paid the lip service of saying that in the 150 years of American history there has been no more loyal, no more patriotic group, no group of public servants with any greater desire to be of help, or with greater need to be helped. Such lip service will not rest well in the minds of those persons, any more than the lip service in regard to the discrimination referred to by the Langer amendment will rest well in the minds of the Negroes.118

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118 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, pp. 8566-8567.
Senator Alben W. Barkley stated his position as follows:

(In reading Senator Barkley's statement it may be interesting to remember that at the end of the last session of the 75th Congress Senator Harrison was imploring Senator Barkley to help him get the federal aid bill passed at the next session of Congress since he believed "this proposal proper and right." Senator Barkley gave his promise. Senator Harrison died before the next session of Congress.)

Mr. BARKLEY. The amendment was adopted by a combination of those who are opposed to the bill in its entirety, and resorted to that sort of device to bring about its defeat, if possible, thinking that the chances would be better to defeat it with such an amendment on it than without it, and of those whose minds constantly dwell upon the next election. To that group were added some who were sincerely fearful that there might be discrimination under the terms of the bill if the amendment were not adopted; there were not enough of them to have adopted it without the other two groups....

I am unwilling to kill the bill, because I am unwilling to cast a political vote, and because I respect the opinions of these two organizations, (National Association for the Advancement of Colored People and the American Teachers' Association) I voted against the Langer amendment. I intend to vote against the motion to recommit the bill, because I do not share the fears entertained by perfectly sincere members of this body who although for the bill, now feel it their duty to vote against it.

I hope the motion of the Senator from Ohio will be defeated, because I believe that if this bill is sent back to the committee, the Senate will not soon again have an opportunity to enact legislation for the better education of our people. If the motion of the Senator from Ohio is defeated, I shall then vote for
the bill, as amended, I hope the motion will be defeated, and that we can have a straight vote on the bill, as amended.

I hope, that, as amended, it will pass. 119

As stated above the bill was recommitted to the Committee on Education and Labor by a vote of fifty-three yeas to twenty-six nays.

Editorial writers differed in their opinions regarding the action taken on the bill. Senator Lister Hill introduced into the Record an editorial from the Washington Post of October 22, captioned "Legislative Sabotage." Excerpts are as follows:

The Senate on Wednesday, strangled to death the bill for Federal aid to education by the device of recommitting it to the Committee on Education and Labor. It was not even an open and honest act of strangulation by men willing to stand up and be counted. Instead it was accomplished deviously, from behind, by legislative trickery. The pious gentlemen involved did not care to leave any fingerprints. First they amended the bill to make it fit their accusations. Then they applied the garrote....

This amendment of Senator Langer's was denounced as sheer obfuscation by the National Association for the Advancement of Colored People. It was vehemently opposed by the American Teachers' Association, as organization including Negro teachers...

True enough, the causes of this situation are local. But the consequences are national. Inadequate education in any part of the country makes itself felt in national affairs, is reflected in the laws under which all of us must live. And it cannot be remedied locally. For the situation embraces a vicious circle. Inadequate education breeds poverty; and poverty makes adequate education

119 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8567.
impossible. If this is not a fit sphere for Federal aid, then we are no longer a Union but a mere confederacy.\textsuperscript{120}

Senator William Langer introduced an editorial from the \textit{News and Courier} of Charleston, South Carolina, of October 22, entitled "Sound and Honest." Among other things it maintained:

The amendment of Senator Langer prohibiting racial discrimination in the spending of money to be appropriated by Congress for States, which has "killed the bill," was a sound, and honest amendment. The Southern Negroes are citizens. To appropriate from the National Treasury money for citizens' states and leave the States the "right" to discriminate against some of the citizens would have been mean, disgraceful. Too many Southern Congressmen have been supporting this measure. The Langer amendment has turned them against it. It has exposed them. It has made them ridiculous. Once the Federal Government shall begin to spend money for schools, it should and will know how the money is spent. It has no right in law or morals to permit discrimination in the spending of it, and the effect of the Langer amendment on Southern Senators is proof that they expected their States to get the money and to engage in the discrimination. The \textit{News and Courier} has opposed the $300,000,000 Federal appropriation for schools because Federal interference with schools was necessarily implied by it. That would be ruinous to the States. Southern Congressmen could not see so plain a thing. Senator Langer conferred a benefit on the South. He has saved the Southern States from making another sale of themselves for a song - or a sap.\textsuperscript{121}

\textbf{Studies Relevant to Federal Aid to Education}

During the debate on this bill the opponents had intimated

\textsuperscript{120} Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 12, p. 4467.

\textsuperscript{121} Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 7, p. 8721.
that the studies made of the educational situation were made by educational agencies and therefore biased. Senator Elbert D. Thomas had answered these charges by citing the following studies made by other than educational agencies which had reacted favorably to federal aid to education:

1931 - The report of President Hoover's Advisory Committee on Education.

1938 - The report of President Roosevelt's Advisory Committee on Education.

1939 - The report of the American Youth Commission under the auspices of the American Council on Education, which voted unanimously that federal aid was necessary and desirable. This Commission was composed of such persons as Owen D. Young, chairman; Dorothy Canfield Fisher, author; Chester Rowell, editor of the San Francisco Chronicle; and, H. A. Harriman, former president of the United States Chamber of Commerce.

1942 - The report entitled "After the War Full Employment" by Dr. Alvin H. Hansen, special economic adviser to the Board of Governors of the Federal Reserve System, issued as an official report of the board.

1943 - The report of the Committee on Intergovernmental Fiscal Relations, appointed by the Secretary of the Treasury -
Support and Opposition to the Educational Finance Act of 1943

Also during the debate on the bill the opponents suggested that "the people of this country are not asking for the bill" and that "the demand comes entirely from the National Education Association and the Office of Education." In refutation of these suggestions Senator Elbert D. Thomas listed dozens of national organizations favoring such legislation in addition to the National Education Association and its affiliated organizations and all the state educational associations except those of Massachusetts and Rhode Island. Some of the larger non-educational groups mentioned were:

American Association of University Women
American Federation of Women's Clubs
National Federation of Business and Professional Women's Club
National Association for the Advancement of Colored People
National Council of Jewish Women
Executive Council of Federated Churches of Christ in America
Young Women's Christian Association
Women's Christian Temperance Union
Service Star Legion
Railroad Executive Association

Brotherhood of Railway Trainmen
American Federation of Labor and many allied organizations
Congress of Industrial Workers and many allied organizations
United Government Employees
American Farm Bureau Federation
Associated Women of the American Farm Bureau Federation
Farmers Union
Southern Tenant Farmers Union

According to the Record, the American Federation of Labor had recommended that amendments be added to the bill to define the term teacher in such a way as to assure the expenditure of the major portion of the money appropriated for teachers salaries. This amendment was adopted. The American Federation of Labor also recommended that more adequate provisions be made for the equalization of educational opportunities between the races.

The Washington representative of the Farmers' Union, Paul Sifton wired Senator Edwin C. Johnson of Colorado urging his support of S.637. Excerpts from Senator Edwin C. Johnson's reply are as follows:

I have made so many public statements on behalf of the absolute necessity for economy in the Federal Government that I do not see how I can consistently support any program calling for increased Federal expenditures for anything at this time.

As a matter of fact the status of the Federal Treasury is downright alarming. We are facing certain bankruptcy. History discloses the fact that when governments undergo bankruptcy they usually have dictators as their receivers. It is perhaps too late to do much about it but I do not want to be guilty of driving another nail in the coffin of this republic...
As one personally, deeply grateful to the teaching profession, and devoted to Colorado's public school system I regret that I cannot see my way clear to support S. 637.123

The President of the Farmers' Union, James G. Patton then wrote Senator Edwin C. Johnson as follows:

For years our farmers have borne the whole burden of rearing that most precious of all crops, their children, only to see the great urban centers reap much of the benefit from it. As to expense, I cannot agree that this country cannot afford to spend a few million dollars to offset the disastrous impact of war upon rural school systems, when it is spending, in a single appropriation bill $69,000,000,000 for war, billions that will place additional millions of profits in the wealthy States that should be taxed to equalize educational opportunity for all American children.124

As to the position of President Roosevelt regarding this bill we have the following excerpt from Senate debate:

Mr. ROBERTSON. The sole object of this bill - and I look for many more like it - is an attempt to purchase the votes of 1,000,000 people and to use the Federal funds to do so.

This is an administration bill and is in keeping, in perfect step, with many that have gone before it in the last ten years.

Mr. BARKLEY. The Senator says it is an "administration bill." When did it become an administration bill and by what process?

Mr. ROBERTSON. I understand it is sponsored by the administration.

123, 124 Congressional Record. 76th Congress. 1st Session. Vol. 89. Part 12, p. 467.
Mr. BARKLEY. The Senator is mistaken. The administration, as such, has taken no hand whatever in the sponsorship of this bill and is neutral, so far as I know, in regard to its passage.125

A letter by the acting Secretary of Treasury D. W. Bell to the Committee on Education and Labor while the Committee was holding hearings on S.637 said in part:

The Department has been advised by the Bureau of Budget that the enactment of this legislation would not be in accord with the program of the President.126

When Senator Lister Hill referred to the approval of the bill by Henry Harriman, former president of the United States Chamber of Commerce, the following remarks seemed to clear the United States Chamber of Commerce of any advocacy of the bill:

Mr. MALONEY. So the Senator is assuming that Mr. Harriman spoke for the Chamber of Commerce and it is advocating the bill.

Mr. HILL. No, I did not say Mr. Harriman spoke for the Chamber of Commerce.

Mr. MALONEY. The Senator does not mean to imply that the United States Chamber of Commerce has advocated the bill.

Mr. HILL. No; I do not mean to imply.127

Letters and telegrams from Massachusetts and Nevada Taxpayer Association were introduced into the Record opposing S.637.

125 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8558.
126 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 81422.
127 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8395.
Significant statements from these letters and telegrams were:

Urgently request your opposition S.637, public school subsidy bill and we wholeheartedly endorse action and resolutions submitted previously by Nevada State officials and public bodies and private organizations which advanced arguments substantiating such opposition from standpoints of taxation and sound public policy, 128

and:

There are several reasons, from the viewpoint of Massachusetts citizens, why the Federal education subsidy bill, S.637, the subject of our recent wire to you, should be defeated...

5. The whole proposal is completely out of step with the national wage policy freezing wages as a necessary anti-inflationary step.

6. The country hasn't got the money, and cannot meet its current costs without enormous borrowing.

7. The taxpayers of Massachusetts would be called upon to pay $12,000,000 a year more than they now pay for their educational system in order to receive $5,000,000 a year which they do not need...

The principle support for the measure comes from teachers who are willing to sell out the American system of locally controlled education for pay raises, regardless of whether they are now being adequately and reasonably paid...

Most outspoken proponent of the measure is the NEA, which is really a powerful Nation-wide pressure group, here working in the interest of higher teachers' salaries. Support of school teachers is being bought through the provision for using $200,000,000 of the $300,000,000 fund almost entirely for salary raises for teachers is particularly reprehensible at this time, when all our efforts are, or should be, directed toward winning the war.

While recognizing that we face many problems in our school systems, it is a serious mistake to think we can solve them simply by turning on the spigot of Federal funds. The problem of education cannot be solved by a subsidy bill. It must be solved in our home communities by citizens who are familiar with local problems and best suited to deal with them in a constructive manner.

This bill would penalize thirty-one states for the benefit of the remaining seventeen... largely to increase teachers' pay in those states which have not seen fit to bring their educational standards up to those of this State.129

And from the last paragraph of another in similar vein from Massachusetts:

One other factor should be taken into consideration at this time. The Federal Government is operating at a deficit. This deficit is being financed by the sale of War bonds to patriotic American citizens. There is no justification for using money loaned for the purpose of prosecuting the war to accomplish such an alien purpose. 130

Fred Brenckman, Washington representative of the National Grange, in a letter of October 16, 1943 opposed S.637. The National Grange opposed the bill because:

... there is no justification for the enactment of this bill. The Federal Government has no money to appropriate for education except borrowed funds. The national debt has already passed the collossal figure of $160,000,000,000, and it is estimated that before the close of the fiscal year it will exceed the $200,000,000,000 mark...

129 Congressional Record. 76th Congress. 1st Session. Vol. 89. Part 6, pp. 8551-8555.
130 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8555.
Elementary education is a State function. Any meddling in public school affairs on the part of the Federal Government, even with the best of intention, could not fail to have the most pernicious effects. It would infallibly destroy local initiative and control in school affairs. We may also take it for granted that in a short time it would result in the creation of another giant bureaucracy that would entail a perpetual drain on the Federal Treasury. While the pending bill attempts to set up safeguards against these dangers, we do not believe that they would be effective beyond a year or two at the most. The demand for Federal funds would increase with each succeeding year, and in the end a Federal Department of Education would be established to supervise the expenditure of Federal funds appropriated, together with the sums raised by local and State taxation. In other words our public-school system would be nationalized and bureaucratized. This would work grievous and irreparable injury to the whole system.131

The director of the National Catholic Welfare Conference sent a letter to the Committee on Education and Labor during the hearings on S.537, opposing the bill. This letter was introduced into the Record by Senator Styles Bridges of New Hampshire. The last paragraph of the letter reads as follows:

The Catholic position is one of opposition to any measure for Federal aid to education that would: (a) interfere with local control of the purposes and processes of education, and (b) fail to make mandatory the inclusion of Catholic schools in its benefits.132

The defeat of the Educational Finance Act of 1943 was disappointing to the proponents but just before the bill was defeated Senator Lister Hill predicted that:

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131 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8561.

132 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8562.
...whether the bill shall pass or not, its enactment is as inevitable as that the day will follow the night.

The longer we live, the more our country develops, the more complex becomes our civilization, the greater and more compelling becomes the need, the absolute necessity, for the Federal Government to meet its duty, accept its responsibility, carry out its obligation, and play its part in the training and the preparation of the citizenship of America.133

Comments and Actions Regarding Federal Aid to Education During 1914

During the second session of the 78th Congress January 10, 1914 - December 19, 1914, no action was taken on S.637 or H.R. 2849, known as the Thomas-Hill-Ramspeck companion bill, or the Education Finance Act. However, the following comment from a letter inserted in the Record by Congressman Thomas A. Jenkins of Ohio from T. C. McCracken, dean of education, Ohio University, seems to sum up the situation:

The Ramspeck bill H.R.2849 is the one which is still lodged in the House of Representatives Committee... the attempt is being made to bring it to the floor over the head of the Committee. The educational people of the country are behind this bill quite unanimously and believe that there are enough votes to make it a law, providing it can be gotten to a vote in the House of Representatives. This would probably reopen the case of S.637 in the Senate.134

133 Congressional Record. 78th Congress. 1st Session. Vol. 89. Part 6, p. 8399.
In his letter Dean McCracken reviewed the actions of Congress pertaining to education. He regarded the policy of indirect aid to education used by the Federal Government during the last decade as "unwise." He pointed out that the Smith-Hughes Act and subsequent acts had comprised the only direct aid given to public education by the Federal Government in recent years. He deplored the matching clause in the vocational act because:

This meant that the States' money which otherwise might have been spent for various kinds of education was put into matching funds. This left the other kinds of education in the State with much less support than they had before. General education, therefore, is being robbed within the States in order that the states may get additional support from the Federal Government for special types of education.

Congressman George A. Dondero of Michigan included a statement from the Detroit News of March 12, 1944, quoting Dr. Alex G. Ruthven, President of the University of Michigan, as saying regarding education:

...funds must be made available and the politicians who vote them are usually disinclined or unable to take the long view and to estimate costs with an eye to values which are to accrue principally to their children rather than to themselves.

Too many of them do not easily set their sights beyond the next election. They must be made to see that if a nation can afford to expend more than $80,000,000 for a single battleship which will be obsolete in a few

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135 Congressional Record. 78th Congress. 2nd Session. Vol. 90, Part 10, p. 3752.
years, most nations can afford to gamble at least this much in the hope that fewer such instruments of destruction need be built in the future.\footnote{Congressional Record. 78th Congress. 2nd Session. Vol. 90. Part 8, p. 1355.}

Senator Lister Hill of Alabama introduced into the Record and address by Dr. Howard A. Dawson, who said:

Public education has long since demonstrated its essentiality to the winning of the war. The public-school teachers, who, by the Philistines, the enemies of the children of light, have been charged in the Halls of Congress with seeking selfish advantages in asking living wages, have long since demonstrated that the services they have rendered to the youth of the Nation in the dark days of the economic depression and public neglect are the foundation of military victory on the far-flung battlefields of the earth.\footnote{Congressional Record. 78th Congress. 2nd Session. Vol. 90. Part 10, p. 3936.}

He said illiteracy could only be erased by providing adequate educational opportunities to all of the children of America, and as far as the Nation had been concerned:

The Nation has never undertaken any such program. For the most part the blessings of education to our national preservation are not the products of any demonstrated interest of the United States Government in the education of the masses of the people. For generations too many of the representatives of the American people, like swine who fatten on the acorns from the mighty oak, never look above to see from whence their blessings come.\footnote{Congressional Record. 78th Congress. 2nd Session. Vol. 90. Part 10, p. 3937.}

He pointed out that in the face of rising living costs, twenty-three per cent in the cities and thirty-eight per cent in the
rural areas the teachers salaries had only been increased on the average of only eight per cent. In contrast the salaries of government employees had been increased approximately twenty-five per cent and the wages and salaries in manufacturing had increased eighty per cent. This increase in wages and salaries he charged to the Federal Government since the manufacturers had been operating on a cost-plus basis and had been guaranteed at least six per cent profit.

As for the States providing the needed educational opportunities he said:

It is a known and irrefutable fact that the inequalities and lack of educational opportunities are not due to lack of interest or effort on the part of the communities and States where educational opportunity is least. Only an intolerable bigot or an economic ignoramus would any longer argue that a long range problem of adequate educational opportunity for American children and youth is merely a matter of the States placing their fiscal houses in order.

The inequalities of educational opportunity are due to the insuperable differences in economic ability of the several States and to the differences in the number of children in proportion to the adult population. As a Nation we are spending the most money for education where there are the fewest children. As a policy for a democratic nation we are fast pursuing cultural, economic, and political suicide.139

As for the reason for the Federal Government not assuming its duty, responsibility, and obligation with reference to the provision of equal educational opportunities for all its children he said:

139 Congressional Record. 78th Congress. 2nd Session. Vol. 90. Part 10, p. 3937.
Unfortunately in the Halls of the United States Congress there has for years been a selfish and unenlightened minority who both by accident and carefully nurtured machination and design have been able to prevent the cause of the public schools coming to a fair vote in the Nation's legislative assembly.

He pointed out how the House Committee on Education had always been reluctant to approve any bill providing for aid to education, as a case in point:

In 1917, when the Smith-Hughes bill was enacted, it became necessary for the House itself to take the bill away from the Committee, although the Chairman of the Committee was the author of the bill. We are now in a somewhat similar position with respect to the Ramspeck bill.

He described the procedure by which the Members of Congress could discharge the Committee on Education and bring the bill to the floor for action. This procedure he advocated in the case of the Ramspeck bill, as he said:

... it is the solemn duty of the organization teaching profession and of all the friends of the schools to urge Congressmen to use this legislative procedure in behalf of the American children.\footnote{Congressional Record. 78th Congress. 2nd Session. Vol. 90. Part 10, p. 3937.}

To the expressed fear of federal control of education by opponents of federal aid Congressman Richard F. Harless of Arizona inserted in Congressional Record an interesting observation:

It has been contended by some that Federal aid for education would cause our schools to be dominated by the national Government... However, I believe, after a thorough study of the subject, that this fear is without
ground. Our school systems will remain under the control of the State and community governments. The need is not for new machinery to run the educational systems, but it is for financial resources.

Congressman Harold C. Hagen of Minnesota introduced into the Record the position taken by the National Education Association regarding federal aid to education. It was as follows:

1. Make the United States Office of Education an independent Federal agency under the general direction and control of a national lay board of education appointed by the President, with approval by the Senate, in such a way as to secure a high level of competence and minimize the danger of partisan political influence in the Office of Education activities. Authorize the National board to appoint the United States Commissioner of Education and let it determine, within the framework of Federal law, the basic policies and plans which the Commissioner is to administer as head of Office of Education.

2. Strengthen the Office of Education further with additional funds and personnel. Gradually make it the one Federal agency having direct contacts with State and local school systems. Let the Office of Education administer the distribution of all Federal money appropriated for State and local school purposes.

3. Establish a co-ordinating council of all Federal agencies having educational activities, with the United States Commissioner of Education as chairman. Let this council undertake to harmonize the educational activities of several agencies and prevent unnecessary duplication of effort among them.

4. Let special needs for schooling be cared for, as a rule, by State and local educational institutions. Refrain from establishing Federal schools of classes.

Congressional Record. 78th Congress. 2nd Session. Vol. 90. Part 4, p. 369.
except as they are necessary for children and youth on remote Federal properties or reservations, for persons in training for various branches of the Federal services, and for the development of a National university.

5. Invite the chief state officers and other educational leaders of the several States to meet annually or oftener with the United States Office of Education staff to discuss problems of mutual concern.

6. Arrange to carry on all Federal business with the educational institutions of each State through, or by agreement with, the central State agency having jurisdiction - preferably an all-inclusive State board or department of education.

7. Provide financial aid for public education in general on an equalization basis without Federal control of the school curriculum and with only the barest minimum of Federal regulations to insure honest and impartial State administration of funds. As the amount of such aid is increased, gradually eliminate Federal grants of money to the States for specific purposes. During the early post-war period, however, provide funds for school building construction as part of federally-supported program of public works.

8. Provide Federal funds through State welfare agencies to help the States and local communities keep economically handicapped persons in school as long as may be individually and socially desirable.

9. Provide Federal funds through the appropriate State educational agencies for necessary training and guidance of non-disabled war veterans and released civilian workers.\footnote{142}

Senator Lister Hill introduced into the Record Article V of the platform of the Democratic Party adopted by the Democratic National Convention of 1944, which was as follows:

\footnote{142} Congressional Record. 78th Congress. 2nd Session. Vol. 90. Part 9, pp. 2938-2939.
We favor Federal aid to education, administered by the States without interference by the Federal Government.\textsuperscript{143}

This action on the part of the Democratic Party was precedent setting. This stand on education taken by a national party was significant in that federal aid to education was considered by a national party as of importance to the nation, and that a political party expected the people to vote for a party favoring federal aid.

Congressman George E. Outland of California introduced into the Record a statement by the National Commission for the Defense of Democracy relative to action taken by the English Parliament regarding education:

One of the most outstanding educational advances during the war period was the British Parliament's passage of the new Education Act on August 3, 1944, after seven and one-half months of careful deliberation. This represents the greatest advance in the history of education in Great Britain. It is significant to note that during this time when this act was one of the major interests of the British Parliament, the Federal aid for education bill was before the Congress of the United States, and in spite of every effort on the part of farseeing laymen and educators, this bill has received shabby treatment and comparatively slight consideration, notwithstanding its great importance to the national welfare.

The most important feature of the British Educational Act is the raising of the compulsory school from fourteen to fifteen years, and to sixteen years by 1947, or as soon afterwards as possible. The bill also provides that all

\textsuperscript{143}
Congressional Record. 78th Congress. 2nd Session. Vol. 90. Part 10, p. 3936.
children between sixteen and eighteen who leave school to work shall receive compulsory part-time education. These new British requirements, when fully in effect, will exceed those of any State in this country. A majority of the laws in the 48 States permit withdrawal from school at fourteen for the purpose of work and do not require school attendance of any kind after sixteen.

Nursery schools will be provided in increasing numbers, and technical and adult education will be greatly extended and will be made available to all sections of Great Britain.

Contrary to the common practice in the United States, all children in Great Britain will receive medical inspection and medical treatment free. Provision has also been made for free meals and milk for school children. This new act also makes special provision for education of children handicapped physically or mentally.

Summary

During 1942, the educational crisis precipitated by World War II and its ramifications was brought to the attention of the Congress. In 1943, sufficient national attention had been drawn to the teacher shortage to cause the Senate to consider a federal aid to education bill. The labor unions; the Negro organizations; the educational organizations; the Jewish and Protestant religious groups; and many of the larger organizations for women had consistently supported the principle of federal aid to education and they supported the Educational Finance Act of 1943. In support of this bill they were joined by certain farm groups, as the

Congressional Record. 78th Congress. 2nd Session. Vol. 90. Part II, p. 4564.
American Farm Bureau Federation, the Farmers' Union, and the Southern Tenant Farmers' Union. These groups gave their support despite the fact that in some cases they were not entirely satisfied with the provisions of the bill. They preferred provisions in a federal aid bill which would insure the equalization of educational opportunities for all children regardless of race, economic status, or place of residence. The Negro organizations were especially interested in eradicating the disparities as to educational opportunities between the races. The Farm Groups were especially interested in equalizing the educational opportunities as between the rural and urban children. The labor unions were especially interested in insuring equal educational opportunities for all children regardless of economic status. The Protestant groups have consistently maintained that federal aid to education be restricted to "tax-supported public schools." At this time all these groups were willing to support the Educational Finance Act of 1943 with its imperfections as far as they were concerned. They were convinced that the passage of this bill was better than having no federal aid to education.

The opposition groups were the Chamber of Commerce and other business groups, the Taxpayers Associations, the Grange, and the Catholic Church. These groups have consistently opposed federal aid to education and at times have advocated the curtailment of
expenditures for education at the local and state levels but during this period they were encouraging the state and local units to meet their responsibilities for education rather than to shift the burden to the Federal Government.

Senators supported or opposed the bill in accordance with their own predilections and those of their constituents. For instance, Senators representing the poorer and predominantly Protestant states were prone to support federal aid while those from the wealthy and predominantly Catholic states tended to oppose the bill.

The motives behind the support or non-support of federal aid to education by the various groups have been revealed in the preceding pages. The motives are strong in all cases. In the past the proponents have struggled to get federal aid bills considered on the floor of the Congress. The opponents have been just as determined to thwart their efforts. The opponents had succeeded for over fifty years but the national attention drawn to the matter by the teacher shortage tilted the scales for the proponents and the Educational Finance Act of 1943 was considered in the Senate.

The instrument used by the opponents to defeat the bill in the Senate was the Langer Amendment which capitalized on the inherent weakness of the bill and the vulnerability of the proponents.
From the proceedings including the words and notes of the Senators, relative to the Educational Finance Act of 1943 there is evidence that the often expressed fear of federal control regarding education is a "red herring." It has been effectively used again and again to frighten the uninformed and gain support for positions which might be considered as selfish or socially unacceptable without the shelter of a great fear. It is obvious at this point that the real fear is that the federal controls or lack of controls will not favor the interests of certain constituents represented by the various Senators. For instance, in the letters included in the Record from the various groups, and in the speeches made by the Senators opposing the bill they often listed their objections. Usually the first six or eight objections listed would pertain to fear of federal control. These included statements pointing out the dangers of bureaucracy, nationalization, regulations, regimentation, centralization, destruction of state and local initiative, and federal dictation as to what to teach and how to teach. Near the end of these objections the Taxpayers Associations have reminded the state of the Federal Treasury, the burden of taxation, and the imminence of bankruptcy; the National Catholic Welfare Conference has referred to the need for Catholic schools to participate in the benefits without interference with
the purposes and processes of that education; and the representatives of rich states have pointed out that it would be more economical for that state to raise its own teachers salaries if it became absolutely necessary.

How to meet the real objections of the various pressure groups with acceptable compromises seemed to be the dilemma facing the advocates of federal aid to education.

The endorsement of federal aid to education by the Democratic Party in 1944, made it evident that federal aid to education had become a national concern and that the Democratic Party was confident it could secure a majority of the peoples votes by taking this position of endorsement.
CHAPTER VII

THE SUPPORT OF PUBLIC SCHOOLS VERSUS NON-PUBLIC SCHOOLS BECOMES A DOMINANT ISSUE (1945)

The educational situation had grown steadily worse. Attention had been drawn to the possibility of federal aid to education by the endorsement given in the platform of the re-elected Democratic Party. During the first session of the 79th Congress (January 3, 1945-December 21, 1945) between thirty and forty bills pertaining to education were introduced. The bills receiving the most attention were companion bill S.181 and H.R.1296 introduced into the Senate by Senator Thomas of Utah and into the House by Congressman Ramspeck, and known as the "Educational Finance Act of 1945"; and S.717 and H.R.3002 introduced into the Senate by Senators James M. Mead of Pennsylvania and George D. Aiken of Vermont, and in the House by Congressman John Lesinski of Michigan. The Senate Committee on Education and Labor held extensive hearings on S.181 on January 29, 30, 31, and February 1, 2, and 8, 1945, and on S.181 and S.717 on April 11, 12, 19, 20, 21, 23, 24, 25, 26, May 3 and 4, 1945. The House Committee on Education took no action.

S.181

S.181 applied to the several states and territories and was:
A BILL to authorize the appropriation of funds to assist the States and Territories in more adequately financing their systems of public education during emergency, and in reducing the inequalities of educational opportunities through public elementary and secondary schools.¹

The first section of this bill eliminated federal control of the processes of education in every conceivable way. The bill provided an emergency appropriation of $200,000,000 for emergency educational expenditures for public elementary and secondary schools for the fiscal year ending June 30, 1945, and each fiscal year thereafter until the President or Congress declared the emergency due to the war to have ceased; and an appropriation of $100,000,000 for more nearly equalizing public elementary and secondary school opportunities for the year ending June 30, 1946 and each fiscal year thereafter. The appropriations were to be administered by the Commissioner of Education. The emergency fund was to be apportioned on the basis of the average daily attendance in public elementary and secondary schools. The equalization fund was to be apportioned on the basis of need and ability according to a formula based on figures from the Bureau of Education.

of Census and the Department of Commerce.

Under this Act:

The formula provided that ability be determined by sixty-five per cent of the income payments and need to be determined on the basis of the number of children five to seventeen years of age within the states. For example, the calculations for the state of Alabama are as follows:

1. Total number of persons five to seventeen years old in the United States 29,005,259.

2. Amount of income payments in the United States, $91,622,000,000.

3. Number of persons five to seventeen years old in Alabama, 805,939.

4. Amount of income payments in Alabama, $985,000,000.

5. Per cent of persons five to seventeen years old in Alabama, 2.7040 per cent. (Per cent item 3 is of item 1.)

6. Per cent of income payments in the United States which is received in Alabama, 1.0751 per cent. (Per cent item 4 is of item 2.)

7. Sixty-five per cent of item 6, 0.6988.

8. Index of financial need for Alabama, 2.0052 per cent. (Item five minus item 7.)

9. Sum of indexes of financial need for all States (computed for the respective States as in item 8), 37.2501.

10. Per cent of Federal aid fund which Alabama would receive, 5.3831 per cent. (Per cent item 8 is of item 9.)

11. Amount of funds to be received of Alabama, $5,275,438 (5.3831 per cent of $98,000,000).²

3.717 applied to the Several states and territories and was:

A BILL To authorize the appropriation of funds to assist the States in more adequately financing education and in removing substandard conditions in education; to aid in establishing and maintaining education services; to eradicate illiteracy; to preserve and promote the national security in peace and war; to raise the educational level of the Nation; and to promote the general welfare.

Section one provided for the limiting of federal control as to the processes of education and an additional clause "shall not be construed in any way to delimit a State in the definition of its educational program." The bill further provided that there be created in the Federal Security Agency a National Board of apportionment, consisting of five members appointed by the President and approved by Congress. The Commissioner of Education was to serve as Secretary to the National Board and as its administrative officer. The National Board was to formulate policies for the allocation of funds among the States as authorized by the Act.

Any state barred by its constitution from disbursing funds to non-public schools was required to inform the National Board and the National Board would appoint a trustee from not less than

three persons nominated by the governor to disburse the funds.

It was the duty of the National Board to determine the amount of funds to be allocated to the non-public schools and "In making any such determination the Board shall take into consideration the extent to which the burden of the educational needs of the state are borne by non-public schools."\(^4\)

The states were to maintain teachers' salaries and educational expenditures as of the fiscal year ending June 30, 1942, this applied also to funds for separate schools for minority races. In states having separate schools for minority races a "just and equitable" portion (proportion of minority race to the total population of the state) was to be allocated.

The state legislatures were to accept the provisions of the Act. The state educational authority was to administer the funds to non-public schools. Non-public schools were defined as schools not operating for profit and complying with the minimum educational standards of the state.

Under title II an appropriation was to be made:

To assist the States in more adequately financing their systems of public education by supplementing currently available State and local funds for educational purposes, and to equalize educational opportunities among all children in public and non-public schools; to eradicate illiteracy; and to promote the national security and the

\(\text{Ibid.}, \ p. \ 432.\)
general welfare through the development of education, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1946, and for each fiscal year thereafter, $300,000,000 to be apportioned among the States in the manner hereinafter provided.

The National Board was to determine the apportionment of funds and:

In determining such need the National Board shall take into account the findings and recommendations of the Secretary of the Treasury relative to the ability of each of the several States and its local subdivisions to provide adequate educational facilities, the nature and extent of educational inequalities and relative substandard conditions afforded to children in the several States, especially in the rural areas, and the findings of the Director of the Census as to the estimated number of persons in each State who have attained the age of five but who have not attained the age of twenty-one.

Of the funds allocated the Act:

Provided, That not less the seventy-five per centum of such funds shall be made to supplement the appropriations currently made by such State for payment of adequate salaries of teachers. And provided further, That none of the funds paid to a trustee from funds authorized to be appropriated under section 201 of this Act shall be used for the payment of salaries of teachers.

The use of funds from this appropriation for the construction or equipping of buildings for educational purposes was to be approved by the National Board.

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Under title III another appropriation of $100,000,000 annually was provided for such special services as transportation, library facilities, textbooks, instructional materials, health programs and facilities, etc. Half of this was to be allotted on a population basis and the other half on a need and ability basis. The state authority was to administer public school funds and the trustee the non-public school funds.

Under title IV $150,000,000 was appropriated for the purpose of providing needy persons between fourteen and twenty years of age inclusive, means and assistance to enable them to continue their education. This was to be apportioned on the basis of the number of persons in the United States. There was to be no discrimination as to race or creed or as to whether work done for public or non-public agencies. The persons provided with this employment were not to be employed for more than eight hours in any one day or forty-eight hours for any one week.

The bill provided one-half of one per cent of appropriation under title II to be used for research and definite audits and reports were required for all expenditures.

**Fundamental Differences in S.181 and S.717**

S.181 was sponsored by the National Education Association and
S.717 was drafted and introduced into the Congress at the request of the American Federation of Labor. These two organizations were instrumental in the introduction of the Smith-Towner bill into the 65th Congress in 1917, and had fought together for federal aid to education in various forms for years. However, at this time they were unable to reconcile their differences and each worked vigorously for its own bill. There had been a kind of "gentleman's agreement" that one would not fight the others bill. As organizations they seemed to adhere to this agreement, but remarks at the hearings, radio discussions held at the time, and other sources reveals that there was an under-current of bitter opposition, especially between some members of the NEA and some members of the American Federation of Teachers of the AFL. It appears that their basic differences regarding the two bills were as follows:

1. S.181 provided funds for the support of public education and services permitted to non-public schools by Supreme Court decisions and state constitutional provisions.

S.717 provided funds for the support of public and non-public education by circumventing the provisions of state constitutions.

2. S.181 was to be administered by the state educational authorities.

S.717 provided for a dual system whereby public school
aid was to be administered by state authorities and non-public school aid was to be administered by an appointed trustee.

3. S.181 provided for a specific mathematical formula for the allocation of the federal funds.

S.717 left the apportioning of the funds to the discretion of an appointed National Board.

4. S.181 did not specify a definite proportional part of the expenditures for teachers salaries.

S.717 specified seventy-five per cent of the $300,000,000 allocated in title II for teachers salaries.

Hearings on S.181 and S.717

At the hearings on the two bills the various pressure groups interested in education aligned themselves. The next few pages will be devoted to how they stood and some of their reason for their position.

National Education Association and Its Affiliates

Dr. H. M. Ivy, chairman of the legislative commission of the National Education Association, reported that the NEA desired
to express its emphatic endorsement of S.181, and had charged the legislative commission with the "responsibility of throwing behind this bill the full strength of the entire organization and its affiliates." As a result the hearings on S.181 included statements of representatives speaking for approximately three-fourths of the state educational associations describing the educational situation in that particular state and endorsing and urging the passage of S.181. There were teachers from Negro and white schools, principals, superintendents of schools, state superintendents of education, university presidents, college professors, state educational department officials and NEA officials appearing and endorsing S.181. In addition there were other allied organizations as the American Home Economics Association, the Vocational Educational Association, etc. urging the passage of S.181. Not only did the educational groups make a creditable showing but they were backed by statements from state governors and resolutions by state legislatures.

Dr. John K. Norton, Professor of Education, Teachers College, Columbia University, as chairman of a committee representing various educational organizations, had just finished a study of educational conditions, as to classroom expenditures for education, in the

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8 Hearings, Part 1, 1945, p. 6.
United States. In summarizing the findings of the study for the Committee on Education and Labor he presented comprehensive, overwhelming, and conclusive evidence that gross inequalities existed between the states, within the states, and between the races in those states maintaining separate schools, and that the only agency of the people capable of improving the situation was the Federal Government.

The study showed that there were 19,000 children in 790 classrooms with yearly expenditures of $6,000 or more per classroom unit, and there were 38,000 children in 1,674 classrooms that cost less than $100 per year. In other words, there was over sixty times as much spent to maintain some classrooms as to maintain others. Half of the children of the country were in classrooms where more than $1,600 per year was spent and the other half were in classrooms where less than $1,600 per year was spent. The expenditures here included everything but the cost of the buildings and transportation. Dr. Norton presented charts showing the amount spent per classroom in every state in the Union. For instance, the charts showed the percentage of classrooms spending $100 per year, $200 per year, etc. in each state. In New York the average spent per classroom was $4,100 and in Mississippi the average spent was $400. In order to lift the expenditures per classroom throughout the Nation to an annual expenditure of $1,600, the median according to his study, he said it would cost
$316,000,000. If left to the states it would cost New York $1,800,000 against a total educational bill of $290,000,000 to lift its school districts up to a minimum of $1,600 per year. The tax rate for education in New York was two per cent above the national average. On the other hand, Mississippi would have to add $23,000,000 to its present educational bill of $11,000,000 it was raising at a tax rate of thirty-three per cent above the national average.

Dr. Norton pointed out that 3.85 per cent of the Nation's children were in private and parochial schools, 73.68 per cent were in public schools and 17.47 per cent were not in any school. If there 5,000,000 students out of school were brought back into school this would cost an additional $375,000,000. This would again put a heavy burden on the poorer states since those states having the lowest educational expenditures had the highest percentage of out-of-school youth.

He showed additional charts proving that the wealthy states had small percentages of children and the poor states had large percentages of children; and, that the wealthy states could provide well-financed schools on subpar effort while the poor states could only finance schools at a comparatively low level, even though they made comparatively high effort. With additional instances contributed by Senators on the Committee he made it clear that the concentration of wealth in certain industrial centers of the
country, yet originating throughout the Nation, had precipitated a situation which made the support of equal educational opportunities impossible if left to state support. He reminded that all the studies by educators and non-educators, approaching the problem from various angles, had arrived at the same conclusion and had recommended aid by the Federal Government to equalize the educational opportunities within the states. He said these slums of American education had and would bring home to roost national liabilities in the way of national defense and citizenship.

Dr. Norton described the first-rate opportunities, according to their conception of education, provided the youth of Japan and Germany in order that they might conquer the world. He attributed the unexpected resistance of Russia in the present conflict to the wisdom and foresight they had shown in raising the educational level of the people during the last ten or twenty years. He urged that America employ its educational instrument to further its democratic purposes by preparing all its youth for the duties and responsibilities of American citizenship.

Dr. Frank W. Hubbard, Director of Research, of the NEA, gave data regarding each state and a national summary to the effect that out of less than 900,000 prewar teaching positions in the Nation in 1944, more than 80,000 were filled by teachers teaching an emergency or substandard certificates, more than 10,000 were
vacant, and the number of positions had been reduced by 50,000.

As to why this situation, he presented the chart on the next page regarding salaries and wages for 1938.

Individual teachers appeared before the Committee revealing the overcrowded classrooms (sixty and seventy pupils), inadequate equipment and buildings, and low compensation for teachers. One teacher, Mrs. Margaret Daniel, Principal, Richmond Schools, Ashdown, Arkansas, said the reason she could live on her salary was because she lived at home. Senator Wayne Morse of Oregon added "In other words, your parents subsidize the school district?"^9

Miss Florence Christmas, country schoolteacher, Copiah County, Mississippi informed the Committee that:

We appreciate the increase in our school term and salaries. My school term has increased from five to six months in the past six years, and my monthly salary has grown from $28 to $34, to $38, to $51, and now to $60 and that is from $168 to $360 per year.10

She worked in a canning factory in the summer and there she made in a week what she made in a month teaching. The average annual average salary in Copiah County, Mississippi, where this teacher taught was $889.53 for whites and $332 for Negroes.

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ANNUAL INCOME FROM SALARIES AND WAGES
1938 - 1943

(In current dollars as paid)

1900
1800
1700
1600
1500
1400
1300
1200
2400
2300
2200
2100
2000

Federal Employees
Teachers
Factory Workers

1938 1939 1940 1941 1942 1943

Liss Wilma Upchurch, Pershing Rural School, Douglas County, Nebraska said:

I started teaching in the same school sixteen years ago at a salary of $720 a year. At the present time I receive $1,125 per year, which is the highest paid any teacher in the school. Of the twelve teachers in our building, seven of them have bachelor degrees and several of the others are going to night school and taking extension work to better their qualifications. We can't expect such well-qualified teachers to remain in the classroom for such low wages. Last year our teacher turnover was fifty per cent.11

She asked "Why should a young person take up teaching as a profession and spend several years in college preparation when most any other type of work would pay more money with less training?"12 She cited wages paid in the bomber plant. She told of the contributions to the Red Cross, Community Chest, the Teachers' fund, etc. they were expected to make and yet keep healthy and dress like teachers and then have no social security or retirement system.

Senator Allen J. Ellender questioned her regarding financial sources for education in the state of Nebraska. She answered that local property tax financed the school. They had no state equalization fund. As to the neglect of education the following remarks seem indicative:

12 Hearings. Part 1, 1945, p. 119.
Senator SMITH. I understood Nebraska was on a sound fiscal basis; it had no debt. I was wondering if the State had done all it could?

Miss UPCHURCH. Nebraska is called the White Spot of the Nation; yes. We have no debt, a lot of our properties are free of debt; but when it comes to the department of education, there is a little bit of tattletale gray there. We do not have very much to support our education.13

She said the children were getting short-changed. She was a first grade teacher and she said forty-five of her former pupils were in the armed forces and "Many times I think of them, feeling that although we did the best we could for them with the limited finances available to provide a good staff and equipment, they were entitled to more than we were able to give."14

Dr. Frank Graham, President of the University of North Carolina, maintained that the Federal Government as well as the States had a responsibility for education; that the Nation should step forward and repair the losses inflicted by the national emergency, especially in rural and Southern areas; and, "that while we are fighting a war for democracy here at home, rather we should go forward to those things for which the war was fought."15

He pointed out that the enrollment in the teacher training institutions had dropped fifty to sixty per cent and that quality

13 Hearings. Part 1, 1945, p. 121.

14 Hearings. Part 1, 1945, p. 120.

and equality of educational opportunities were being denied the children of America. He advocated higher teachers salaries because:

The teacher's salary has an influence on the teacher's performance in the classroom because of its relationship to his or her caliber, his or her ability, through a decent minimum salary to keep strong and healthy, to pay bills, to attend professional institutions and buy books, and keep up with the best in her profession. It is not because somebody is trying to grab some more money, but because we want to see the teacher fortified in her own physical and spiritual resources so that she can give the best to those children whom she meets every day and because the way she meets them determines a good deal of what we call the American way.

Therefore, these things have a lot to do with the sort of democracy we have in America.  

Dr. Graham directed many of his remarks to conditions in the South:

I say that the tariff structure takes wealth out of the South, the freight discrimination keeps wealth away from the South, and our great financial and industrial structures draw wealth from the South.

The southern people produce more children than any other people in the United States of America. They not only give birth to those children, but they educate those children, they feed them, and they clothe them at a time of life of these children and young people of the South when they are in their non-productive years. They carry the load in training these children of the South who, when they become producers, go to the East and Middle West in the great migration from the South....

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16 Hearings. Part 1, 1945, p. 312.
It is only a matter, Mr. Chairman, of simple justice that there should be a little aid given to the southern rural areas, and not by way of charity...

Not only in the interest of the South, not only in the interest of the West, not only in the interest of rural America, but in the interest of the great industrial or financial centers themselves is this necessary, because it is very important to these great centers of finance and industry that the youths that come to them from rural America should be well trained. Some of that wealth which is created partly by this fund of raw material should come back to rural America, and I stand here and say to come back to the rural South.17

He reminded that in the early days free land provided the equality of opportunity so fundamental to democracy, and that with the passing of free land the open school door became the emblem of equal opportunity. He said this door must be kept equally open to all children to keep faith with our fighting forces.

The following policies adopted by the National Council of Chief State School Officials seemed to show why this group favored $1.11 instead of $7.17:

4. Federal financial assistance to public education should take the form of grants-in-aid to the respective legally constituted state educational authorities rather than grants-in-aid to local school administrative units (1943).

5. The regulation and control of public education is a legal responsibility of the States. The Federal Government should neither directly nor indirectly usurp that power by fiscal controls exercises through the administ-
ration of federal grants (1943).

6. All federal grants-in-aid for education should be restricted to support of tax-supported public educational agencies (which, of course, the State departments of education are).

Statements made by representatives of the NEA and its affiliates gave approval to S.181 because it provided for the disbursement of funds to state educational authorities to be distributed under and according to state laws without either direct or indirect federal control; and, it included a mathematical formula insuring each state its proportional part, so the state could plan ahead for wise expenditure of these funds.

As to why the special formula was used for the equalization funds, Dr. Howard A. Dawson, Director of the Division of Rural service, of the NEA explained to the Committee that many figures were tried but the sixty-five per cent of income payment index was used because it seemed to accomplish the objectives the proponents had in mind. This gave aid to all except a few states. Had the 100 per cent figure been used only twenty-four states would have benefited. As an indication of why this figure was not used we have the following remarks:

Senator ELLERDREN. If you take 100 per cent, about twenty-four States would be left out?

Dr. DAWSON. That is about right.

Hearings. Part 1, 1945, p. 188.
Senator ELLENDER. That represents half of the votes of the Senate. (Laughter) 19

In summary Dr. Willard E. Givens, Executive Secretary of the NEA said:

Increased assistance to public education from the Federal Government is sound historically, essential economically, and long overdue educationally. Adequate universal education is the mother of national progress. The people who oppose Federal aid to education generally oppose State aid to education and also are frequently responsible for tax limitations being placed on the county and the local school district so that an adequate system of financing public education cannot be had. The welfare of our democracy at present demands that all of our girls and boys be given educational opportunity. The need for Federal aid is not only clear but pressing. The Federal Government must help the States to give better educational opportunities in order that our whole people may help our country assume and maintain its place of leadership in the world. We ask in all fairness that those who oppose Federal aid to education face the facts in this issue in an honest and truly American way. 20

No representatives of the NEA or any of its affiliates appeared at the hearings on S.717 except Dr. George F. Zook, President of the American Council on Education. Senator Murray, chairman of the Committee on Education and Labor "invited" him to appear. He summarized educational needs and general principles set forth by the NEA and its affiliates. Regarding the issue of expenditure of funds for private schools under the trusteeship


the following seems to explain not only the position of Dr. Zook, but the position taken by the NEA and its affiliates to quote:

Senator SMITH. Does that imply you would leave it to the State educational boards to determine whether they would assist the public or private schools?

Dr. ZOOK. I would leave it to the States in whatever manner they have to determine that matter.

Senator SMITH. If they had a constitutional provision preventing it, that is up to the States to determine that?

Dr. ZOOK. Yes. I may have an opinion as a resident of the State of Ohio, as I happen to be, about whether or not public funds should be used for the support of private schools, but I think that battle should not be fought out around this table or in Washington. That is a battle which I feel sure, in the spirit of the Constitution, should be fought out in each of the States.

Senator CHAVEZ. As long as Federal legislation makes it possible for the States to carry out the idea.

Dr. ZOOK. Give the States full opportunity to do what they want to do with respect to this. I realize that there are, of course, many provisions in laws and constitutions at the present time which prevent private schools from receiving State aid, but I assert again I believe those battles should be fought out there and not here.

Senator SMITH. Does that imply, Dr. Zook, then, that the trustee provisions in S.717 for getting around possible State constitutions would not meet with you approval?

Dr. ZOOK. They do not. 21

Hearings. Part 2, 1945, p. 646.
Representatives of the National Association for the Advancement of Colored People, the American Teachers Association, the National Council of Negro Women and the Alpha Phi Alpha Fraternity for college and professional Negro men appeared at the hearings in favor of S.181. Statements were introduced into the Record of the hearings from the Conference of Presidents of Negro Land Grant Colleges; the National Association of Collegiate Deans and Registrars in Negro Schools; the National Medical Association; the Association of Colleges and Secondary Schools for Negroes; the Improved, Benevolent, and Protective Order of Elks of the World; and the National Bar Association endorsing S.181. None of these organizations appeared at the hearings on S.717.

Leslie S. Perry, Administrative Assistant, Washington Bureau, of the National Association for the Advancement of Colored People appeared before the Committee representing his organization. The primary interest and activity of this organization has been in the field of civil rights. They have also shown interest in the field of education since the right to an equal educational opportunity is a basic right of all Americans. The position of the NAACP as stated by its representative was as follows:

With respect to the benefits of Negro children and teachers to be derived under this legislation, we believe that the provision contained in section 6 of the bill
providing for a "just and equitable apportionment" of the funds for minority racial groups in States maintaining separate schools, comes very close to being an adequate safeguard against discriminatory allocation of these monies. While this legislation will not wipe out existing differentials obtaining in State expenditures for Negro and white schools, current estimates of the funds Negro schools will receive under it indicate that in practically every one of these States per capita expenditures for Negro pupils and teachers will increase by more than 100 per cent.

When similar legislation was before the Senate in October 1943, an amendment was adopted which virtually required States to eliminate any differential in State funds for Negro and white schools as a condition to receiving benefits under this type of legislation. As much as we deplore the discriminatory action of many States in this regard. I want to make it clear that we do not regard this legislation as a proper vehicle or means of correcting this type of inequality. The association has won, or has pending, suits in every Southern State to eliminate these unlawful discriminations in their public school systems. These suits involve the matter of teachers' salaries and, in some instances, admission to State Universities and colleges. We propose to continue this fight even after the pending bill is passed. We are, therefore, happy to record ourselves as endorsing enthusiastically and without reservation S.161.22

Senator Robert A. Taft took issue with the position of the NAACP in that this bill did not remove the discrimination between the white and Negro races in the South. He maintained that there should be a minimum educational level of, for instance, $50 provided for all children regardless of race. Mr. Perry agreed that this would certainly meet with the approval of the NAACP but as he

said "I don't think we can wait for fifty years when the country and its representation from the South becomes enlightened to the point of view that they want to do the right thing."\(^23\) Regardless of Senator Taft's persistence on this point we have the following remarks:

**Senator TAFT.** I don't know, but I think you have a pious hope that if you get more money, you will get a better break than the law requires, but I don't see any real reason to think that.

**Mr. PERRY.** I realize, Senator, that there is nothing in the law that requires that, but I think that we can rely on the law of human nature that as things become more plentiful people become less stingy.\(^24\)

An American Teachers Association study regarding "The Black and White of Rejections for Military Service" was introduced into the record of the hearings. In the introduction the American Teachers Association was described as "an all-inclusive national professional organization of teachers of Negro children and of educators interested in the achievement of the American goal of equality of educational opportunity for all children without respect to economic circumstances, place of residence, sex, or race."\(^25\)

The chief reason for Army rejection of Negroes was illiteracy.

\(^{23}\) Hearings. Part 1, 1945, p. 274.

\(^{24}\) Hearings. Part 1, 1945, p. 227.

\(^{25}\) Hearings. Part 1, 1945, p. 327.
This study was made to determine contributing factors. Regarding the money spent to provide educational opportunities the following findings are impressive, especially when the mobility of the population in the United States is considered:

1. **The total rejections (white and Negro for twenty-seven states where data was available)** was taken and the educational expenditures for elementary and secondary education in those same states for 1939-1940. The rank correlation found as to the percentage of rejections and the low amount of money spent for education was .86.

2. The same states with the same percentages of rejections using educational expenditures for 1931-1940, when most of these rejectees were in school, gave the same rank correlation of .86.

3. An examination of the white rejections and educational expenditures for 1939-1940 gave a rank correlation of .82.

4. As to Negro rejections and educational expenditures in 1931-1932 in twenty-two states the rank correlation was .83. (In states not having dual system of education the average for all was taken).

5. The relationship between the number of days Negro pupils attended school in 1931-1932 in the seventeen
Southern states having dual systems of education and the number of Negro rejectees showed a rank correlation of .78.

6. The relationship between rejectees and the ratio of the percentage of Negro and white population of high-school age enrolled in high school in 1933-1934 in the seventeen Southern states showed a rank correlation of .93.

Mrs. Mary McLeod Bethune, President, National Council of Negro Women said that according to a State Department of Education study of nine counties in Mississippi in 1940, it was found that the majority of the Negro teachers had only junior and senior high-school education and that some had only third, fourth, fifth and sixth grade education.

Farm Organizations

W. R. Ogg, Director of Washington Office, of the American Farm Bureau Federation appeared at the hearings for S.181 and presented the position of the American Farm Bureau regarding federal aid to education. He said:

For many years, the American Farm Bureau Federation has advocated the establishment of a system of Federal grants-in-aid to the States for the purpose of equalizing educational opportunity in the United States.26

He added that any legislation pertaining to education should (1) prevent federal control, and he believed S.181 "provided this mandate"; (2) that federal aid should be limited to equalization purposes, he proposed deleting the emergency provision of $200,000,000 and increasing the equalization fund; and, (3) that a better apportionment of the equalization funds be made, he suggested a formula be devised which would give more of the funds to the states needing the funds most, as predominantly rural states. He referred to the tax and educational load borne by the rural areas and the benefits derived from the sacrifices made by the urban areas and believed:

Federal grants-in-aid are, therefore, justifiable in the public interest, if confined to the equalization of educational opportunities. 27

The Associated Women of the American Farm Bureau Federation concurred in this statement.

Neither of these organizations appeared at the hearings on S.717.

Russell Smith, Legislative Secretary, National Farmers Union, appeared at the hearing on S.717 to present the position of the National Farmers Union. He said:

27 Hearings. Part 1, 1945, p. 149.
As legislative secretary of the National Farmers Union, I am appearing here today to lend the support of that organization to the adoption at the earliest possible date of legislation that will effectively increase educational opportunities particularly in rural areas. The National Farmers Union consistently has supported all such legislation in the past, including the bill in the last Congress that may be considered the predecessor to S.161.

... Much of the educational thinking that has been made possible as a result of past efforts to obtain adoption of this kind of legislation is embodied in S.717. We have found much in the new matter included in this bill that corresponds to the past and present policies and views of the National Farmers' Union. We, therefore, urge the Committee to report S.717 substantially as it stands.

He thought:

...the ingenious requirement...for the appointment of a trustee in each State which notifies the Board that it cannot disburse Federal funds to non-public schools goes far to solve the problem that has baffled serious searchers for a solution in the past.

He did not believe $300,000,000 an adequate annual expenditure for the equalization of educational opportunities. He thought in comparison to such as the federal-aid to highways this was relatively small and should be doubled, but the National Farmers' Union would take the judgment of the Congress on this matter, as he said:

Mr. SMITH. ...Certainly, we prefer to see the bill pass as it stands to the failure of any Federal-aid legislation whatever.
Senator DONNELL. What do you mean by your statement there?

Mr. SMITH. We would prefer to see this bill, or to see S.181 or any bill pass that make a start on it.

Senator DONNELL. You definitely prefer this to S.181?

Mr. SMITH. Yes, sir.

Senator DONNELL. You mean by 'this,' S.717?

Mr. SMITH. Yes, sir.30

However, he thought the mathematical formula in S.181 more desirable. The reason he gave for preferring S.717 was the phrase included in title II, section 202 which refers to the spending of equalization funds to needy states and "especially in the rural areas."31

Labor Organizations

The American Federation of Labor did not appear in support of S.181, however, it marshalled its strength to support S.717 similar to the way the National Education Association had supported S.181. Between twenty-five and thirty national, state and local union representatives either appeared at the hearings or presented statements of endorsement of S.717.

Matthew Woll, vice-president of the AFL and longtime chairman of the Committee on Education of the AFL was the first witness to appear before the Committee. He presented the formal action regarding federal aid to education taken by the AFL at the last convention November 1941:

1. The funds are to be allocated among the States on a basis of relative need.

2. The Federal funds shall be administered by the public educational authority of each State without prejudice to any child within the confines of the State's educational standards, and such Federal standards as may be exacted.

3. There shall be no legislative or administrational control or direction by any Federal authority or agency regarding curricula, textbooks, or methods of instruction. Basic principles which must condition the granting of Federal aid to any State, shall include:
   
   (a) A minimum school year of nine months.

   (b) The pro rata distribution of the Federal funds within any State without discrimination for race.

   (c) The requirement that funds given to any State shall be available to all political subdivisions of the State.

   (d) The requirement that a fixed proportion of the Federal funds must be used for salaries.

   (e) The requirement that Federal funds must supplement and not supplant present appropriations for State salaries.

   (f) The requirement of a State minimum salary of $1,500 for any professionally qualified teacher, to be effective within five years after the enactment of the bill.
(g) An equitable State-aid program within every State, to be effective within five years after the enactment of the bill.

(h) The maintenance of a State tenure system based on a recognition of professional fitness for every teacher in the States.32

Since this action was taken the AFL had drafted and had introduced into the Congress S.717 which Matthew Woll believed implemented the resolution adopted at the 1944 convention. In support of the bill he said:

1. "We are unalterably opposed to any Federal control of education or direction over the education process."33 He believed this to be eliminated in title I, section 1 of the bill.

2. "The National Government must require that any funds that the National Government gives must be used in any State, equally for all persons for whom it is given, without discrimination because of race or color."34

3. The AFL believed emergency aid and permanent aid should be provided in separate bills.

4. The AFL believed aid should be allocated among the States on the basis of need and this bill made provisions for such apportionment.

5. The AFL believed funds should be given for two purposes,

(1) "To aid the States who need such aid, in building up
their respective public school systems so that
children being educated in the public schools in
one State will not be denied opportunities afforded
the children being educated in another State"; 35
and,

(2) to provide certain services pertaining to health,
recreation, library facilities, transportation,
etc. for all children regardless of race and creed.
He pointed out that provisions were made in the
bill for these two purposes.

6. The AFL recognized the need for financial aid to
individual students and in title IV such assistance had
been provided.

7. The AFL believed teachers' salaries should be safeguarded,
hence the provision that seventy-five per cent of funds
under title II should be paid for teachers' salaries in
public schools.

8. The AFL recognized the need for school buildings and
provisions were here made for the Federal Government
to give aid to the States for such purposes.

Hearings. Part 2, 1945, p. 441.
9. "This bill does make funds available for use for services of persons not in the public schools. This we consider to be a sound democratic practice, well established in our government." He said it was the duty of the state to establish educational standards and maintain and support schools but it was the right of every parent to determine how his child should be educated. In support of this he cited the United States Supreme Court case Pierce v Society of Sisters (268 U.S. 510) which granted religious sects the right to maintain schools. As to whether or not these schools should be supported in part by public funds he cited the Supreme Court case Cochran v Louisiana State Board of Education (261 U.S. 370) which made textbooks available to parochial school children in the State of Louisiana.

As to the contention that the granting of public funds to parochial schools would establish a union of church and state, he said "No American citizen of any creed advocates that, least of all the American Federation of Labor. But we contend that the distribution of public funds through private sectarian agencies does not in any way violate the principle of separation of church

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36 Hearings. Part 2, 1945, p. 444.
and state." 37 On the contrary he enumerated instances of federal support to education in the past as the funds available through Public Works, Federal Works, National Youth Administration, Agriculture, the Office of Education, the Co-ordinator of Latin-American Affairs, the State Department, etc. He said:

The question of whether public funds for general education should be available to sectarian schools is, so far as the Federal Government is concerned, therefore a question of public policy rather than a question of law. 38

Being a Catholic, Matthew Woll was familiar with some of the controversial questions pertaining to this problem. He attempted to bring these questions before the Committee and consider them for the AFL as they had been determined by public policy rather than by public law. As to whether the further development of sectarian schools would create a more divisive society he said:

We are one Nation, and we wish our people to be united. But this unity must not be such as to destroy the rights of minorities... We cannot and we would not choose to, as a nation, compel all persons to act in keeping with a single pattern. Ours is a cohesive functional society, but a society in which the point of view of all minorities should be respected and afforded full opportunity of expression. 39


39 Hearings. Part 2, 1945, p. 149.
Other questions he presented were:

2. Has a special group of citizens, concerned with the common good of such special group, the right to a special share of public funds to protect and promote its special interests?

3. What factors are involved in the right of a parent or a group to establish and maintain a form of training through which to preserve scruples of conscience?

4. What is the scope of authority of the State on this question?

5. Upon what basis must the question of public-private sectarian activities be approached?

His answer to these questions was as follows:

There is a minority group today that hold in conformity with the religious concepts of their faith that a form of secretarian instruction must be given with other educational training as an integral part of the education of children. The right of this minority group to its convictions must be zealously safeguarded. Not only to protect the rights of the minority but actually to promote the unity of a functional democracy, we must preserve the means through which minority viewpoints are expressed. A people are not more closely united if they are compelled through legal or economic pressures to accept a pattern of conduct if such acceptance would violate the tenets of conscience of the group. On the other hand, there can be no justification in law or in policy for subsidizing a purely private project simply because it serves to promote the good and worthy religious devotion of a particular group. To pay funds to a religious organization for its maintenance would violate the fundamental principles and practices to which we as a nation are committed.

In view of the fact that a large portion of the instructors in the secretarian schools have taken a vow

of poverty and that, therefore, what they are paid belongs not to them but to the religious organization to which they adhere, a direct payment to them for their services would, in effect, therefore, be a direct payment to a religious organization. Such a practice cannot be condoned.

On the other hand, the child in these schools has the right to attend them. And that right, as has already pointed out, involves not only a legal permission but a legal assurance that the right shall be enjoyed. The enjoyment of the right implies a degree of economic support. To assure each child's right to an education the Federal Government is thoroughly justified in making funds available for the use of that child.

Aid toward the payment of the educational service rendered through the instruction of this group of children is a justifiable service for children by our Government.

On the other hand, the direct payment of salaries to persons who serve actually without salary, would be a payment of Federal funds in effect for the maintenance of a religious order.

Finally, it is submitted that inasmuch as education is distinctly a function of the State, that if any state wishes to use Federal funds which are given to it for the conduct of education within its borders, in any way which is socially sound, that the Federal Government should not prohibit such use by the State. The Federal Government may require the recognition of certain minima; it should not deny uses above these minima. The State has the right to decide what is a public school within its confines; the Federal Government has the right to make funds available, to promote the social and physical well-being of persons in the several States. These two principles must be observed in any program granting Federal aid for education.

It is, therefore, recommended that funds which are expressly for payment of salaries for the maintenance of our schools shall be limited to such schools as the States may themselves declare to be public schools and that funds for services for any child which shall be allocated, shall include funds to help maintain any school chosen by that child's parent, as the best type of school for its growth and development.41

41 Hearings. Part 2, 1945, pp. 445-446.
Some Senators felt that Matthew Woll advocated certain policies which did not stem from public policy or public law. For instance, concerning the trusteeship and the establishment of a dual system of education rather than the established state and local educational system. The following remarks are pertinent:

Senator HILL: Now, will you aid and support your States through their State systems, or will you, through the Federal Government, seek to impose on the States a different system?

Mr. WOLL: I do not think that we would impose a different system whatever. Under our proposed bill the Federal aid would be granted to the State, and if the State, of course, permits the granting of aid to the sectarian schools, there would be no setting up of a different system whatever. However, in States where the authorities would not be permitted to grant aid to sectarian schools, we propose a trusteeship be established for that purpose. We do not see how that would set up a dual system any more than the G. I. bill does.

Senator HILL: It would certainly be a departure from your State systems if you did that. The States are not granting aid today to sectarian schools, are they?

Mr. WOLL: It may be, to that extent, a departure, yes, but we believe a justifiable departure. 42

Senator Donnell questioned Matthew Woll as to whether or not the trusteeship was a subterfuge to circumvent State laws to which Mr. Woll answered "Yes; it does circumvent State law openly. That is not subterfuge." 43 There was discussion as to whether or not

42 Hearings. Part 2, 1945, pp. 448-449.
43 Hearings. Part 2, 1945, pp. 452.
this had been a policy of the Federal Government. Matthew Woll maintained it had been and cited the National Youth Administration as an example. Senators Donnell and Hill commented as follows:

**Senator Hill.** I haven't checked it, but it is my understanding it is not a very small number at all, that it is a very large number, perhaps, that thirty-nine states in the Union have such a prohibition, or some sort of prohibition.

**Senator Donnell.** Whether it is thirty-nine or one, it seems to me it is clearly an effort to avoid the State law and as such would be considered, at least by a very considerable portion of the people of such States as subterfuge.

(Later discussions at the hearings revealed that thirty-nine had Constitutional prohibitions and seven had statutory prohibitions to the use of public funds for sectarian purposes. The states not having such prohibitions were Vermont and Arkansas).

Regarding the policy of a recognized right calling for economic support advocated by Matthew Woll, the following remarks are pertinent:

**Senator Smith.** In another place, Mr. Woll, I understood you to say that where a right is recognized it calls for economic support. That is a very important principle. I do not question for one minute the right of a parent in a sectarian group to say, 'We want our child to have this kind of education,' and they ought to be permitted to give that child education. Does that mean that the State should provide economic support for that child?

**Mr. Woll.** Take, for instance, in the matter of transportation, why could not the State furnish the transportation of that child to the parochial

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school or sectarian school, as well as the public school? It is rendering a public service, is it not, even thought the parent pays additional for that? The parent is taxed anyway for the maintenance of public schools, so why should he not receive the consideration for the child going to that school just the same as going to any other school?

Senator SMITH. I understand you recognize the right to some independent action and, therefore, it calls for some economic support of the State. That is a new principle to me. I did not understand that. It would go very far.

Matthew Woll was also questioned concerning the relative validity and possibility of federal control being exerted through the distribution of funds according to the discretion of a board and the distribution of such funds according to a mathematical formula. At this point, Mr. Woll, said the bill might be improved. There was also some discussion concerning parents paying tuition to parochial schools thereby raising the question as to whether the federal funds would be replacing tuition rates, and the problem of dividing sectarian and secular education in the classroom.

Dr. Floyd W. Reeves, chairman of the Commission on Education Reconstruction of the American Federation of Teachers, an affiliate of the AFL appeared as technical witness for S.717. He had been selected as chairman of the commission to study the issues involved

Hearings. Part 2, 1945, p. 466.
in providing federal aid and to report the findings to the AFL to be submitted to the AFL. The commission set forth its principles and proposals regarding federal aid. Dr. Reeves said S.717 was in accord with most of the principles and proposals adopted by the commission. However, the majority of the commission disagreed with the provision of title II which allocated seventy-five per cent of the $300,000,000 for the salaries of public school teachers and twenty-five per cent to be distributed on a basis of need to public and non-public schools "for any type of current expenditure in public schools and for expenditures other than teachers' salaries in non-public schools." It was on the expenditures that the committee disagreed. As Dr. Reeves said:

A majority of the members, however, wish to have the funds authorized and appropriated under title II limited in their use entirely for current expenditures of public schools. My own opinion, Mr. Chairman, is in accord with that of the majority of the Commission,\footnote{Hearings. Part 2, 1945, p. 467.}

As to why he took this position he said:

The reasons that led me to reach that conclusion were that I hesitate very much to see a departure from what has been our practice through the years with reference to providing public funds for the support of the operation and maintenance of non-public schools. I do want to get this, also, in the record, that departure has been made many times on many occasions in the States and with Federal funds, so it is not a complete departure

\footnote{Hearings. Part 2, 1945, p. 466.}
from practice, and I do not want to be misunderstood on that, but, by and large, the general practice of our States has been not to provide public money for the support of non-public schools. Some of these non-public schools are sectarian schools, and I hesitate to see public money go to the operation and maintenance of a sectarian school that is established in part for religious purposes.48

(Dr. Reeves was a member of the Methodist church).

When questioned by various Senators Dr. Reeves and others revealed that the Commission of the AFT had made the investigation and the first draft of S.717 and forwarded it to the Committee on Education of the AFL. This first draft had not included in title II aid to non-public schools. Not until the bill had been introduced into the Congress and printed had the Commission been informed of this item. Dr. Reeves said that then (thirty-six hours before his appearance at the Hearings) a majority of the Commission had voted as disapproving this provision. The inclusion of this item in title II and the provision for a trustee to administer the funds to non-public schools, was introduced by the AFL. The responsibility for this action was established by a process of elimination through the questioning of various witnesses. The AFL assumed responsibility for the bill.

These changes made in the bill since the first draft made it difficult for Dr. Reeves to testify for the bill, as he said:

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I find myself in a somewhat difficult position here, since I am advocating the passage of this bill with modifications that are rather major in the case of the support of schools under title II, and it seems to me that I am not really the person that ought to argue for the present bill. A man who does not believe in a thing ought not to be the one to argue for that particular thing. It is not fair to those who believe in it.

Dr. Reeves said the formula was omitted from S.717 to allow for flexibility, but it could be left to the Senators as to whether this was putting too much trust in human beings. If a mathematical formula was used he believed they should be devised for all parts of the bill. There were Senators who saw the possibility of funds being allocated according to ability to bring pressures to bear.

Senators through questions brought out such points as the paying of the coal bill for a non-public school would indirectly make money available for the payment of the teachers' salary, and that by hiring "theme readers" under title IV teachers services could be reallocated.

Dr. Reeves said the provisions made in title III and title IV had been based on the general welfare principle.

Miss Selma M. Borchartd, vice-president, AFT and member of the Commission on Educational Reconstruction appeared before the Committee. As to her background she said:

I am a product of the public schools of Washington, D.C. I took my undergraduate degree at Syracuse University, and my graduate work at Johns Hopkins, the University of Chicago, and Catholic University. My law degree was obtained here in the city at Washington College of Law.50

She enumerated the merits of S.717 and traced from early times the policy of the Federal Government regarding aid to non-public schools. For instance, she pointed to the early land grants which set aside certain townships for religious purposes as well as educational purposes; the various denominational universities that had received federal grants; and, all without uniting church and state. She spoke of various hysterical movements of religious prejudice, as in 1875, when President Grant sought a Constitutional Amendment to prohibit aid for Catholic schools, which was not adopted. She said:

> But those waves of prejudice are tragic. America, we hope, is strong enough, and now fervent enough in its devotion to democracy that such waves of prejudice may never occur again.51

She pointed out that the enabling act for admitting new states into the Union in the last half of the 19th century required the states to include in their constitutions guarantees for the establishment of public schools and the outlawing of aid to sectarian schools by the states. She considered this as federal control manifest in the very act of establishing a free and sovereign state and very limiting and unfortunate.


51 Hearings. Part 2, 1945, p. 735.
Regarding vocational funds, she said the records show private schools stated they did not want such funds. However, as to other funds she said, public and non-public schools have shared in both depression emergency programs and war emergency programs.

She pointed out how labor had on other occasions, as in the child labor laws, attempted to circumvent state laws for the social welfare. She reminded that the Federal Government had circumvented state laws to give the G. I. an opportunity to choose the institution offering the training which would meet his needs.

Her personal views and those of the AFL coincided in that:

I may say that is the spirit which has guided those who favor S.717. Preserve the State's administration of education. That principle is vitally essential to the national welfare, to our whole political and social life, but if the State cannot or will not use its machinery to make Federal funds for education available for all persons in the State without prejudice for race or creed, then the Federal Government must provide a machinery through which to implement its own policy.52

She traced the AFL's efforts to obtain federal aid for education, and fluctuations as to methods of administration and distribution which had been approved at various times. However, since the recommendations of President Roosevelt's Advisory Committee on education had been made available, she said the AFL had attempted to base its actions on these recommendations, as she said:

52 Hearings. Part 2, 1945, p. 739.
On one point the AFL appears to go beyond the advisory committee's report. I say "appears" because the difference comes in interpreting the word "services."

The Advisory Committee regarded services, as services which did not imply, in addition, care of buildings. The AFL has held that services for a child would require repairing, when necessary the school building to make sure, for example, that the school roof does not leak. But in general, labor accepted, developed, and sought to implement the Advisory Committee's report.

She said that in May 1942, representatives of the AFL, the American Council on Education, the NEA, one or two farm groups, and some religious groups met to discuss federal aid to education. She said they agreed on purpose and need but not on method. Since that time, there had been other meetings with similar results.

Hence, the introduction of S.161 by the NEA and S.717 by the AFL, with both bills drawing divided support.

Regarding the AFL, Miss Borchardt said:

Senator, I want to make this very clear, over and over again, the AF of L position is clearly this, that the funds must be sought for the public schools of America, but that where the conscience of a parent compels that parent to put the child in another school, we in the labor movement are going to fight zealously to provide the means for the protection of the conscience of such parent, and not penalize the child because his parent's religion makes him go to a certain school.

Regarding the AFT, Miss Borchardt said:


I want to make it very clear that, so far as I know, the specific question of giving Federal funds for aid to and through the parochial schools has never been voted on at any convention of the A.F. of T. This is a fact even though the question was put before conventions in a number of ways. However, I know of no action that was taken by the American Federation of Teachers which would prohibit them from accepting the position traditionally held by the A. F. of L., as expressed in this bill. I have attended many conventions of the A. F. of T. and I know of no such action.

On the other hand, Senator Forrest C. Donnell quoted from the New York Post of Saturday, April 14, as follows:

The long-established policy of the AFL and the AFT has been in opposition to granting public monies to "non-public" schools. We find members of these organizations shocked to discover how misled they were by the literature promoting the Head-Aiken bill.

On this point Senator Forrest C. Donnell persistently questioned witness after witness as to how endorsement of S.717 was obtained by such state or local federation of labor or federation of teachers. He questioned as to whether or not they were informed concerning S.717 and who was responsible for the endorsement. By his questioning the record of the hearings shows in some cases they seemed informed and the endorsement was by duly representative persons, in other cases it was obvious they had been ill-informed and action taken by representative groups had been reversed by executive groups.


56 Hearings. Part 2, 1945, p. 780.
Joseph F. Landis, President, American Federation of Teachers and a Lutheran, gave the following personal opinion concerning the bill:

My position is identical with the position stated by Dr. Reeves as the majority position of our commission. However, I would like to say this: If my decision had to be Federal aid under the terms of this bill or no Federal aid, my decision would unhesitatingly be this bill in its present form for this reason, that when I come before the bar of eternal justice to answer for the deeds done in the flesh I do not want my soul to be charged with the crime of having denied to millions of needy public-school children of America an educational chance for fear that it might likewise benefit a few thousand parochial-school pupils.

I believe in better education in all American schools, at all levels and for all of our youth.57

These references to church affiliations of persons appearing before the Committee have been made in order to show there is quite often a relationship between church membership and the position taken on aid to non-public schools. This appears in labor organizations as well as with Congressmen. In this instance the number here is limited due to lack of data on minor officials of these organizations appearing before the Committee, however, the following statement made by Edward J. Heffron, executive secretary of the National Council of Catholic Men, seems to substantiate the assumption as to this relationship:

I was merely trying to point out that it seems to me that one of the answers which was not presented yesterday, and which might assist this committee in the consideration of the problem, is the fact that a large percentage of the

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Many of the state and local federations of labor and federations of teachers endorsed S.717, however, there were those represented who were bitterly opposed. For instance, Mrs. Johanna L. Lindbel, member, executive committee Teachers' Guild, Local No. 1, AT, New York City appeared and read a statement from her local union. In the statement the union approved and urged federal aid to public schools administered by state and local authorities but not to non-public schools. The statement ended as follows:

No convention of our national organization has ever sanctioned any deviation from this principle.

We feel that this principle is so fundamental and so vital to public interest that the American Federation of Teachers should withdraw its support from, and oppose any bill which violates this position.

Mrs. Lindbel said:

It is only in public schools where the children come in not on any particular religious belief or political belief, but they should be brought into that system to learn, as democratic citizens, to be taught democratic principles.

The function of the church is to take care of specific religious opinion. In my opinion, I believe that every school which teaches truth in its teachings, teaches real religion, what I call real religion, which is a way of life so that we learn to treat our fellow human beings as our brothers, and that is a function of the public schools.

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Hearings, Part 2, 1945, p. 652.

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and not the dissemination of any religious doctrine, and I think public funds should only be used where all can come in on the same level. 60

And she added:

I think the other features of the bill are very good, but that is such a fundamental change and so absolutely against democratic principles that I would rather have no Federal aid at all than to have a bill which violates the democratic principles on which our country was founded. 61

She said many civic groups and teachers were shocked when they found this bill contained provisions for the use of public money for non-public schools. She said she favored S.181 but regarding S.717 she declared that:

If the American Federation of Teachers and the Teachers Guild are for this bill then I do not belong in the American Federation of Teachers nor the Teachers Guild. 62

Kermit Eby, Director of Research and Education of the Congress of Industrial Workers appeared before the Committee on Education and Labor "to express the interest of the CIO in the advancement of American educational standards and to indicate its support of S.181 and its companion bill, H.R.1296." 63 He presented to the Committee the resolution pertaining to education adopted at the seventh annual convention of the CIO in November 1944:

Whereas our democracy must be based on a people who have the widest opportunities for education. There

60 Hearings. Part 2, 1945, p. 554.
61 Hearings. Part 2, 1945, p. 554.
are many areas in this country where educational facilities are absent or meager and large numbers of American people who are denied this important right; and

Whereas many adults although desiring to learn to read and write as well as to take vocational training and cultural courses, cannot do so because of the absence of adequate facilities; Now, therefore, be it

RESOLVED, (1) We call upon Congress to enact legislation which has been pending for a long time to provide federal aid to States for expending and developing full educational facilities so all Americans shall be able to enjoy the full benefits of education;

(2) We endorse a national adult educational program and urge the Congress of the United States to appropriate Federal funds to promote a national adult educational program in co-operation with the several States and administrative agencies thereof.

He pointed out that the CIO had endorsed federal aid to education since its beginning, because:

Of course, we in the CIO are somewhat in the position of the man going to see the elephant. We argue from our point of view. We believe, very frankly, that we cannot maintain our organization unless we can do something about the assimilation and the social attitude of some of our members. We cannot risk membership. From the viewpoint of our membership, it is dependent, in this complex society, on the education of our members. I am interested in terms of the social attitude of the people who make up the CIO membership.

and:

So we in the CIO are interested in everything which increases the educational opportunity of our members. We believe such increased opportunity will make them better

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64 Hearings. Part 1, 1945, p. 96.
union members, and, what is more important, better citizens of our great democracy. 66

In urging the passage of this bill he emphasized the need of the permanent equalization fund of $100,000,000 and added that:

I do not think that $100,000,000 is enough to do the job, but it is a beginning, it is the acceptance of the philosophy of contributing to equal opportunity of education on the basis of Federal action. . . . 67

In support of this position he pointed to the need for more educational opportunities which would broaden social attitudes and understandings and prevent anti-social attitudes and actions. He cited studies revealing the low educational levels of those participating in lynchings and studies made of the low educational level of juvenile delinquents. He considered it imperative that America have an educated electorate and cited the following existing conditions:

According to the National Education Association 19,940,097 of our voting population has less that a sixth grade education. The under-educated - those with sixth grade education or less - exceed the total population of twenty-nine States.

One-fourth of our adults over twenty-five have no education above the sixth grade, and over sixty per cent have not completed the first year of high school. This means they lack the training in civics, economics, history, and social understanding which comes in the upper grades. Less than five per cent of Americans are college graduates.

These statistics implying general lack of broad social understanding, appall me the most. The radio, the press, all of the agents of public opinion are constantly

66 Hearings. Part 1, 1945, p. 100.
Drumming arguments into the minds of American people. Daily we are asked to decide questions on taxation, government, international organization—matters which affect the security of our lives and the lives of our children and of our children's children...

So the complexity of American civilization makes it absolutely mandatory for us to develop a citizenry which is capable of making decisions of modern life on the basis of knowledge and evidence, not prejudice.

As to enrollments in high schools he reminded that:

In 1940, Mississippi had 392 high-school students enrolled for each 1,000 persons of fourteen to seventeen years of age. The State of Washington had 952 students enrolled for each 1,000...

Concerning the rejectees by the Selective Service he quoted the following statistics:

A State which in 1920 paid its teachers an average wage of $1,196 had twenty-three men out of a thousand rejected by the Army in 1940 for educational reasons; whereas a State which in 1920 paid $451 had one hundred and ten men out of a thousand rejected in 1940 for educational reasons.

Concerning our human resources, he stated the position of the CIO as follows:

We in the CIO...are interested in the boys and girls of America. We believe that they, not raw materials, are our greatest national resources. We believe it is our responsibility adequately to prepare them to meet the complicated problems of our modern world. Because we so believe, we strongly urge the Education and Labor Committee to give S.181 favorable consideration.


69 Hearings. Part 1, 1945, p. 103.

70 Hearings. Part 1, 1945, p. 104.

71 Hearings. Part 1, 1945, p. 104.
Regarding the general exodus of teachers from the field due to economic conditions, and the drastic decrease in the enrollments in teachers colleges, thereby lowering the quality of the teachers, he commented that:

It seems to me a society has a direct, I would even say a moral responsibility, to see that the best teachers are selected, that it is possible for them to stay in school and possible for them to give their lives to education.\textsuperscript{72}

He pointed out that Negro teachers lose $25,000,000 a year because of salary discriminations.

Regarding the mobility of rural population to the cities he said:

In the words of James Patton, of the Farmers' Union, the young people who move to the urban centers are the most valuable exports of these poorer agricultural States. I believe the Farmers' Union estimates that about $4,000,000,000 worth of earning capacity of young people and workers are exported each year.\textsuperscript{73}

Kermit Eby made the statement that "I do not think you can treat any section of the United States as a conquered province. We are all part of one whole."\textsuperscript{74} With this statement certain Senators joined the discussion. The following remarks seem pertinent:

\textbf{Senator ELLENDER.} You can draw a line, for instance, along the western boundary of Wisconsin from

\textsuperscript{72} Hearings. Part 1, 1945, p. 111.

\textsuperscript{73} Hearings. Part 1, 1945, p. 113.

\textsuperscript{74} Hearings. Part 1, 1945, p. 100.
Canada and come down to southern Illinois, then follow the Ohio River and take a part of West Virginia and Maryland, which I will designate as the Northeast. When this war is over we are going to find out that as much as eighty-two per cent of the billions of dollars that have been appropriated by this Congress in order to fight the war, has found its way into this area.

Mr. EBY. That is right.

Senator ELLENDER. And what the South and the West will receive will be the skim milk and crumbs. That has been going on since the Civil War and I, for one, would like to form some kind of a bloc between the South and West and try to obtain better treatment. I am sick and tired of the idea of sending our natural gas, our salt, our sulfur and other natural resources to the North when it could be utilized in the South for our own development.

Senator MORSE. What they need is better wages.

Senator ELLENDER. Right.

Mr. EBY. You know how we feel. We do not like even wage differentials.

Senator ELLENDER. That is right. In that connection when WPA went into effect I think the Northeast and probably parts of the West, because of weather conditions, received something like $58 or $60 a month for every person to do the same work that the southerners received only $18 per month to do. Now, such differentials as those should not exist in free America.75

Senator Olin D. Johnston of South Carolina added that:

75 Hearings. Part 1, 1945, pp. 113-114.
Right along the same line with what the Senator from Louisiana said, we cannot in the United States, as I see it, leave it to any school district to finance their programs. We cannot leave it to any particular county within the State, and then we cannot leave it to any State within the Nation.76

Kermit Eby added:

They cannot, and the Federal Government must. In other words, it must tax the wealth on a Federal basis and re-allocate it to these States, to make it possible for these States to do the educational job. I do not think there is any way in the world that it can be done unless it is done that way. As we all know, if you tax wealth to the limit in the poor States you still cannot do the job. I think there is no other solution to the problem.77

Some statements led to the following remarks in which the Senators present seemed to concur:

**Senator CHAVEZ.** In other words, you want all the States to have all of the rights that they are entitled to.

**Mr. EBY.** That is right.

**Senator CHAVEZ.** That is real States' rights?

**Mr. EBY.** Absolutely.78

At the hearings on S.717 Kermit Eby appeared for the CIO to endorse the principle of federal aid for education but he did not endorse S.717.

Charles J. Hendley, President, Teachers Union, Local 555, State, County and Municipal Workers, CIO, appeared before the

76 Hearings. Part 1, 1945, p. 115.


78 Hearings. Part 1, 1945, p. 115.
Committee to endorse S.181. At that time he pointed out that S.181 was designed to preserve religious freedom. He appeared the second time at the hearings on S.181 elaborate on the necessity of preserving religious freedom. Many of these remarks he reiterated later when he appeared at the hearings on S.717 to oppose S.717. Excerpts from the latter statement are as follows:

The press has reported some of the arguments that the proponents of the Head-Aiken bill (S.717) have advanced before your committee. I anticipated some of these arguments when I appeared before your committee on February 2, 1945, in behalf of the Hill-Thomas bill (S.181). I now submit an additional brief which I hope your committee will consider and add to the record of its hearings...

Every one of the State constitutions contains a bill of rights, and every one of these bills contains a clause guaranteeing religious freedom. All the constitutions are very definite and eloquent on that subject. The proponents of the bill S.717 ignore the fundamental fact that the freedom of religion not only means the right to worship as one's faith directs, but also means that the authority of government shall not be used to impose any particular religious creed upon citizens. It means that no tax or tithe shall be collected for the purpose of propagating any denominations doctrines. That is just what the appropriation of public funds to help maintain parochial schools means. For the prime reason for the existence of the parochial schools is the propagation of certain creeds and dogmas of one faith or another.

Nearly all the State constitutions contain specific provisions forbidding the appropriation of State or local funds for the support of sectarian institutions. Bill S.717 was deliberately designed to circumvent these State constitutions. What a flagrant misuse of Federal power is here proposed. What a glaring contradiction there is in the arguments of the proponents of this measure who have heretofore appeared at Congressional hearings to oppose Federal aid for schools because Federal aid would inevitably, they said lead to Federal control of the State's schools.
They are now saying, in effect, "We do not mind Federal control, if we can have a goodly share of Federal funds." They are saying, too, "We will oppose Federal aid for public schools if we cannot have a proportionate share of the funds for our schools...."

The argument has been advanced that to grant Federal aid for public schools without a corresponding subsidy to private schools would be unfair to citizens who support and patronize parochial schools containing over 2,000,000 children. This argument is intenable. It opposes the public school against the parochial school as if they were in competition with each other. In our democratic system public and private schools are not in competitive conflict but complementary to one another. The people of the whole Nation have conceived of free public education as an absolutely necessary foundation of our democratic system. It is a contradiction of our democracy to curtail the maintenance of public education because many citizens prefer to send their children to private schools. The public schools are in dire need of greater support. It is a national need, and only the National Government has the authority and the resources for equalizing the educational opportunity of the children of the various parts of the Nation.

Free public schools, freedom of religion, separation of church and state are all fundamental in our democratic system. The tithe is illegal. It is the use of governmental power of taxation for the establishment of religion, a contradiction of a most vital part of our bill of rights...

The patrons and supporters of parochial schools should more fully appreciate the fact that guarantys of their freedom are written into both our Federal and our State constitutions.

The interests that are asking you to divert public funds to the support of parochial schools are asking you to revive ancient contentions, quarrels, and strife that we experienced in the earlier history of our country, and which we settled in one State after another by adopting religious freedom as a fundamental right and by a complete separation of church and state. They would have us bring on the dissensions, division, and disruptions that we have witnessed in France, in Mexico, and in other countries in recent
years when those countries undertook to effect a separation of church and state. Happily Americans of our generation know little of the bitterness of the old religious quarrels.

Perhaps those who seek to re-establish tax support for religious institutions hope that present-day Americans are unaware of their own history and that we will inadvertently undo the work of our forefathers. But I think they will be disappointed...

The constitutional provisions of the 48 States, plainly expressed deep convictions and the strong determinations of the American people on religious freedom. They are not to be ignored or circumvented by Congress.79

John Rackliffe, Executive Secretary of the National Teachers Division, State, County, and Municipal Workers of America, CIO, appeared before the hearings on S.181 to urge the passage of this bill. Regarding the taxing of the wealthy states to equalize educational opportunities in the poorer states he said:

Opponents of Federal aid, ignoring the complexity and interrelationships of current American economic life which have been mentioned by witnesses as well as by members of the committee, have charged that it is "unfair" to allow "rich" States to be taxed in order that the educational facilities of poorer States may be improved. The argument is reminiscent of those advanced by early proponents of universal compulsory education. Conservative newspapers in the early nineteenth century maintained that it was unfair to allow the children of the poor, who paid few direct taxes, to be educated at the expense of wealthy property holders, who could always afford to give their own children schooling appropriate to their means. Such arguments quite obviously concentrate upon the benefits which may be acquired by a privileged few rather than upon the general welfare of the Nation and the great mass of its children.80

A letter he had written was introduced into the record of the hearings on S.717. Excerpts from the letter are as follows:

The recently proposed Mead-Aiken bill (S.717) would introduce into Federal legislation the dangerous precedent of Government support through Federal taxes of private and sectarian schools. Such practice is completely at variance with the traditional American separation of church and state...

The proposed Mead-Aiken bill can have two highly dangerous results: (1) It will arouse bitter anti-Catholic sentiment, since it will be construed as an effort on the part of the Catholic Church to provide improvements for the parochial schools at the expense of non-Catholic taxpayers, and (2) it will tend to weaken and divide the forces throughout the Nation which support the principle of Federal aid. It will be recalled that the supporters of Federal aid were weakened and split in the last session by the introduction of Senator Langer's "non-discriminatory" amendment to the Federal-aid bill. The introduction of the Mead-Aiken bill will inevitably promote the same dissension.

This division, which represents organized teachers in the CIO, urges the national CIO legislative committee to do its utmost to insure that S.181 is favorably reported out by the appropriate committees, and that its passage is not hampered by the introduction of extraneous and confusing issues concerning race or religion. The need for Federal aid to education is too basic and too pressing to permit any divisive legislation or tactics to retard its realization.

There were representatives of local unions of the CIO who endorsed S.181 and there were those who endorsed S.717. However, as Mrs. Rose Russell, Teachers Union, New York City, Local 555, State, County, and Municipal Workers, CIO said:

I know of no ground on which we can say that the CIO is in support of S.717. I am confident that the CIO is not on record in support of S.717, and while I cannot speak officially for the national CIO, I think this statement can be very well checked. I know CIO in general is in favor of S.181 and of H.R. 1296.62

Religious Groups

Very Rev. MSGR Frederick G. Hochwalt, Director, Department of Education, of the National Catholic Welfare Conference appeared before the hearings on S.181 in opposition to this bill. He opposed the bill because it discriminated in the type of schools to be aided, i.e. only public schools. He reminded that a group of citizens in this country maintained sectarian schools because "their conscience requires that they bring their children up according to the tenets and in the spirit of the religion they profess."63

As to the function of the Federal Government regarding the religious freedom of this group he explained that:

It is not enough for government to refrain from legislation that they would prohibit the existence of non-public schools. If the program of education within the United States is to be aided, then the real spirit of democracy and the true conception of general welfare should direct that this aid be extended to all children in all schools.64

As to the position of the National Catholic Welfare Conference he said:

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64 Hearings. Part 1, 1945, p. 303.
The department of education, National Catholic Welfare Conference, has in the past opposed educational legislation which was undemocratic, discriminatory, and wasteful of public funds. It has opposed measures so worded as to defeat the purpose of equalizing educational opportunity for all children in those areas where such equalization was really needed. It is un-American to offer as an argument for Federal aid to education the poverty and need of many children, and at the same time to exclude millions of other children, equally poor and in need, because of religious or racial considerations. 35

Rev. William E. McManus, Department of Education, represented the National Catholic Welfare Conference at the hearings on S.717. He endorsed this bill because "this bill recognizes that public and non-public schools are equally important in the educational system of the United States" and "this bill eliminates objectionable features of other proposals and frankly looks to the welfare and need of all children regardless of the school to which their parents choose to send them." 36

He cited Pierce v. Society of Sisters Supreme Court decision giving the parents the right to maintain sectarian schools and he added that:

The Government which allows them to exercise this right should not deprive them of benefits common to all which are granted by government for the general welfare of all citizens. There is no requirement in the law that church membership should be a liability to parents and children who are at the same time citizens of this Nation and as such are entitled to the privileges and benefits extended by government for educational purposes. Although government may be disinterested in the child's creed, it may not ignore its need. 37

Edward J. Heffron, Executive Secretary of the National Council of Catholic Men appeared at the hearings on S.717 in favor of this bill. In stating the position of his organization he said:

As good Americans we Catholics believe that all Americans should be given reasonable educational opportunities.... We feel that a reasonable degree of education is essential to good Americanism...

We Catholics already contribute our full share to the support of the tax-supported public schools of our respective States - not only, as I have said, the schools of our communities but, wherever there are State equalization funds, the schools of poorer and more sparsely populated communities. And we say that those tax-supported public schools are good, as far as they go. But we think it necessary that a child learn not only the three R's, but the fourth, the most important R - Religion. We think that the teaching of this fourth R is inextricably linked up with teaching of the other three R's, inasmuch as the principles of religion and of the moral law enter into nearly all the other subjects. We, furthermore, believe that if a child comes to think that the secular subjects are important because great time is spent on them in his full-time, five-day-a-week school, he may conclude that religion is relatively unimportant, if no time is spent on it in the school - and we do not believe that a brief time spent once a week at Sunday school, or even informal instruction in the home, will suffice either to overcome such an impression or to impart an adequate groundwork of religious understanding...

We recognize the State's proper interest in seeing that there be education for good citizenship - and we are willing to have our schools meet the State requirements on this score. But it seems to us that since the State compels us to send our children to school, and taxes us for the schools, it should enable us to send them to such schools as would accord with our consciences without laying upon us a double educational burden.88

He explained that the Catholic citizen was already "digging into his pockets to maintain the schools that accord with his conscience" and that the state was "compelling him to dig into his pockets again to maintain the public tax-supported schools which his conscience will not permit him to use - because they omit the most important of the four R's" and that "For this present injustice, such a citizen has no grievance against the Federal Government. But it seems to us that he would have a grievance if the Federal Government compelled him to dig into his pockets a third time for the purpose of benefits from which he would be almost completely excluded." He added that:

> It is not irrelevant to point out here that the injustice of which I have spoken would be aggravated by the fact that the overwhelming majority of Catholics live in large cities in the less needy States - the very states that will derive the least benefit, if any, from any equalizing Federal-aid measure.

In endorsement of S.717 he said:

> S.717 does honestly and openly provide a means whereby the Federal Government can distribute Federal aid to the States on the basis of need, without creating grave dangers of Federal control of education, and without imposing an altogether unfair and discriminatory burden on the millions of Catholic Federal taxpayers. And it does recognize, as the Supreme Court has recognized, the right of every American child to receive an education that accords with his conscience. For these reasons, the National Council of Catholic men has authorized me

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89 Hearings. Part 2, 1945, p. 651.

90 Hearings. Part 2, 1945, p. 651.
to appear before you and support it.²¹

Through questioning certain Senators sought to clarify for themselves Edward J. Heffron's views regarding federal aid for education. The following excerpts from the questioning seem pertinent:

Senator DONHELL. Mr. Heffron, I understand that you think that it is entirely proper that public funds should be used to pay the expense of teaching religion, is that right?

Mr. HEFFRON. I think that it is entirely proper for Federal funds to be used for a system of education, a form of education, which fulfills in every respect the requirements of the State educational authorities but which, in addition, involves religious instruction.

Senator DONHELL. However, you agree, I take it, from the view you present, namely, that public funds may be used for the purpose, in part, of paying the expense of teaching religion, which is opposed by constitutional provisions in the great majority of the States of the Union. That is correct, is it not?

Mr. HEFFRON. Yes; that is my understanding.

Senator DONHELL. You have referred to a discrimination that you think exists by reason of those constitutional provisions, and I understood you to say, in substance, that by reason of the constitutional provisions, that the Catholics of the country are carrying a double burden. I submit to you there is the question as to whether or not it is not because of the perfectly conscientious, perfectly honorable and religious belief of the Catholics rather than by reason of the constitutional provisions that this

double burden is placed upon them.

Mr. HEFFRON. Yes; but do we not profess in this country - I assume in all 48 States - to honor the conscience of the individual?

Senator DONELLY. You think it is discrimination, as I understand it, against the individual that the constitutions of the great majority of our States do not prohibit the use of public funds for the teaching in a religious school, you regard that as discrimination against the individual?

Mr. HEFFRON. I do. It operates de facto as a limitation on the freedom of his conscience; because not all Catholics are people of means and, consequently, some find it most difficult and some perhaps impossible to maintain separate schools. Yet their conscience require them to do it.

Senator DONELLY. Of course, in the Bill of Rights the first amendment of the Constitution of the United States prevents that. It is stated that...

Senator CHAVEZ. At that time, the Catholic Church was not as powerful nor outstanding as it is at the moment. When Jefferson made his great effort to separate the church and state in Virginia, Catholics could be counted, I presume, on your two hands. It was not against the Catholic Church that they had that in mind. As a matter of fact, it was an established church in Virginia.

Senator DONELLY. At any rate, Mr. Heffron, so we may understand one another, you regard it as proper that the funds provided by Congress may be used for the teaching of particular religious doctrines, not alone your church but other churches, if the State authorities in the respective States shall determine it advisable to use those funds for those purposes? You think that is proper?
I think it is perfectly proper for the State to do two things—not only proper but necessary. First, to require a reasonable standard of education; in other words, to have compulsory education laws. Second, it seems to me altogether necessary for the States and for the Government of this country to honor the conscience of the individual. When the two coincide to compel Catholics to erect their own schools in which to meet the State obligations—schools which meet the State standards—it seems to me that the State should be just as much interested in the education that is given in those schools as it is in the education given in the public schools. Consequently, there can be no impropriety in the State granting some aid to those schools which fulfill the requirements.

And the aid under this theory could be granted toward the payment of salaries of teachers as well as for any other purpose?

Surely.

So you do not agree to the necessity of the provision in section 203 that none of the funds paid to the trustee under section 201 shall be used for the payment of the salaries of teachers?

Did you say "agree to the necessity?"

Yes.

No; I do not agree as to the necessity of it. I have been authorized to support the bill as it is, however.

The bill itself does not provide for the payment of teachers in private schools.

No; it does not, Senator.
Senator CHAVEZ. You would prefer to have a bill that would pay the teachers of private schools?

Mr. HEFFRON. Yes; it seems to me that it would be manifestly fair and just. May I add one statement with reference to the question I wanted to ask a moment ago? The Senator read, from the Bill of Rights, the limitation upon the Federal Government which forbids it to pass any legislation establishing religion. I should like to say, if I am entitled to express my opinion on it, that principle is in no way involved in a Federal-aid bill which would undertake to aid non-public schools.92

In the statement of Miss Ruth Craven, Executive Secretary of the National Council of Catholic Women endorsing S.717 she said S.717 contained three provisions which should be commended and endorsed, they were:

1. It recognizes parental rights in the control of education; in this it is a measure, wise in the American tradition.

2. It grants Federal aid largely on the basis of need; in this it is a prudent measure.

3. It makes aid available for all needy schools and children. In this it is a just measure.93

There were other Catholic organizations as the Knights of Columbus, Saint Paul's Holy Name Society, etc. endorsing S.717.

Benjamin C. Marsh, Executive Secretary of the Peoples Lobby, Inc. appeared before the Committee against S.717. The president


93 Hearings. Part 2, 1945, p. 662.
of this organization was Bishop Francis J. McConnell of the Methodist Church. For his organization, Benjamin Marsh favored the principle of federal aid to education and urged the passage of S.181. He blamed the failure to secure federal aid on Catholic influence, as he said:

For four years Catholic influence has been able to block Federal aid to education because the bills did not provide a cut for parochial schools, and if such aid to tax-supported schools is defeated this year, Catholic authorities must be held responsible.94

He deplored the fact that the American Federation of Teachers and certain labor organizations had allied themselves with what he called a reactionary movement to provide public support of parochial schools.

He introduced into the record of the hearings an article by Richard L. Strout in the Christian Science Monitor of April 21, 1945. Excerpts from this article are as follows:

But time after time, efforts have been made to re­dress these educational inequalities by Federal grants to aid the less tax-affluent States, and time after time the effort has run on the rocks of race, religious, or sectional prejudice. Now the problem is up all over again...

But this measure, unfortunately, runs right into the parochial-school issue that has wrecked many other past efforts. It provides what Senators listening to the proposal called a subterfuge to get around widespread State laws barring public aid to private schools... The AFL, according to Matthew Woll, testifying for the bill,

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supports "equality of treatment" for public and non-public schools. At the first hearing on the Head-Aiken bill it developed that a provision is included permitting possible use of public funds for private or sectarian schools. Immediately, several Senators voiced their protest. There is something distasteful for most Americans in taxing the public for funds which will be turned over to schools of one sect or denomination. It runs counter to deep rooted traditions of separation of church and state.

The tragedy of this situation is that once again a laudable purpose seems headed toward failure on the same old rock. Last year an educational bill was defeated by a political maneuver, when parochial-school support was omitted from its provisions. This year the effort may come to failure because a hidden parochial-school support clause is included. Some of the bill's sponsors apparently do not realize what is in the bill. Dr. Floyd W. Reeves, of the University of Chicago, appearing before the Senate committee as spokesman for the American Federation of Teachers, discovered the parochial-school clause in the middle of his testimony, and roundly condemned it.

Dr. George F. Zook, president of the American Council of Education, another witness, agreed that the need of Southern public schools is urgent. But he would turn the distribution of the Federal money over to the States, not offer it in such a way that it seems bait for breaking down prohibitions in present State Constitutions.

Benjamin C. Marsh said:

Last year Messrs. Matthew Woll, vice-president of the A.F. of L. and Raymond Walsh as secretary of the committee of the CIO, dealing with the matter, signed statements opposing bills pending because they did not provide funds for private, i.e. parochial schools. The bills were killed.

This year different tactics are being used to try to blackjack Congress into giving taxpayers's money to private schools.

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95 Hearings. Part 2, 1945, p. 905.
96 Hearings. Part 2, 1945, p. 905.
Mr. Marsh included data to the effect that twenty years ago there were not enough Catholic high schools to merit a separate report in the Official Directory, that ten years ago there were 966 such schools with 158,352 pupils, and in 1933, there were 1,533 schools with 472,474 pupils. He added:

I would like to point out in passing that an organization which is able to increase its private schools so rapidly does not seem to be in very desperate need of Federal aid. Obviously, the Catholic Church in America is not poverty stricken, particularly in New York, Chicago, Philadelphia, Boston, and other industrial centers, or it could not have so increased its schools.97

In explaining "what is back of this move" Benjamin Marsh gives the following explanation:

Msgr. John A. Ryan in his book published in 1940, Catholic principles in Politics approves the statement of Pope Leo XIII:

The state must not only have a care for religion but recognize the true religion. This means the form of religion practiced by the Catholic Church.

Dr. Ryan wrote:

"The state should officially recognize the Catholic religion as the religion of the commonwealth; it should recognize and sanction the laws of the church; it should protect the rights of the church and the religious, as well as other rights of the church's members."

Pope Pius XI in his encyclical on education, December 31, 1929, stated:

"In the first place, education belongs preeminently to the church —"

It means Catholic Church —

"...for two supernatural reasons As for the scope of the church's educative missions, it extends over all peoples without any limitation according to Christ's command: "Teach ye all nations."

Nor is there a civil power which can oppose or prevent it.

The New York Times of January 13, 1930, editorially criticized the Pope's attack on the public-school system:

"The Pope's encyclical sounds a note that will startle Americans, for it assails an institution dearest to them - the public school - without which it is hardly conceivable that democracy should long exist. **If other churches were to make the claim - that is that the educative mission belongs preeminently to them for their children, and were to lay like injunctions, the very foundations of this Republic would be disturbed."

Jesuit Father Paul Blakely, in his pamphlet published by American Press -

May an American Oppose the Public Schools? says:

"Our first duty to the public schools is not to pay taxes for its maintenance.

The first duty of every Catholic father to the public school is to keep his children out of it."

A good many Catholics still prefer public schools, for nearly three-fifths of Catholic youth attend them.

I think the members of this committee have read, as I have, the denunciation by priests of Catholics who send their children to public schools, but they still send them.
M'sgr. Fulton J. Sheen, in his Catholic Hour broadcast January 16, 1942, denounced our public schools, and impliedly our Government, with the same disregard for facts, as when he seeks to arouse America against Russia. He says:

"A system of education which ignores, sometimes repudiates, religion and morality, which trains the intellect but ignores the will, which teaches that there is no such thing as right and wrong is not worth preserving. Let it perish."

I do not know what public schools he is familiar with, but that description does not, in my judgment, accurately apply to America's public schools, and as an American I resent it.

Catholics have a right, of course, to their opinion, but have not a right to cripple our public schools.96

E. Hilton Jackson, of the Joint Conference Committee of Public Relations representing all the Baptist conventions comprising a constituency of about 11,000,000 members appeared before the Committee against S.717.

We first, subscribe to the objective of universal education. We follow Thomas Jefferson in his pronouncements along that line, and in that connection it might be recalled that Thomas Jefferson never advocated any support whatever in the matter of education for any school, whatever its designation, that was under religious auspices or control.99

E. Hilton Jackson attacked the provision of the trusteeship and the allocating of public funds to parochial schools. He said

the trustee arrangement was embarrassing to the states and:

It might be construed as being a suggestion to those States that it might be an order in order to avoid this trusteeship, which I think is discriminatory against such a State, to make a change in their constitution or in their laws which might relieve the State from the embarrassment of having such funds specially trusted.

He added:

...there can be no such thing as a democratic form of government if there be any invasion of the principles declared in the first amendment of our Constitution.100

C. S. Longacre, Associate General Secretary of the Religious Liberty Association appeared before the Committee for this organization and for the Seventh-Day Adventists denomination. As for the Seventh-Day Adventists, he said:

I wish to state our denomination has repeatedly gone on record in passing resolutions in opposition of the State or the Government giving financial support to any religious institution, whether they are churches or schools, owned and controlled by religious organizations.101

He said "I do not believe it is profitable, either for the church or for the State, to form a financial alliance."102 Relevant to this statement he related instances of the past proving the alliance unprofitable for church and state. Regarding S.717 he said:

100 Hearings. Part 2, 1945, p. 909.
I think if this bill had come out openly, directly, and proposed to make appropriations directly to the parochial schools or to the church, instead of to the public schools, that no one would have favored it, if it had come out with a direct appeal for that purpose, and I hold if you cannot get something by direct appeal, by calling things by their right name so that you have to camouflage the issue and get indirectly what you cannot get directly, that is the most dangerous and vicious kind of legislation.103

He introduced into the record of the hearings a pamphlet issued by the Religious Liberty Association of the State of Ohio. One article included pertained to the efforts of parochial schools in Ohio to obtain from the Ohio legislature $5,000,000 of tax funds for the support of these schools. Excerpts from this article are as follows:

It is "the little foxes that spoil the vines." Small invasions of inherent rights lead to larger ones. Every normal man shrinks from acquiring the name and reputation of being small - picayunish. But Madison said, "It is proper to take alarm at the first experiment upon our liberties."

Anything that smacks of a union of church and state is an experiment upon liberty. In all the world's history there has been no union of religion and civil power that did not circumscribe natural rights, limit the exercise of inherent freedom, and lead to persecution of the most bitter kind.

The use of tax funds to aid any religious group is a direct step toward church-and-state union. No economic distress is sufficient reason, or even excuse, for entering such a union. To give public funds to parochial schools would be a little fox to spoil the vine of church-and-state separation. This would be an "experiment upon our liberties."
To tax a Jew to support a school that teaches Christianity is unjust, unfair, un-American, and un-Christian.

To tax Catholics to teach the Jewish faith or Protestantism is also all of these.

To tax the Protestant to support Catholic institutions is equally wrong.

To tax the great group who belong to no religious organization to support any religious school must not be tolerated. Religion lowers itself in the eyes of the unbeliever when it asks such favors, such unfair discrimination in its behalf. The church cannot afford it.

Dangerous as it is to prophesy no one need hesitate to predict that if such a thing is done and tolerated, it will lead to greater and graver abuses. Such things have the faculty of insidious growth.

If it is right to pay teachers from the public funds to instruct children in the tenets of the particular beliefs of their parents, why would it be wrong to pay from the same funds priests or preachers to instruct adults? Franklin was right when he declared: "They that give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety."

They that allow any of their tax funds - even a little of their tax funds - to be used for the support of any religious organization because it seems to meet a temporary emergency, cannot logically object if other and larger amounts are demanded for religious purposes.104

In another article included in the pamphlet the former Governor John Garland Pollard stated his views concerning the National Youth Administration funds:

To the superficial, religious liberty means only the right to worship God according to the dictates of conscience, but it means far more than this. It means absolute separation of church and state. It means that the state

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has no religious function except to protect all of its citizens in the sacred rights of conscience, just as it protects in their rights of property and person. It means that no sect, yea, not all sects put together, have a right to draw money under any guise whatsoever from the Public Treasury, to promote their enterprises, religious, educational, or eleemosynary. Public monies are raised by force of taxation levied alike on those who have religion and on those who have none. It is the very essence of tyranny to force men to pay for the support of the churches or any of their institutions. Religion is voluntary. When it ceases to be voluntary, it ceases to be religion. Religion rests on love, while government rests on force. That's the reason the two do not mix. They are like two chemical elements, which when brought together in union cause explosion. Let him who doubts this, read history.

The church and the state are not enemies. They have many purposes in common, but they travel along different routes. The one pursues the path of loving persuasion, the other the path of force. The church seeks to make men inwardly good; the state to make them outwardly good...  

As to public education C. S. Longacre said "I want to say, Mr. Chairman, we are not opposed to the public-school system of education, because we believe the public schools need help."  

As for the schools of the Seventh-Day Adventists he said "Give us a fair field without any favors and keep your hands off our schools and we will be satisfied."

Elmer E. Rogers appeared before the Committee hearings on S.181 and S.717 representing the Thirty-third Degree, United States of America. He presented a statement at both hearings by the Sovereign

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105 Hearings. Part 2, 1945, p. 941.
107 Hearings. Part 2, 1945, p. 945.
Grand Commander Col. John H. Cowles. The statements revealed that S.181 would be acceptable and urged if the term "public school" was defined as "tax-supported free public school for the reason that all private schools, even those that are sectarian, are regarded as public schools by their owners, largely for money consideration." As for S.717 it was most unacceptable "because of its proposal to aid non-public schools, which is a radical departure from our established principle of prohibiting aid to non-public schools of a sectarian character" and "the bill is 'everything to everybody' without being decidedly and frankly American on the issue at stake." He said the Supreme Council favored:

1. The American public school, non-partisan, non-sectarian, efficient, democratic, for all of the children of all the people.

2. The inculcation of patriotism, respect for law and order, and undying loyalty to the constitution of the United States of America.

3. The compulsory use of English as the language of instruction in the grammar grades of our public schools.

4. Adequate provision in the American public schools for education of the alien populations in the principles of American institutions and ideals of citizenship.

5. The entire separation of church and State, and opposition to every attempt to appropriate public monies - Federal, State, or local - directly or indirectly, for the support of sectarian or private institutions.

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111 Hearings. Part 2, 1945, p. 916.
Elmer E. Rogers directed his remarks to the position of the Catholic Church regarding our bill of rights, one of which is "freedom of religion" as follows:

I know quote comments of Pope Leo's criticism of our institutions from page 149 of the Converted Catholic Magazine for June 1944. This periodical is edited by former Roman Catholic Priests, one of whom, Dr. L. E. Lehmann, was a bishop. Their offices are at 229 West Forty-eighth Street, New York 19, New York.

I now quote from former Bishop Lehmann:

"In his encyclicals, particularly Humanum Genus, Leo XIII declared war on the basic principles of democracy. He condemned the doctrines that are the foundation of our American Government: Sovereignty of the people; the right to overthrow unworthy rulers; separation of church and state; confinement of the church to its spiritual functions; freedom of religion; freedom of speech and press; right of the state to regulate marriage."

Continuing, the former bishop states:

The following quotation from Humanus Genus illustrates the way in which the sovereignty of the people is denied as well as their right to overthrow a tyrant or dictator:

'Whence it is understood that he who has power to rule, whoever he may be, is God's minister. *** And it is absolutely false to say that the people have the right to withdraw obedience when they see fit.'

Continuing further the former bishop states:

In his encyclical Libertas Humana, Leo XIII declared:

'It is absolutely unlawful to demand to defend, or to grant unconditional freedom of thought, of speech, or writing, or worship.'

The former bishop concludes as follows:
In his encyclical Longinqua Oceani, Leo XIII decreed:

It is necessary to destroy the error of those who might believe, perhaps, that the situation of the church in America is a desirable one, and also the error of those who might believe that in imitation of that sort of thing the separation of church and state is legal and even convenient.

The work of Dr. Ryan, one of the so-called great Roman Catholic liberals, is a textbook in Roman Catholic universities but was re-edited for the department of social action of the National Catholic Welfare Conference. It bears the imprimatur of the late Cardinal Hayes and his board of censors. The following paragraph which I quote offers much hope to "the faithful" who may have less regard for the Bill of Rights than for opinions of their churchman:

'But constitutions can be changed, and non-Catholic sects may decline to such a point that political proscription of them may become feasible and expedient. What protection would they then have against a Catholic state? The latter could logically tolerate only such religious activities as were confined to the members of the dissenting group. It could not permit them to carry on general propaganda nor accord their organization certain privileges that had formerly been extended to all religious corporations.'

Let me add that this is the status that obtains in Spain and in all Roman Catholic countries.112

Elmer E. Rogers said "the struggle to attain religious liberty and its natural corollaries, political liberty, free speech, and a free press, was long and bloody,"113 and "we feel that any bill which gives Federal financial assistance to education ought to be drafted in the spirit of the first amendment."114

112 Hearings. Part 1, 1945, p. 266.

113 Hearings. Part 1, 1945, p. 269.

Elmer E. Rogers pointed out that the bill not only circumvented state laws but "would be subterfuge strike at the very heart of the first clause of the first amendment of the Federal Constitution, and indirectly at the whole Bill of Rights itself, for when religious liberty ceases to animate national life of a people political liberty with all that it implies gradually succumbs to the dogmatic concepts of the dominant religion."\textsuperscript{115}

He said S.717 utterly ignored the decision of the United States Supreme Court in the case of Reuben Quick Bear v Leupp (210: U.S. 50; 1908). "This decision held that the general appropriations acts of 1895, 1896, and 1897 forbid contracts for the education of Indians in sectarian schools out of public funds raised by general taxation from persons of all creeds and faiths or of no faith."\textsuperscript{116}

He reminded that parochial schools were auxiliaries of their respective denominations to instruct in the dogmas of the faith. He cited the Statistical Survey of Education by the Office of Education of 1940-1941, which reported 12,727 private schools. Of these 1,102 were non-sectarian, 1,576 were Protestant, and 10,049 were Roman Catholic. These figures assume added proportions when

\textsuperscript{115} Hearings. Part 2, 1945, p. 919.

\textsuperscript{116} Hearings. Part 2, 1945, p. 919.
it is remembered that Roman Catholics make up only approximately eighteen per cent of the total population of our country. The growth of these schools had been in conformity with the words of Pope Pius XI, who said: (December 13, 1929)

"We, therefore, confirm our previous declarations and sacred canons forbidding Catholic children to attend anti-Catholic neutral or mixed schools, by the latter being meant those schools open equally to Catholics or non-Catholics."

And he added that this bill was an attempt to implement the words of the same Pope:

"That it is the duty of the state to help the church maintain its religious schools by aid from public funds, and equally the duty of all Catholics, as an act of religion, to demand that the state perform this duty."

He anticipated the results of the passage of such a bill as follows:

"...the pressure would start with the appointment of the members of the Board and the several trustees. Then, each group would contend for the most it could get and thus give rise to much wrangling.

Moreover, the fight between the two kinds of non-public schools, sectarian and non-sectarian would be always these, to say nothing of a like feeling that would arise as between the various religious denominations for their respective shares of the funds. All of this will throw religion and education into State and National politics with that acrimony and vindictive jealousy always characterizes such issues."


In corroboration of this prediction he reminded of the happenings in New York City from 1813 to 1842, where public funds were given in support of sectarian schools. He quotes Arvid Burke's description of the situation as follows:

The controversy between the Free School Society and the Bethel Baptist Church after 1821 brought into the open the implication of this policy, and many citizens began to ask whether or not the policy had not been a mistake. Attention was called to the competition for pupils in order to increase State aid, the policy of having teachers return part of their salaries to the organization, the building of competing schools in the same neighborhood, the emphasis on the indoctrination instead of promoting common understanding and purposes, the difficulty of maintaining any kind of standards, the building of schools by general taxation, the property rights to which were vested in private corporations, the increasing number of groups seeking State aid for schools, and the impossibility of economically administering a fund divided among many groups. Moreover, this controversy showed the people of New York that separation of church and state was impossible where the State was taxing itself to promote religious indoctrination under the guise of providing civic education for the poor. 120

The outcome of the situation was that in 1842, the New York State legislature passed a law establishing public schools by public support, and "From henceforth, no public support was to be given to any school in the city which was under denominational control or in which any denominational tenets were taught." 121

As to S.717 and its proponents he said:

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In my opinion, the sectarian and other reactionary forces in the American Federation of Teachers, an organization normally alert, to dangers to our free institutions, have done a signal disservice to labor, one of the great political forces of America, by helping to make it the alleged whole-hearted sponsor of the S.717, for it has precipitated a fight that will be carried into every section of this country, if this bill is favorably reported or a compromise bill is reported, carrying Federal aid for sectarian schools. Then labor, which, helped so effectually in the fight to free education from sectarianism and private control, will learn that it has trusted some of its present leaders not wisely but too well.

As to the purpose of a sectarian school and the injustice of demanding tax-support for such a school he said:

The sectarian schools, being purely voluntary institutions, are maintained as sources of propagation of religious faith by the denomination that creates and maintains them. It is, therefore, a wanton and gratuitous assumption for these school interests to ask for aid from funds raised out of public taxes, paid, as above stated, 'by persons of all creeds and faiths or of no faith,' on the ground of relieving their self-imposed burdens. Nevertheless, these self-imposed burdens have given rise to many crocodile tears over 'the poor child,' on the presumption that his best interests are not provided for by the public schools.

As a corollary to the complaint that sectarian schools bear a burden that should be met out of public funds, we find that in this hearing many of the witnesses place great emphasis upon the child's welfare in connection with the right of the parent to send his child to the school of his choice. The emotion-stirring words of these witnesses would incline the casual listener to believe that this right was being denied the parents by the laws in the several States or in S.181 or in some other pending legislation. Of course,

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Hearings. Part 2, 1945, pp. 923-924.
the proponents of S.717 who raise this question and shed the most tears about 'the poor child' know that such is not true. What they urge is an educational situation in which their religion, the catechism of their churches, is taught at the expense of the public. They want this and they are here demanding it regardless of the fact that a dual system of sectarian and secular education in which both are supported by public taxation, would conflict with the basic principle of freedom of religion, a principle which grew out of a pernicious experience in our own country and the experiences of other countries where sectarian interests are supported from funds raised from public taxation.123

He declared that "experience has proven that the public school, free from the teaching of religious dogmas, has been a tower of strength and support to the growth of the democratic concept of government."124 and that "the democracies of the past failed largely because they lacked the homogeneous, unifying values of an educational system free from religious dogmas or theocratic ideas of government."125 He added that:

While I hold the right of the parent to send his child to the school of his choice, thought that school be sectarian, I am of the opinion that too many parents exercise this right in total ignorance of the value of our public schools in relation to the maintenance of the Bill of Rights and the actual efficacy of the public schools over the sectarian schools, while others do so from a subtle mental coercion or from the slurring remarks of some of their religious leaders such as 'The public schools are godless' or 'They are the sinks of pollution and the agents of hell,' and so forth... I stated that the S.717

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Hearings. Part 2, 1945, p. 924.

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Hearings. Part 2, 1945, p. 924.

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Hearings. Part 2, 1945, p. 924.
raises the whole question as to the relative efficacy of sectarian schools and public schools in lessening crime and instilling moral lessons in the pupils' minds. Aside from the destructive effect on free governments in aiding sectarian education from public funds, the relative social values of sectarian and non-sectarian education challenge the closest scrutiny of Congress in considering S. 717. 126

Elmer E. Rogers cited the encyclical of Pope Pius XI as contending that religious teaching (Catholic religion) must be a part of all education for the common good:

This civic education, which is so ample as to absorb almost the whole action of the state for the common good, must on the one hand be attuned to rules of rectitude and on the other must not contradict the doctrine of the church which is the divinely constituted mistress of such rules. 127

As to how the religious teachings imposed by the Catholic Church have "lessened crime among their pupils" and been "productive of correct ethical conduct" 128 he cites the following from an article entitled Catholic Crime Statistics:

If New York City be taken as a sample of wartime juvenile delinquency, the Roman Catholic Church must take the largest share of responsibility. Father George B. Ford, Roman Catholic chaplain at Columbia University, an authority on social matters, is on record as admitting that more than three-fifths of the juvenile delinquents arrested in New York City in the early part of 1943 were Roman Catholics. As quoted in the newspaper PM of February 29, 1944, he (Father Ford) declared:

'During the first four months of 1943, sixty-four percent of the juvenile delinquents in children's court were Catholic. That means the Catholic Church has something to

126 Hearings. Part 2, 1945, pp. 924-925.
get greatly concerned about. 129

Mrs. Mervyn Sterne, representing the National Council of Jewish Women, appeared before the Committee to endorse S.181. She said her organization had favored the principle of federal aid to education for twenty years.

Business

On February 8, 1945, Thomas C. Boushall, chairman of the Committee on Education of the United States Chamber of Commerce, appeared before the Committee holding hearings on S.181 to present the results of a study entitled "Education - an Investment in People," conducted by the Chamber of Commerce. Concerning this study Mr. Boushall explained that:

What we have been trying to do at the Chamber of Commerce is to find out if there was a basic relationship between the educational level of the people and their economic status. If we could demonstrate that clearly enough we wanted to bring that to the attention of the businessmen of the country in the belief that education is the basic thing that we need to train and upgrade our people, and that our economy cannot expand and our democracy cannot fulfill itself unless the people are educated and constantly upgraded, both as to the current students and as to the adult population as well. 130

Concerning this relationship Thomas C. Boushall reported that:

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We find the degree of correlation to be 0.7. We are told by an expert in statistics that if you can get a result of 0.4 you have proved the correlation between the subjects you are analyzing, and when we got 0.7 instead of 0.4, or three points over the proof point, it seemed clear to us that the economic status and the educational level went hand in hand...

By way of interpretation Mr. Boushall added:

It is amazing to us to find that there is such a correlation between the educational level of the people and their economic status. As somebody said, it is questionable which came first, the hen or the egg. Similarly, did the educational level rise and bring up the level of the people.

We are convinced from our studies that the educational level comes first that only the better educated people are able to earn a higher living, and consequently, when they earn a higher living by making a greater contribution to production and services they are able to improve their own status.

With the results of this study in hand, Mr. Boushall said "It looked to us as if we had found an opportunity for business to participate in the social progress of the people on a very sound basis." In other words, the results of this study substantiated a favorable attitude on the part of the Chamber toward the "upgrading" of education, since this "upgrading" was necessary to the furthering of the avowed purposes of the Chamber, i.e., the promotion of industry and commerce. As Thomas C. Boushall

We have been very frank about it in this respect, we did not want to be accused of going out on a propaganda basis and making beautiful gestures to education with the thought that if we were kindly toward education, education would then undertake to speak up for private enterprise and say that business was a great system and that we had, therefore, more or less brought ourselves into the good graces of the educators. We made it very plain in this report and in all of our statements about it, that business as such cannot go out just to be gratuitous in their contribution, but can do so provided they see, as a result of that increased contribution, an increased expansion of business. If we can get that understood then our sincerity is not questioned because we have got, you can call it an ulterior motive if you like, but we certainly have a motive in wanting to see that the expansion of the country's economy is made possible by an increase in the educational level of the people, since we have demonstrated very clearly that the two go closely together.

Thomas C. Boshall refuted the earlier position of business organizations which minimized the value of conscious effort to "upgrade" the cultural aspects of education. He pointed out that cultural as well as technical education was necessary for the advancement of the economic and social well-being of our social unit.

Senator, what I have got to say is simply a further elaboration of the findings that we have made. We feel that the type of people is not the governing factor, and that it isn't the type of soil or the type of natural resources, but that it is the degree of vision that the people have as to whether or not they should properly educate their youth as it grows up, to the end that those people might better take care of themselves, and make a greater contribution to the production of agriculture, and

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the production of goods and services, and that the better educated they are, the greater contribution they can make, and the greater contribution they can make the greater earnings they have, and the greater earning power they have, the greater consumptive capacity they have, which in turn reflects itself in the expansion of business, and, therefore legitimizes the investment of business in education, to put it on a cold-blooded basis...

A point that we are very anxious to make and have always made whenever presenting this question to any educational or business organization or any other group, is that business is not seeking to see that there is purely a technical education made available to the people and an upgrading of the skills of the people, because we realize that unless the cultural appetites are built up by more classic type of education, that if the technical skill alone develops an increased earning capacity, and yet there is no desire on the part of the people to use the money that they earn for better living, better homes, and better clothes and better food, and more recreation and more education for their children, that we have done nothing to the economy by merely increasing the income unless we have increased the appetite of the rising generation for the better things in life. 135

As to the position of the Chamber regarding S.181 being considered at the hearings at which Mr. Boushall appeared, the following conversation is relevant:

Senator TAFT. Does the Chamber take any position on this bill or on the general problem?

Mr. BOUSHELL. No, sir. We want to make it very clear that what we are trying to do in the Chamber of Commerce is not to dictate or suggest any methods by which education shall be upgraded, we simply lay down the principle that it should be. We lay down the premise that in order to upgrade education, it has to have more money on a local basis, that they can expect a business expansion to result from

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that, because we think we have proved that where there is a high educational level there is a greater economic status.

Senator HILL. In other words, it is a good capital investment for businessmen?

Mr. BOUSHALL. We have used the expression here throughout that whatever cost education of a better nature may represent, it is an investment, as you say, and not an assessment, and we are trying to make that thesis the basis of what we are talking about, that education is an investment and not an assessment—looking at it from a thoroughly cold-blooded angle.

and again:

Senator TAFT. Well, my feeling about the bill is, what is the obligation of the Federal Government as against that of the States? And even though as you say the State of Alabama, for instance, should develop its own education out of its own resources and energy, obviously it would take a long time for it to able to do so, and the Nation may have some obligation to see that it does not take so long.

Also, I think that the only real argument is that there is the feeling that the Federal Government should see that every child in the whole country as a unit should have some minimum education.

I am trying to work out an alternative proposal that will base Federal aid to education on that principle, that is, that when a State has done as much as we think the State is under obligation to do, and then it cannot provide a minimum education for its children, the Federal Government will step in and give it the money to do that, I would rather approach it from that standpoint than from what would seem to be more like a grab-bag proposition as outlined in this particular bill.

I am only suggesting the line that I thought I would like to work out a bill on and present it.

The case for education is 100 per cent, I don't think anyone will dispute that.

The next question, as I see it, is - what is the obligation of the Federal Government, particularly in the poorer States? As I understand it, the Chamber of Commerce has not taken a position on this particular bill?

Mr. BOUSHALL. No, we don't think that that is our purpose today. Our function at this time is to confine ourselves to the relationship of business to education, and whether or not that comes from local city government or county government or State government is not a matter of our particular concern if we can stimulate interest in it.

Senator TAFT. You are willing to leave it to the Senate to decide which way?

Mr. BOUSHALL. That is right.

Senator HILL. Your association doesn't take a position on this bill or any other bill?

Mr. BOUSHALL. No, sir, not at this time.

Senator HILL. You are not in any way concerned with the method of how the job is done?

Mr. BOUSHALL. That is right. Today we are giving information regarding the national Chamber of Commerce's education program.

Senator HILL. You are presenting the facts as to the need for doing the job?

Mr. BOUSHALL. That is right.137

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It must be noted that Thomas C. Boushall appeared before the Senate Committee February 5, 1945. Shortly thereafter the Chamber committed itself again regarding the need for education and the method of financing education. In the Policy Declarations of the Chamber for July 1947, we find the policies adopted and the dates of adoption:

Adequate education is essential to the maintenance of our democratic institutions and for the expansion of our economy. Wherever inadequate educational processes exist, proper expenditures should be made to improve them. Business can well afford to share in this expense in consideration of the gains that inevitably result from a proper and adequate educational program. Increased economic and social well-being of the people as a whole follows or accompanies rising educational levels in cultural appreciation and technical skills. (1945)

We urge all state and local chambers of commerce, all trade organizations, and all business and professional associations to concern themselves intimately and constructively with the educational levels of the states and communities - to analyze with educational administrators and other leaders the various educational programs and to evaluate their adequacy for training youth and adults in cultural appreciation and in technical skills. We further urge the above organizations to acquaint the entire citizenry with the importance and significance of adequate education in the development of a broader and sounder economy and the potential of a rising social well-being. (1945)

The public education system of each state should be financed from Funds raised within the state. (1945)

The United States Office of Education should be reorganized and strengthened as a national research and service agency and to eliminate costly duplication of federal services in the field of education. (1945)138

Other Groups Favoring S.181

There were many other groups endorsing S.181 but not S.717. Some of them and excerpts from the statements made by their representatives follow:

Young Women's Christian Association: (for S.181)

We believe that it is neither fair nor ethical that a considerable percentage of the Nation's children should be receiving educational services below any level that should be tolerated in a civilized country...139

National Federation of Business and Professional Women's Clubs, Inc.:  

It is our conviction that S.181 takes an urgently needed step in the building of a sounder financial foundation for our school system and that the welfare of the Nation's children demands its immediate passage.140

General Federation of Women's Clubs: (On record for twenty years as favoring federal aid to education: for S.181)

The States are unequal in their ability to support adequately public education...existing educational inequalities cannot be removed even though States adopt modern tax systems and allot a suitable proportion of resulting revenues to the financing of education.141

American Association of University Women: (favored federal aid for twenty years: for S.181)

...a necessary step in maintaining our national security as well as in keeping our faith with democracy by making good our promise of equal opportunity.142

National Child Labor Committee:

The National Child Labor Committee urges the enactment of the Federal aid to education bill (S.161) as a result of the studies covering more than four decades of child labor and school attendance and the reasons prompting children to drop out of school for employment and to attend irregularly.  

Service Star Legion:

I come to speak for the children and the families of the men and women in the service of our country... We wish to express our hearty approval of bill S.161 and the policies set forth therein.  

National Woman's Christian Temperance Union: (for S.161)

The surest weapon against the ideologies which have destroyed Europe is the intelligence of the average individual citizen. And it must be trained intelligence... Every neglected child revenges himself terribly upon the society that neglects him. Every illiterate, underprivileged man or woman, bound by his own limitations to a very restricted field of endeavor, becomes a clog on the wheels of society...  

A teacher shortage is a tragedy, not for the teacher, but for the children and for tomorrow's society and citizenship...  

It is manifestly in contradiction of the spirit of our Declaration of Independence to deny any child within the borders of America the same education that other American children have in other States.  

The money which will be spent if this bill becomes a law will be the best investment Congress has ever made of public funds. It will yield a crop of self-sustaining future taxpayers to help shoulder the country's burdens in place of a lot of underprivileged potential migrants having to lean on the taxpayer for public charity at a very possibly much greater expense. 


Alpha Kappa Alpha Sorority:

Therefore, gentlemen, because of the total need of America itself both present and future; because of the mobility of our people; because of the urgency of the need; because Federal aid is not new; because the relinquishing of State control is not an issue; because the majority of the people of America who have requested this legislation year after year; because our national human resources deserve the preservation, conservation, and insurance of education; because we believe the Federal Government should place a floor on all the fundamental necessities of good citizenship; because we believe the latent and potential contribution of our human resources have not been tapped because of lack of educational opportunity either in war or in peace, we urge the passage of this legislation in its present form. (S.181)...

Education is perhaps the only insurance that a democracy can take out to safeguard its future in war and peace...

The reasons for opposition proposed by opponents of this bill that Federal control will follow Federal aid is in our opinion an excuse rather than a reason.\(^{146}\)

National Congress of Parents and Teachers Association: (for S.181)

Our organization believes that we need this money now. We need it, and we want it, and we want it for those States particularly who do need it...

It seems to me that oftentimes many people who would not for the world consider taking charity, are quite willing to send their children to the public schools and have them educated on what, it seems to me has been at least half or one-third or more the charity of the teachers of the United States. The teachers are paid by taxation, to take care of the education of their children, it seems to me that they are taking a whole lot in the way of services for their children on charity.\(^{147}\)

\(^{146}\) Hearings. Part 1, 1945, pp. 325-326.

Groups Opposing the Principle of Federal Aid to Education

There were other organizations with representatives appearing before the Committee who opposed the principle of federal aid to education. Some of these organizations have been known to oppose increasing financial aid at the state and local levels.

Hermin K. Hart, President of the National Economic Council, Inc., presented a statement to the Committee to be included in a report of the hearings. The following statement appeared in the hearings on S.181, however, it seemed to apply to any form of federal aid:

I oppose this bill, because I believe it would result in undesirable Federal control over education; because it would add by just so much to the bureaucratic burdens already borne by the people; because its cost, which is $300,000,000 a year at the start, would be an unwarranted addition to the already high cost of government in this time of war; because it would add substantially to the number of Federal employees; because American education, due partly to the fact that there is already too much educational machinery, is not now nearly as good as it ought to be, considering the amount that is spent on it. The passage of this bill would be a stimulus toward a greater regimentation of the people, and would take us even further away than we are now from the principles on which this country was founded.

As to the purpose of the bill he said:

It seems to me the real purpose of this bill is, not to give State aid to education in certain States; but rather to secure Federal control of education in all the States.

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He feared such a bill would "open the door to some such huge addition to the cost of government." This he did not deem necessary for good education, as he said:

I do not believe that the quality of education to be had in our public schools is very closely in proportion to the amount of money spent. The amount of money spent on education in any given community not only can, but many times has been, very greatly increased without any resulting benefit in education - indeed, with an actual lowering of the quality of education. Instead of granting federal aid to education he thought:

What the schools need, from the standpoint of turning out well-trained pupils, may well prove to be less, rather than more money. George W. Robnett, representing the National Laymen's Council and the Church League of America appeared at the hearings on S.181 and referred a statement to the Committee for the record on the hearings of S.717. His organizations were opposed to the principle of federal aid to education. He belabored the fear of federal control, statism, political control, centralization, etc. For instance, he said, "It is ridiculous to deny that this proposal (S.181) is not a political threat when in truth it is full of political dynamite," and "Any person familiar with politics

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and bureaucratic trends today can easily understand that here is
the beginning of full domination of public education by the Federal
Government." 154

He spoke kindly of the little country school he attended which
had never turned out a criminal. Regarding these small communities
he said:

These backwoods communities are all advancing
culturally and will continue to do so if those who
have a mania for public spending do not push them
backward and hold them down with an unbearable debt
load. 155

He warned that "This measure would materially increase the
tax load which is even now a great burden to the citizenry" 156
and this "is probably but a starting point - just an opening wedge" 157
but "The Federal Government can't become Santa Claus to everything
and everybody." 158 He ignored data presented by other witnesses
as to educational needs, for instance, by his statement "The
truth is that there is no evidence that any State in this country
today is unable to take care of its own educational problems." 159

As to the proponents of federal aid bills and the teachers

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in the field he said at the hearing of S.161:

In frankness and honesty I am forced to say that many who oppose this bill are led in part to do so because they do not have confidence in the full purpose of those who have fathered this particular project. There is growing alarm all over this country concerning certain trends that have been developing in the field of education.

Our educational system needs teachers — not reformers. Public education in this country is maintained for the purpose of teaching children and it is supported, mainly by those who are parents. It is clear, therefore, that it is these — the children, the parents, and the taxpayers — who have the largest interest and responsibility in our system of public education. Teachers must not come to think that they have a vested and superior interest in this domain. Any plans that are designed to create radical change in this field must properly come from those who have the most at stake rather than from a small group who may have special and selfish axes to grind. This is said in a spirit of friendliness but also in a spirit of candor that reflects wide and apprehensive sentiment on the part of those who pay taxes and provide the children.

And in his statement for the record on S.717 he said:

During the last several years we have been alarmed at the social and economic trends of opinion as expressed by many of our leading educators, especially those who are closely associated with this Federal-aid proposal. Those views have shown strong convictions favoring greater Government ownership and control. Those views have emphasized a lack of confidence in our free-enterprise system. This trend has caused much concern among the millions of representative citizens engaged in enterprise, and consequently the character and nature of this proposal is so clearly in the direction of more Federal control that it is unacceptable for fully ninety-five per cent of the groups whose sentiments have been tested.

Major General A. Fries, United States Army, retired, Director of the Southern-Western Region, Friends of the Public Schools of America appeared at the hearings on 3.111 and sent a statement to be included in the record of the hearings, on 3.711. The purposes of this organization were presented by General Fries as follows:

Many people will ask: Why the Friends of the Public Schools of America? i.e. Why another organization when there are so many already?

The answer is: "There is no organization whose sole or even whose principal purpose is the improvement, protection, and preservation of our free-public-school system in every phase of our national life," such as -

(1) Historical growth, development, and influence on American life in general.

(2) Present needs of the schools not alone in a financial way but also as to course of study, school textbooks, character and training of teachers, training in the fundamentals of citizenship, our Constitution, patriotism, respect for our flag - in fact, in everything that affects public education.

(3) The question of the general control of the schools and the relationship of teachers to the parents and to the Nation, the State, the county, and the local school authorities; how and where money is to be raised and how and under whose control money raised by public taxes for schools is to be spent.

(4) Opposition to the use of public funds for the promotion and support of private and sectarian schools, whether operated for profit or not; opposition to teaching the children of the various foreign races in the United States in the language of those races instead of making English the basic language of instruction in all grammar grade schools, public or private, religious or fraternal.162

162 Hearings. Part 2. 1945, p. 597.
According to General Fries his organization was opposed to the principle of federal aid for education. He said certain educators and "prominent members of the NEA have been working for some eleven years to change our school system and to centralize control over it. The passage of a federal-aid-to-education bill would be of tremendous assistance to them in their efforts to get control of education." His organization believed "that the consolidation of the schools should end at the State line and further they believe that complete State centralization of schools and school programs may not always be a good thing," and "They have opposed the centralization of school methods and school requirements by Nation-wide organizations" which cut across state lines. They advocated decentralization rather than centralization since "America became great while education was a very particularly local affair."

The Friends of the Public Schools lauded the days of the "Little Red Schoolhouse" and enshrouded it with an unrealistic glamour. They advocated the methods of teaching used in the early days. They believed "it wise to encourage a return to the teaching of the

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and cautioned that:

Care also must be taken to see that the increase of non-essential fads and frills in education shall not be permitted to crowd out those fundamental which 150 years of teaching have made of the United States of America the richest and most desirable dwelling place on the face of the globe. 168

They "Urged the maintenance of a patriotic and spiritual atmosphere in all schools" 169 and insisted that all:

Children in the free public schools and in all other grammar and high schools must be taught American history, American ideals of liberty, justice, morals, truth, tolerance, courtesy, honesty, kindness, fair play, respect for the Christian religion and other religions, and for the aged, temperance, chastity, and fidelity with devotion to the Constitution of the United States and respect of the flag. 170

According to General Fries:

We have opposed the elective system which permits high-school students and college students particularly to choose subjects which they will study and which coupled with a minimum number of credits will permit graduation without in many cases any real knowledge of American history, the sciences, or mathematics. 171

And:

We have opposed the so-called progressive education system which has been characterized as the "rabbit system" of education as it would leave to the child, as in the case of the rabbit, the educating of himself. This cannot be done in a scientific age nor can the child learn mental, moral and physical discipline. 172

Regarding discipline the Friends of the Public Schools:

Have urged mental discipline and physical discipline in schools at all times as a necessity in character building and also as a great aid in preventing juvenile delinquency or crimes in later life.\(^{173}\)

The Friends of the Public Schools feared "the introduction of subversive propaganda against our form of government, our ideals, and national heroes and any other dangers to the public schools and the Nation that may arise from time to time."\(^{174}\)

General Fries said:

Among the most important matters to be considered by the Friends of the Public Schools, is how to prevent the introduction into the public schools of unwise theories and unwise experiments in education.\(^{175}\)

Regarding academic freedom the organization was on record as follows:

We have opposed unlimited academic freedom which one president of a college has defined as "simply the liberty to study and to teach without any repression or limitations whatsoever." We stated then that such a privilege is desired by all who want to indoctrinate the children with a collectivist of similar form of Government in the United States.\(^{176}\)

They were concerned as to the contents of textbooks and:

Have insisted that textbooks of history should be written from the standpoint of always teaching the Constitution of the United States and the system of government inaugurated thereunder and that histories should be patriotic and inspiring with sufficient dates to enable the student to get a co-ordinate story of the founding and development of our Nation.\(^{177}\)

\(^{174}\) Hearings. Part 2. 1945, p. 899.
\(^{175}\) Hearings. Part 2. 1945, p. 899.
\(^{176}\) Hearings. Part 1. 1945, p. 381.
Senator Fries said the "Money spent on schools was no criterion of educational achievement," and "it is not the elegance of school buildings and their equipment nor the high salaries of teachers that determines the quality of education a child may receive in any particular school." He reiterated all the predictions as to federal control accompanying federal aid and all the arguments advanced by opponents of federal aid.

He said "The testimony of those favoring the bill makes a great point of the alleged inability of the States to properly finance their schools. We are thoroughly acquainted with the adage the "figures don't lie," but they can be manipulated; and, moreover, they may be thoroughly misunderstood if not carefully scrutinized." He referred to Dr. Norton's data as "glittering generalities" and presented figures showing that the states spending the least for educational opportunities did not spend as high a percentage of their income for education as those spending the most for educational opportunities.

As to eradicating illiteracy he offered two suggestions, first:

Should the war last a considerable time yet, is it not possible that all men physically fit but illiterate will be taken into the service and educated up to the fourth-grade education in the two months or less required for educating them to that grade? Perhaps it might be a good plan to amend the law to take all illiterates into the Army in order to wipe out illiteracy in this country because illiteracy applies only to those who have passed the age for going to school. 181

He said, "The impression also is given that if we just had more money spent on the schools we would wipe out illiteracy. That idea is incorrect both for the present and the future so long as we permit immigration into the United States." 182 His second suggestion was regarding immigration and was as follows:

And so long as immigration is allowed to come into the United States as it is coming now, we will never greatly reduce this illiteracy unless we make that immigration subject to such drastic that no immigrant can get in without at least a fourth-grade education in English. 183

As to the reasons for illiteracy, he said:

Then what is the reason for this illiteracy? The answer is, except for the minority races in the South, immigration. 184

He made no suggestions regarding the removing of Negroes in

the South. He only said, "I don't need to go into the reasons why illiteracy is so high among them." 185

As to the membership of his organization, and the source of income for the preparation and distribution of the materials distributed by the organization General Fries was very vague. When questioned by Senator Fullbright as to whether or not they had for example tried to induce the state of Illinois to appropriate money for the public schools he evaded the question. As to the activities of the organization the following remarks are pertinent:

Senator FULLBRIGHT. You oppose this kind of help. Do you have any ideas as to how you do help. I mean, if you are friend of the public schools, how do you help? Do you actively engage in promoting the welfare of the public schools?

General FRIES. Yes; we are doing that particularly by pointing out what things are wrong and how they should be remedied. 186

Mrs. Margaret Hopkins Worrell appeared before the hearings on S.181 and S.717 to represent the Ladies of the Grand Army of the Republic, the Wheel of Progress, the Society for Constitutional Security, the Spengler Unit of the American Legion Auxiliary, and the Nineteenth Woman's Patriotic Conference on Defense. Regarding the organizations she represented she said:

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All of the above-named organizations heretofore mentioned have consistently opposed this legislation now under consideration for the reason that it is unnecessary and will, in spite of words and arguments to the contrary, lead to Federal control; in fact, in itself it constitutes Federal control. 187

As to the educational needs of the states she said:

The figures relative to the financial standing of the States is shown to be sufficient to take care of their educational needs, therefore, Federal financing is unnecessary....if these States are really interested in their educational problems and use their surplus for that purpose they still have borrowing capacity to put it on a level high enough to maintain the average educational schooling, which 0.4 years in school according to the reports of the last census. 188

Regarding the "real" need of education she said:

The amount of teachers' salaries is not the measure for adequate education, it is the teaching of the fundamentals - fundamentals are the life-blocks of education...

Let us get back to base, and drop this "progressive education" which is no education at all. Ground the children in the fundamentals and there will be no such illiteracy as is now complained of. 189

Mrs. Worrell said she had appeared against the last seven bills introduced and:

The thousands of our people whom I am here to represent are absolutely against Federal control of schools and against placing the education of the children of the United States in the hands of a Washington bureau or any one person instead of in the States where it has always been and where it belongs. 190

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The following remarks between Senator Hill and Mrs. Worrell are interesting:

Senator Hill. It is very evident to me that you haven't studied this matter very carefully. May I ask you very respectfully that you go back and study this matter, Madam.

Mrs. Worrell. Look at the pioneers and look at our little red schoolhouses throughout the country. There children only got a few months' education, and look at the wonderful men that came out of the red public schoolhouse, just look at them.

Senator Hill. I find you are not only seven years behind, but you are one hundred and seven years behind.

A Sample State - Montana

Statements from various groups and individuals from Montana in the record of the hearings give a picture of the conflicting opinions that arise in a State. A statement by Fred Fennion, Executive Secretary of the Montana Taxpayers' Association, in the hearings on S.181 regarding federal aid is as follows:

The Montana Taxpayers' Association, with nearly six hundred contributing members paying over fifty percent of the taxes in the State, and affiliated with the majority of the State-wide trade and commercial organizations, is definitely opposed to Federal aid for education. At a Federal finance conference held in Helena, October 9, 1944, out of thirty-seven organizations represented, only one favored Federal aid for education.

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It included statements from other organizations in the State. Some of these organizations and their statements are as follows:

Statement by Claude C. Tray, President, Montana State Farm Bureau:

We do not believe in Federal aid for public schools. It would lead to Federal control of education.193

Statement by W. J. Butler, State Veterinarian and a member of the Montana Stock Growers Association:

Federal aid for education is full of dynamite. There is too much danger of the Federal Government controlling the minds of children throughout the entire State, much the same as the Soviet and Nazi parties have controlled the education of children and youths.194

Statement by W. G. Ferguson, Manager, State Chamber of Commerce:

We are opposed to Federal appropriations for our public schools. We have full confidence in the ability of Montana to educate its young.195

Statement by Carl O. Hansen, Secretary, Montana Wool Growers Association:

Federal aid for education is absolutely unnecessary.196

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Statement by Otto Brackman, for the Associated Merchants:

The less Federal money, the better, as applied to our educational system.197

Statements by Dr. J. H. Jerberson, Montana Medical Association:

Local communities and States should be held responsible for the maintenance of public schools.198

Statement by John E. Tenge for the Montana Junior Chamber of Commerce:

We certainly are opposed to Federal aid for civilian rehabilitation, public schools, and school lunches.199

Statement by Walter J. Howard, Secretary-Manager, Montana Retail Lumber Dealers Association:

We see no object to be gained in Federal educational grants, and in this category we include vocational education.200

Statement by G. R. Miller, Association of Fire and Casualty Agents:

Public education should be entirely State and locally supported and controlled.201

Statement by Neil Wall, Secretary, Montana Implement and Hardware Dealers Association:

Education can best be administered by local authorities...Who is asking for Federal aid for schools in Montana? We will get along...\(^202\)

Statement by Missoula Chamber of Commerce policy committee:

Individual States should entirely finance and administer their public-school programs.\(^{203}\)

Also printed in the record of the hearings were letters from the State Superintendent of Public Instruction and the chairman of the State Board of Equalization, addressed to Mr. Fred Bennion of the Montana Taxpayers' Association, stating the schools of Montana did not need federal aid and denying that Harry Ross appearing at the hearings on S.637 painting "a deplorable picture of the financial conditions of Montana counties and school districts and the ability of Montana to finance her own public schools without Federal aid"\(^{204}\) represented them in any way.

Included in the hearings on S.181 was an endorsement of S.181 and H.R.1296 by the Montana Educational Association. M. P. Moe, executive secretary, of the Montana Educational Association painted little less than a "deplorable condition" in his statement and the following paragraph is interesting:

Our State legislature is now in session and proposals have been presented requesting enactment of bills


\(^{204}\) Hearings. Part 1. 1945, p. 426.
that will adequately finance that minimum program. Already has come the statement from the floor leader in the House, the taxpayers' association, the board of equalization, and others, "Where is the money coming from?" This indicates a feeling that Montana cannot adequately finance its school program from local and State sources. The only alternative is Federal aid as provided in S.181 and H.R.1295.205

Senator Murray, Chairman of the Committee on Education and Labor represented Montana in the Senate. During the hearings on S.111 he made the following statement regarding educational conditions in his state:

I was going to say in some States they have completely wiped out their debt and have money in the treasury and are bragging about the splendid position they put the State in. They have allowed the Government to take over all of the obligations with reference to the poor, with reference to education, and everything else. My State is one of the States that is doing that. At the last election the Governor was elected on the basis of reduced taxes and a balance in the treasury and at the same time he was allowing education to go to the dogs.206

The hearings on S.717 came later and the following Montana organizations endorsed S.717: Anaconda Teachers Union; Helena Central Labor Council; Butte Miners Union; Butte Central Council Parent-Teachers Association; International Woodworkers of America, Bonner Montana; Butte Teachers Union; Cascade County Trades and Labor Assembly, affiliated with the Montana Federation of Labor;

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American Federation of Teachers, Montana State University; Knights of Columbus, Anaconda, Montana; Missoula Central Trades and Labor Council; Saint Paul's Holy Name Society Committee, Anaconda; Great Falls Teachers Union; Central Labor Council of Anaconda.

Members of Congress and the President

Senator George Aiken of Vermont co-sponsor of S. 717, had the following to say regarding S. 717:

If any legislation providing Federal aid for education is enacted - and there is a growing impression in my mind that there will be one enacted - I think we want to be very careful that we do not put into it such prohibitions against the expenditures of public money in non-public schools that we prohibit a lot of things that ought to be done. I am thinking of the fact that in some States, and particularly in my State, we have private schools all over the State. Originally most of them, I think were Methodist and Baptist schools. Some of them were just plain private schools...The towns are permitted by our State law and State constitution to spend money in having their children educated at those non-public schools. They are, in fact, public, because any child can go there, but actually and legally they are not public schools.

Let us be careful, in our zeal to prevent the use of any public funds in certain ways, that we do not do harm to those schools...If the State permits them to go there it should be permitted to distribute its funds for that purpose, whatever the source is...

I realize that there could be danger in this bill. I would not approve the expenditure of any public funds, for religious teaching, and I do not think anyone expects that any provision of this bill would provide for the instruction in religious belief. If there is any question as to the language, it certainly should be corrected.
There are a lot of ways in which the language of the bill could be corrected. There are some things in it, however, which should be included into any Federal legislation, if such Federal legislation is enacted, for the purpose of aiding in the matter of education.

Although I am not taking the position of endorsing every word in this bill, I am willing to go along with Senator Head in offering the bill so that these things could be brought before the committee for its consideration. I do want to say, let us not put anything in any legislation which...will set us back in any way.207

For the first time in his twelve years as President of the United States President Roosevelt committed himself publicly regarding the role of the Federal Government in education. It was in his Budget message to Congress that he said:

The records of selective service reveal that we have fallen far short of a suitable standard of elementary and secondary education. If a suitable standard is to be maintained in all parts of the country, the Federal Government must render aid where needed - but only where it is needed. Such financial aid should involve no interference with State and local control and administration of educational programs. It should simply make good our national obligation to all our children. This country is great enough to guarantee the right to education adequate for full citizenship.208

This statement was welcomed by many proponents of federal aid. The opponents also derived satisfaction from the words "but only where needed." As to what action President Roosevelt would have taken regarding federal aid we can only guess, since he died during this session of Congress.


Senator Lister Hill of Alabama who had listened to the witnesses before the hearings, informed the Senate as to educational conditions, as presented by Dr. Norton and others, and the need for federal aid to education. He warned the Senate that "The penalties of educational neglect are heavy and inescapable" and that to deny educational opportunities to children of the Nation was "to deny democracy itself." He predicted that with such denials of educational opportunities "the inevitable end must be the death of democracy."

In the House many Congressmen had taken the floor to speak for federal aid to education. Congressman Hare of South Carolina introduced figures showing the high correlation between educational deficiencies and juvenile delinquency. Regarding juvenile delinquency and crime, Congressman Gerald W. Landis of Indiana said the bill for crime could be reduced by raising the expenditures for education. He said "The time has come to invest in these programs (various educational) because they are fundamental to the safety, security and productiveness and welfare of the Nation" and "Every child is entitled to the fullest education that he is capable of assimilating, taught by a competent, 

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209, 210, 211, 212
Congressional Record. 79th Congress. 1st Session.
sympathetic teacher and learning under a curriculum that is broad and flexible enough to meet the scholastic and vocational needs of every student."212

Congressman James H. Morrison of Louisiana said education was drifting toward federal domination because of lack of a straightforward federal policy of aid to education. He advocated the passage of a federal aid bill because:

"Education should be a major force in eliminating class distinction, and in equalizing social conditions under which men live. However, as it operates in some part of our country it accentuates class differences, and creates and perpetuates disparities in the condition of men, and this imperils the very foundations of the American way of life.213"

Congressman Ellis E. Patterson of California said federal aid to education was an "investment in democracy."214 Congressman Luther Patrick of Alabama added that "If democracy means equality of opportunity - and we have long so insisted - I think no place more proper to apply than in the education of the country's children."215 He denied the accusation made by Congressman J. Farnell Thomas of New Jersey that the poorer states were "trying to school our children by the old shell game."216

216 Congressional Record. 79th Congress. 1st Session. Vol. 91. Part 12, p. 2879.
Congressman Frank D. Long of Michigan said "These children, citizens of tomorrow, are a challenge and a threat to the whole nation. Their educational problems is not and should not be treated as a local issue."\(^{218}\) Congressman Walt Karen of Washington reminded "The United States failed to heed the lessons the last war taught concerning our human resources. America cannot afford to repeat that tragic mistake,"\(^{219}\) since "there is no substitute for human resources."\(^{220}\)

Congressman Harold C. Hagen of Minnesota introduced some items from various articles as to the tightward tradition" responsible for the teacher shortage. Some of these were:

Flint, Michigan, starts its teachers at $400 a year less than it starts its garbage collectors.

At Salt Lake City teachers can attain a maximum of $2,724 yearly after sixteen years' experience while the dog catcher makes $10,000 a year.

In Tuscombic, Missouri, the salary of the school janitor with less than an eighth-grade education is the same as that of a teacher with a university degree.

A $30-a-week teacher in South Omaha and in her class a fifteen-year-old boy earning $35 weekly for part-time work in a packing plant.

In Georgia the minimum salary for teachers works out to $4.25 a week less than the compensation to the unemployed.\(^{221}\)

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\(^{218}\) Congressional Record. 79th Congress. 1st Session. Vol. 91. Part 13, p. 4465.

\(^{219}\), 220

\(^{220}\) Congressional Record. 79th Congress. 1st Session. Vol. 91. Part 13, p. 5036.

\(^{221}\) Congressional Record. 79th Congress. 1st Session. Vol. 91. Part 13, p. 5114.
Congressman Estes Kefauver of Tennessee reviewed the figures presented by Thomas C. Doushall of the United States Chamber of Commerce on the floor of the House and emphasized the fact that education was an investment in people. He presented the various statistics showing the inequalities of educational opportunity and said "These inequalities of opportunity constitute an intolerable situation in a democratic Nation." He reminded that "These inequalities have been relatively constant for decades" and the unequal financial ability of the states in relation to the children to be educated rendered them powerless to remedy the situation.

In fact, "The economic necessity for Federal aid has been so thoroughly established and should now be so well known as to require no further discussion."

Congressman Kefauver said "Merely citing the doctrine of States' rights and responsibilities does not remove the economic necessity for Federal participation in the support of education," nor does the citing of "the tradition that the support of public schools is a State responsibility" relieve the situation. He maintained that "The bugaboo of Federal control of schools should not be permitted longer to deny adequate educational opportunities to several million of our Nation's children. We can have Federal aid without Federal control. To deny that we can is to deny the successful operation of our form of government."
In urging the passage of S.151-H.R.2847 Congressmman Kefauver said:

Fortunately a very large majority of American people accept equality of opportunity, especially equality of educational opportunity, as the birthright of every American child and agree that a legitimate function of democratic government is to sustain and make a reality of that birthright. The American people, by and large, believe that the kind, quality, and amount of education received by our people is a primary factor in their economic, political, and social welfare...

I believe that if the Federal Government has the right to reach into the most remote corners of the Nation and call youth to the defense of the country that same Government has the obligation to support a program of education that will enable them to perform such a duty well.

The heaviest burden for paying for this war will be laid upon those who are now the Nation's youth. I believe it will strengthen the faith of the youth in their country's future if the National Government will guarantee the financial support of a program of education which will enable them to pay this debt.

I for one believe that the school teachers of America are the first and chiefest servants of the Nation, and that the laborer is worthy of his hire. Federal aid is necessary to adequate remuneration of our teachers.

Public education is a public necessity. Federal aid for public education is essential to an equitable distribution of the blessings of education among the children and youth of America.

During the last part of this session of Congress, on December 19, 1945, Congressman Estes Kefauver reiterated his plea for

federal aid for education and lamented the action taken by the House Committee on Education yet he remained hopeful and optimistic as to federal aid for education:

Mr. Speaker, educational opportunities for the use of the Nation received a severe set-back in the Nation's Capitol last week. The House Committee on Education, by the narrow vote of 10 to 9, turned down the Ramspeck-Hill bill to provide Federal aid to education. Those of us who have been active in sponsoring this legislation are, of course, disappointed...

The vote in the Education Committee is the best showing we proponents of this bill have yet made in this House Committee. We have formed a steering committee. We have formed a steering committee to continue to press for passage of this needed legislation. Some future Congress is going to realize that equality of opportunity necessarily carries with it equality of educational opportunity...229

Summary

The educational crisis had reached such proportions by 1945, and had attracted sufficient national attention as to demand some show of consideration by the Congress. The pressure to enact legislation caused bills to be introduced into the Congress and considered by the Senate Committee on Education and Labor. The Senate Committee on Education and Labor held hearings on S.161 and S.717. These bills had several fundamental differences. The most controversial issue pertaining to federal aid to education

229 Ibid., p. 5729.
was involved, namely, that of whether or not non-public schools should be supported by public funds. The various pressure groups appeared in support or opposition to the bills. The statements presented by the representatives of the various groups revealed the objectives of the various groups; their differences of opinion regarding federal aid bills which were based on the objectives of the group; and in some cases there were indications of possible compromises which might be effected to secure the passage of a federal aid to education bill.

At this time we find the National Education Association and its affiliates; the Congress of Industrial Organizations; the American Farm Bureau Federation; the Negro organizations; the Protestant and Jewish groups; the Young Women's Christian Association; the National Federation of Business and Professional Women's Clubs; the General Federation of Women's Clubs; the American Association of University Women; the National Child Labor Committee; the Service Star Legion; the National Christian Temperance Union; the Alpha Kappa Alpha Sorority; and the National Congress of Parents and Teachers Association favoring federal aid to public schools. The Catholic Church; the American Federation of Labor; and the National Farmers' Union endorsed federal aid to public and parochial or non-profit non-public schools. The Chamber of Commerce agreed that there was a need for greater educational expenditures but considered it the responsibility of the state and
local units. Representative state Taxpayers Associations also preferred that the financing of education remain with the people at the state and local levels. The National Economic Council; the Church League of America; the Friends of the Public Schools; the Ladies of the Grand Army of the Republic; the Wheel of Progress; the Society for Constitutional Security; the Spengler Unit of the American Legion Auxiliary; and the nineteenth Women's Patriotic Conference of Defense were not only opposed to federal aid to education but advocated retrenchment in educational expenditures.
The hearings held by the Senate Committee on Education and Labor on federal aid to education bills during 1945, revealed many differences of opinion as to how federal aid to education should be distributed and administered. To reconcile these differences and provide more nearly equal educational opportunities for the children of America became the objective of the proponents of federal aid to education.

Amended S.181 in 1946

During the 2nd session of the 79th Congress (January 14, 1946 - August 2, 1946) several kinds of educational bills were introduced. Among these was S.181, amended. This bill was reported out of the Committee on Education and Labor (S.Rept.1497). The amended bill was offered by Democratic Senators Elbert D. Thomas and Lister Hill, and Republican Senator Robert A. Taft. It differed from the original S.181 as to the allocation and distribution of funds. It required that each state spend 2.2 per cent of its total income payments on education to participate in federal funds. This 2.2 per cent was a little higher than the national average. The funds were to be distributed to the states in an effort to raise the minimum educational expenditure for each child to at least $40.
Federal funds were to be distributed by taking the number of children five to seventeen years of age in the state and multiplying by $40. The difference between this figure and 1.1 per cent of the state's total income payments, one-half of the 2.2 per cent the states were required to spend, was to be allocated by the Federal Government. The states were then required within five years, to have equalized educational opportunities within the state to the point that no child, regardless of race or place of residence, had less than $40 annually spent on his education. The failure of a state to spend 2.2 per cent of its income payments for education, or failure to equalize educational opportunities to a $40 minimum within five years made a state ineligible for full participation in the federal funds. According to this method of distribution of federal funds, approximately thirty-three states would benefit from federal funds. To raise the minimum educational expenditure would increase the number of participating states.

In order to permit the states to plan for the development of their educational programs, the appropriation for the first year was to be $150,000,000, the second year $200,000,000, and the third year $250,000,000. The $250,000,000 was the estimated amount necessary for the Federal Government to allocate in order to provide a $40 minimum educational expenditure per child.
When this bill was reported from the Committee on Education and Labor, there were those on the Committee who expressed differing views, they were, Senators James C. Murray, David I. Walsh, George D. Aiken, and Wayne Morse. Excerpts from the views they expressed are as follows:

Implicit in the concept of democracy are differences of opinion, philosophy and culture. It is not democracy's function to destroy these differences, but to provide a healthful and proper environment in which they can flourish and mature, or perhaps wither and die, and in which the values they develop may be integrated into the culture and thought of all Americans. Thus, as we see it, the Federal Government in providing aid to education must be careful not only to interfere with local and State systems of education but not to encourage one system of education as against the other. Its aim must be the general welfare of all its citizens. Federal aid to education must not operate merely for the benefit of some children, be their number ever so large, but for all children. To do otherwise would, in effect, penalize those who are not eligible to receive the benefits of the act, and inequity would result...

In spite of evidence to the contrary, some people sincerely fear that Federal aid to church-controlled schools would bring about the union of church and state. We have considered this problem very carefully and we have concluded that such a fear is groundless. If it were not, we would be the first to oppose such aid. Another tenet of our democratic belief which we hold to be just as sacred and important as the separation of church and state is that of freedom of religion. Such freedom should not be limited by imposing, in effect, certain penalties on those who faithfully carry out the practice and teachings of their religion. In this connection, also, we must recognize that the Government does not wish to supplant the duty of parents in the instruction of training of their children, but merely wishes to supplement and facilitate it.1

The need for considering urgent legislation involving re-conversion from war to peace and the fact that House action on a similar bill was not expected during this session prompted the proponents of S.181, amended, to postpone the urging of consideration of this bill until the next session of Congress.

Regarding his change in attitude toward federal aid to education Senator Robert A. Taft said:

Mr. President, I have joined with the distinguished Senator from Alabama (Mill) in submitting the substitute for the federal aid for education bill. Two years ago I opposed very strongly the proposal which then was made for a general passing out of Federal funds in aid for education; but, in the course of that investigation and that debate, one fact became apparent, namely, that in many States the children were not receiving a basic education; and that some of the States although spending on education as much of a proportion of their income as the larger, wealthier States, were not able to provide such basic education...

It has always seemed to me that education is primarily a State function. I have not changed my views on that subject; but I believe that in the field of education the Federal Government, as in the fields of health, relief, and medical care, has a secondary interest or obligation to see that there is a basic floor under those essential services for all adults and children in the United States.

I have particularly felt that the entire basis of American life is opportunity, and that no child can have an equal opportunity unless he has a basic minimum education.2

This bill provided that the money be spent for public schools through public agencies. This meant schools the state considered

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public and agencies authorized by the state. As to why this policy was included in the bill Senator Taft said:

There has been considerable discussion as to whether the money should go to public or private schools. Regardless of the theory as to whether the money should go to private schools, it is perfectly clear to me that we cannot give aid to private schools in a State the policy of which is to deny such aid. If a State has a system of education based on public schools, then it seems to me that if the Federal Government, nevertheless, provided aid to private schools in that State, it would be doing what I think it never should do, namely, interfering with the administration and policy of education of the state and its local governments. That is what the Federal Government would do if it undertook to bypass the States, and to give aid to private schools in States which prohibit the giving of such aid. The only basis on which I would be willing to provide Federal aid is one under which the administration and the determination of policy as to education would be made by the States and by the local governments which actually provide the education. If we reach a point where the Federal Government begins to interfere with policy as to education, then I think we shall be on very dangerous ground, for then the Federal Government will gradually begin to dictate as to the kind of education which will be received by children and will control their education in very much the same way as is done in totalitarian States.3

In the House the "steering committee" referred to by Congressman Kefauver in the last session of Congress and organized November 15, 1945, became the House Bipartisan Committee for the Support of Federal Aid for Public Schools. The co-chairmen of the Committee were Congressmen Dirksen of Illinois and Jennings Randolph of West Virginia. The secretary was Congressman Miller of California.

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3 Congressional Record. 79th Congress. 2nd Session. Vol. 92. Part 8, p. 10620.
The Committee had a membership of 115 members of the House. They were actively working for federal aid for education.

Regarding the need of an educated citizenship in America, Congressman Jennings Randolph said:

The position of leadership to which our country has been called as a result of the war demands a highly educated citizenship. We are compelled, whether we like it or not, to carry responsibilities on the world front that are greater in magnitude and significance than ever before. These responsibilities we cannot discharge ably if large numbers of our people are bankrupt of understanding of what other nations are doing, what their objectives are, and how the interests of our own country are involved. The basis of national strength is knowledge and understanding. We cannot afford to undercut our national prosperity and world peace through a studied toleration of ignorance in even the smallest community of our Nation.4

Congressman Richard F. Harless of Arizona observed that:

We have spent more than $350,000,000,000 to prosecute that war, which was thrust upon us. We fought to preserve our country against tyrants, dictators, and invaders. We fought to preserve our way of life. This great expense in lives and money was necessary to protect our democracy, yet, now that the war is ended, we have within our own borders a condition which might eventually weaken and even destroy this Government which we have fought to protect. I refer to the inadequacies in educating the youth of this country. As it is the business of this Government to protect itself from foreign invaders, it is equally important that we should protect ourselves from inward deterioration.5

Congressman Charles A. Buckley of New York said he believed "The Federal Government should not restrict its assistance to public

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4 Congressional Record. 79th Congress. 2nd Session. Vol. 92. Part 12, p. 1807.
schools alone" and introduced into the Record a statement by the Most Rev. John T. McNicholas, O.I., S. T. M., Archbishop, of Cincinnati, which reflected his attitude. Excerpts from Rev. McNicholas' statement are as follows:

Parents are equally responsible for the mental development and intellectual training of their children. This education of children must take place under the freedom of religion that parents enjoy, and under American freedom of education that children in the schools of their conscientious choice, should get help, if they need it, from the States for the education of their children. All parents, whatever their faith, should get this help when the need can be proven to the State. This is true American freedom of education. To deny parents the help which they need for the education of their children is to attempt to secularize wholly, or to sovietize, our system of education. It is not American freedom of education.

To deprive parents of true American freedom to educate their children in the schools of their conscientious choice because they have not the means to do so, is indirectly a violation of our freedom of religion. Millions of Catholic parents are bound in conscience and by their religion to have their children trained in moral living during their school years. To tell poor parents that their children must receive instruction from public teachers and must be deprived of freedom of education, unless from the family treasury they can pay for the education of their children, means that legislators and State Constitutions and laws nullify our freedom of education.6

Other Bills Pertaining to Education

Also introduced into this session of Congress was the May-Gurney bill for a year of compulsory military training. The

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6 Congressional Record. 79th Congress. 2nd Session. Vol. 92. Part 12, p. 4391.
measure was endorsed by President Truman and many military and naval leaders, but opposed by a majority of educators. Senator Albert D. Thomas introduced into the Record an article by Glenn D. Everett, entitled "What Kind of Education Shall We Buy?"

In this article Mr. Everett said "Under any circumstance the total bill for a year's military training is certain to exceed the $3,200,000,000, which represents the largest sum ever spent on education, both public and private from kindergarten to college." He described military training as meaning "The trainees will be educated in the act of killing men. This may seem harsh, but training for war is the only real purpose of the program - and war in the atomic age threatens to become a matter of wholesale human butchery." He said "The program of military education being studied by Congress is a flight from reality, man's only security can come from working together cooperatively to eliminate the Threat of atomic conflict" - this he said required education. He said "Education, indeed, holds the key to the future, though it is not education for war, but education in the art of living together that will save the day for the world."

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7 Congressional Record. 79th Congress. 2nd Session. Vol. 92. Part 11, p. 2991.

8 Congressional Record. 79th Congress. 2nd Session. Vol. 92. Part 11, p. 2991.


10 Congressional Record. 79th Congress. 2nd Session. Vol. 92. Part 11, p. 2992.
It may be noted that during this session of Congress... 3370 was passed in lieu of S.562, known as the National School Lunch Act. Federal aid for school lunches had been given indirectly over a period of approximately ten years through various federal agencies. This act (Public Law No. 396) provided a permanent fund for this purpose. The act required the states to match $1 for $1 at first and gradually being increased to $2 for the states to $1 by the Federal Government. Benefits under the act were to apply to states and schools, both public and non-public, providing lunches, without cost, to children who were unable to pay and without making any physical segregation or other discrimination because of their inability to pay.

The vocational funds, under the George-Barden bill, were also substantially increased during this session of Congress.

**Supreme Court Decision - Everson Case**

In 1947, the Supreme Court handed down a decision relevant to education. Previously the state courts had consistently held unconstitutional all measures designed to legalize the transportation of children to parochial schools at public expense.

For example, in New York in 1936, the supreme court of the state said among other things:
...aid furnished "indirectly" clearly embraces any contribution, to whomever made, circuitously, collaterally disguised, or otherwise not in a straight, open and direct course for the open and avowed aid of the school, that may be to the benefit of the institution or promotional of its interests and purposes. Free transportation of pupils induced attendance at the school. The purpose of the transportation is to promote the interests of private school or the religious or sectarian institution that controls it.¹¹

In 1942, when the Kentucky supreme court was confronted with a case regarding a law providing such transportation, it disavowed the precedent established by the Cochran case and decided that:

It is obvious that the Louisiana case and a few others of similar import...are contrary to the great weight of authority, and are lacking in persuasive reasoning and logic. We are of the opinion, therefore, that the Act here under consideration is unconstitutional and, therefore, void.¹²

When the matter of transporting children to parochial schools at public expense came up in New Jersey, the state supreme court ruled the law unconstitutional, the Court of Errors and Appeals of the State of New Jersey declared it constitutional, and on February 10, 1947, the United States Supreme Court likewise declared it constitutional by a vote of five to four.

The case involved a New Jersey law being enforced in the Township of Ewing providing for the reimbursement of parents for the cost of public transportation for their children attending

¹¹ Johnson and Yost. Separation of Church and State in the United States. Minneapolis, University of Minnesota Press. 1948, p. 156.
¹² Ibid., p. 157.
public and Catholic schools, "operated under the superintendency of a Catholic priest and, in addition to secular education, gave religious instruction in the Catholic faith." A taxpayer, by the name of Everson, challenged this law on the basis that it violated his right as a citizen in that it forced him to contribute, as Jefferson had said, to "the propagation of opinions which he disbelieves" and which he believed to be forbidden by the First Amendment which is made applicable to the states by the Fourteenth. In this case the Court held that:

1. The expenditure of tax-raised funds thus authorized was for a public purpose, and did not violate the due process clause of the Fourteenth Amendment.

2. The statute and resolution did not violate the provision of the First Amendment made applicable to the states by the Fourteenth Amendment.1

In the opinion of the Court, the decision was based on the "child and public welfare principle." While not denying that the Township of Ewing was aiding the Catholic schools, it held that this reimbursement for transportation was not "support" in the legal sense according to the due process provision of the Fourteenth Amendment. The opinion of the Court was written by Justice Black. He closed the opinion with:


14 Ibid., p. 1.
The First Amendment has erected a wall between church and state. That wall must be kept high and impenetrable. We could not approve the slightest breach. New Jersey has not breached it here.¹⁵

Two dissenting opinions were written; one by Justice Jackson and the other by Justice Rutledge. The other dissenting members concurred in the dissenting opinions.

Justice Jackson said, concerning the opinion of the Court:

The Court's opinion marshals every argument in favor of state aid and puts the case in its most favorable light, but much of its reasoning confirms my conclusion that there are no good grounds upon which to support the present legislation. In fact, the undertones of the opinion, advocating complete and uncompromising separation of Church and State, seem utterly discordant with its conclusion yielding support to their commingling in educational matters. The case which irresistibly comes to mind as the most fitting precedent is that of Julia who, according to Byron's reports, "whispering 'I will never consent'—consented."¹⁶

Justice Jackson denies that the Township of Ewing is performing a public service since it does not operate school busses but only reimburses parents for children's fares on regular busses operated by the public transportation system, nor does it make a provision for reimbursement to the parents of all children, but only to those attending public and Catholic schools.

As to aiding a religious institution, he says, the Roman Catholic Church "does not leave the individual to pick up religion by chance. It relies on early and indelible indoctrination in

¹⁵ Ibid., Black: opinion of the Court, p. 18.

the faith and order of the Church by the word and example of persons consecrated to the task.\textsuperscript{17} So important is this early indoctrination of the young to the progress and success of the mission of the Catholic Church that he believes it "would forego its whole service for mature persons before it would give up education of the young, and it would be a wise choice. Its growth and cohesion, discipline and loyalty spring from its schools. Catholic education is the rock on which the whole structure rests, and to render tax aid to its Church school is indistinguishable to me from rendering the same aid to the Church itself.\textsuperscript{18} And, "It is of no importance in this situation whether the beneficiary of this expenditure of tax-raised funds is primarily the parochial school and incidentally the pupil, or whether the aid is directly bestowed on the pupil with indirect benefits to the school. The state cannot maintain a Church and it can no more tax its citizens to furnish free carriage to those who attend a Church. The prohibition against establishment of religion cannot be circumvented by a subsidy, bonus or reimbursement of expense to individuals for receiving religious instruction and indoctrination."\textsuperscript{19}

\textsuperscript{17} Ibid., p. 23.


He recognized the hardship this placed on Catholic parents whose Church demanded their children receive Catholic religious training in Catholic schools, but he could not concede public support or aid for any or all religious institutions under "the same Constitution that alone assures Catholics the right to maintain those schools at all where predominant local sentiment would forbid it. (Pierce)"20

Justice Rutledge said Thomas Jefferson and James Madison could not have agreed with the decision of the Court, and that he considers this the second breach in the wall separating church and state. (Cochran v Louisiana Board of Education being the first.)

Justice Rutledge considered transportation as much a part of the total cost of education or the religious instruction given as the equipment, the buildings, or the library, in fact, "No less essential is it, of the payment of its cost, than the very teaching in the classroom or payment of the teacher's sustenance."21 For him it "is impossible to select so indispensable an item from the composite of total costs, and characterize it as not aiding, contributing to, promoting or sustaining the propagation of beliefs which it is the very end of all to bring about."22

20 Ibid., p. 21.
21 Ibid., p. 27.
22 Ibid., Rutledge: dissenting opinion., p. 40.
He said that according to the Court "the New Jersey statute is valid in its present application because the appropriation is for a public, not a private purpose, namely, the promotion of education, and the majority accept this idea in the conclusion that all here is "public welfare legislation." If this is true...the Amendment's force can be thus destroyed...For then there could be no possible objection to more extensive support of religious education by New Jersey," in fact, it leaves the way open "to make full appropriation for support of private religious schools, just as is done for public instruction." He further said that "Stripped of its religious phase, the case presents no substantial federal question. The public function argument, by casting the issue in terms of promoting the general cause of education and the welfare of the individual, ignores the religious factor and its essential connection with the transportation, thereby leaving out the only vital element in the case." He said "The 'public function' - 'public welfare' - 'social legislation' argument seeks, in Madison's words, to 'employ Religion (that is here, religious education) as an engine of Civil policy.'

23 Ibid., Rutledge: dissenting opinion., p. 49.
24 Ibid., Rutledge: dissenting opinion., pp. 49-50.
25 Ibid., Rutledge: dissenting opinion., p. 50.
26 Ibid., Rutledge: dissenting opinion., p. 50.
This he declared is contradictory to the meaning and purpose of the First Amendment. He attributed this error in the judgment of the Court to the basing of their decision on the due process clause "unrelated to any religious aspect of the First Amendment." He said that such decisions pave the way for bitter struggles among the various religious sects for larger and larger shares in public benefits.

Justice Rutledge emphasized the importance and the broad implications of this case as follows:

This is not, therefore, just a little case over bus fares. In paraphrase of Madison, distant as it may be in its present form from a complete establishment of religion, it differs from it only in degree; and is the first step in that direction. Today as in his time "the same authority which can force a citizen to contribute three pence only...for the support of any one (religious) establishment, may force him" to pay more; or "to conform to any other establishment in all cases whatsoever." And now as then, "either...we must say, that the will of the Legislature is the only measure of their authority; and that in the plentitude of this authority, they may sweep away all our fundamental rights; or that they are bound to leave this particular right untouched and sacred.

Rem. Par. 15.

The realm of religious training and belief remains, as the Amendment made it, the kingdom of the individual man and his God. It should be kept inviolately private, not "entangled...in precedents" or confounded with what legislatures legitimately may take into the public domain."28

27 Ibid., Rutledge: dissenting opinion, p. 52.

28 Ibid., Rutledge: dissenting opinion, pp. 57-58.
In other words, Justice Rutledge placed this equal and unalienable right to religious liberty above the will of any legislature. He made it plain that it is a fundamental right of the people, through their Constitution, have reserved unto themselves. The importance Justice Rutledge attributed to this decision is the fact that he believed "we have staked the very existence of our country on the faith that complete separation between the state and religion is best for the state and best for religion." 29

According to Justice Rutledge "two great drives are constantly in motion to abridge, in the name of education, the complete division of religion and civil authority which our forefathers made. One is to introduce religious education and observances into the public schools. The other, to obtain public funds for aid and support of various private religious schools. In my opinion both avenues were closed by the Constitution." 30

Amended S.181, S.192 and Others in 1947

During the first session of the 80th Congress (January 3, 1947 - December 19, 1947) between forty and fifty bills were introduced pertaining to education. S.181, amended, was introduced into the Senate as S.472 by Senators Robert A. Taft of

29 Ibid., Rutledge: dissenting opinion, p. 59.

30 Ibid., Rutledge: dissenting opinion, p. 62.
Ohio; Elbert D. Thomas of Utah; Lester Hill of Alabama; Allen J. Ellender of Louisiana; H. Alexander Smith; and, Dennis Chavez of New Mexico. In this group there were four Republican senators and four Democratic senators. The purpose of the bill was:

To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and reducing the inequalities of educational opportunities through welfare, and for other purposes. 31

The bill was reported out of the Senate Committee on Labor and Public Welfare (S.Rept. 125). It remained on the Senate Calendar during this session of Congress. (Note: At this point the Senate committee dealing with educational bills was called the Senate Committee on Labor and Public Welfare, and the House Committee dealing with educational bills the House Committee on Education and Labor.)

Another bill introduced into the Senate at this session of Congress and receiving considerable attention was S.199, by Senator George D. Aiken of Vermont. This bill was similar to S.717 in that it provided aid for non-public schools. The purpose of the bill was:

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31 Congressional Record. 80th Congress. 1st Session. Vol. 93. Index.
A bill to authorize the appropriation of funds to assist the States in more nearly equalizing educational opportunities among and within the States by establishing a national floor under current educational expenditures per pupil in average daily attendance at public elementary and secondary schools and by assistance to non-public tax-exempt schools of secondary grade or less for necessary transportation of pupils, school health examinations and related school health services, and purchase of non-religious instructional supplies and equipment, including books.\(^\text{32}\)

Title I of the bill provided that public elementary and secondary schools be administered by state authorities without federal control and due audits and reports. The appropriations for each fiscal year ending as dated and the minimum base of expenditure per child required are as follows:

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Title II provided that the Federal Government reimburse tax-exempt non-public elementary and secondary schools sixty per cent of their expenditures for transportation of pupils, school health examinations and related health services, and purchase of non-religious supplies and equipment, including books. An appropriation of $60,000,000 was set aside for this purpose.

\(^{32}\) Congressional Record. 80th Congress. 1st Sessions. Vol. 93, Part 1, p. 363.
There were 19,602,772 pupils in average daily attendance in such schools in 1944. This would be approximately $30 per pupil. It was estimated that this $30 would allow $10 for transportation, $5 for health examinations and related health services, and $15 for non-religious instructional supplies and equipment including books.

If in any state the state educational authorities were not permitted by law to disburse the funds under title II to non-public schools, the funds were to be disbursed by the Secretary of the Treasury to such non-public schools or school systems.

The participating non-public schools were to agree to state and federal inspection or audit of their accounts of such expenditures. As Senator George D. Aiken said:

> The purpose of these conditions is simply to safeguard the expenditure of Federal funds for the purpose specified. No direct or indirect controls of the operation of the schools receiving reimbursement is made possible.33

Senator George D. Aiken explained that according to the provision of the bill under title II:

> Such aid from tax sources would encourage the establishment of privately controlled schools of secondary grade or less. Such encouragement to such schools has long been given by existing legal provisions for tax exemption. The provisions of title II carry encouragement one step further by relieving somewhat the competitive disadvantage under which the non-public tax-exempt schools at present operate.34

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Congressmen introduced into the House approximately thirty
bills pertaining to education. These bills were designed to aid
education in various ways. Congressman Welch of California intro-
duced a bill similar to S.199 in what it proved for similar
support to non-public schools. If differed in that it required
a minimum equalization base of $140 and no yearly increments were
authorized. Some of the bills similar to S.472 and spoke of as
companion bills were introduced by Congressmen Estes Kefauver of
Tennessee, H.R.2188; Laurie C. Battle of Alabama, H.R.1870; and
Thurston Ballard Morton of Kentucky, H.R.3076. Also similar to
S.472 but going one step further was H.R.2953, introduced by
Congressman Edward O. McCowen of Ohio, chairman of the House Committee
on Education and Labor.

This bill, H.R.2953, provided in addition to the aid given
by S.472, that each state not qualifying for aid to raise its
minimum educational base to $140 per child be given $3 per child
five to seventeen years of age in the state if the state spent
2.2 per cent of its income payments for education. A hearing
before a sub-committee of the House Committee on Education and
Labor was held on the various educational bills presented to the
House. This bill, H.R.2953, was reported out of the sub-committee
by a vote of six to two to the Committee on Education and Labor.
of the Whole House. There the bill remained.

Discussion Relative to Federal Aid

During this session of Congress approximately seventy-five Senators and Congressmen either addressed their fellow members on the floor of the Senate or the House or had their remarks included in the Record for their fellow members to consider. The majority of these Senators and Congressmen were endeavoring to impress upon their fellow members the need for the passage of a federal aid to education bill.

Many of the statistics relative to the inequalities of educational opportunity and the inability of the states to remedy the situation were repeated for the benefit of those unfamiliar with the situation. After a recapitulation of the self-perpetuating conditions of inequality and the factors involved Senator John J. Sparkman of Alabama said:

The story could continue endlessly. Not only is the over-all picture ugly, but the inequalities in opportunities within the States individually and collectively will frighten anyone as to the fate of this country who will take the time to acquaint himself with existing conditions. 35

Senator H. Alexander Smith of New Jersey introduced into the Record an article by Walter Lippman, in the New York Herald

Mr. Lippman wrote:

The case for spending Federal money on the public schools must be very strong indeed, or Senator Taft would hardly be sponsoring a bill (known as S.172) at this time for just that. The Senator is no spendthrift. Nor is he one who likes to extend the responsibilities of Government, much less of the Federal Government, in a field which belongs primarily to the States.

But he has studied the facts, and he has concluded, as any man must who will also study them, that the condition of our public schools in many parts of the country is deplorable, indeed a national disgrace and a national danger, and that the need for Federal aid is absolute and compelling...

The trouble with these statistics is, I realize, that they are so bad that they are incredible. But as a matter of fact the condition of education in great parts of the country is incredibly bad. The results of our neglect of education are spectacular and humiliating.

Mr. Lippman recommended an expenditure of $500,000,000 in aid to education and an additional $500,000,000 to be spent for schools and libraries. He said we ought to raise the standard of expenditure per classroom unit to $3,000. However, he pointed out that under existing conditions if such action were taken eight out of ten children would have no school to attend and in twenty-two states there would be no school at all.

With a national income the highest in history Congressman James J. Morrison of Louisiana was prompted to conclude that

The children of this country are suffering an educational depression that is without parallel, that is dangerous to our national well-being, and that cannot be wisely indulged.\textsuperscript{37}

Congressman Laurie C. Battle of Alabama urged the passage of a federal-aid bill and said it "should be classed as a deficiency bill. To me it seems like it is something we have been owing to the people of the United States for a long time and have not paid them."\textsuperscript{38}

As to the "fear of Federal control" belabored by the opposition, Senator Aiken said:

There is this very interesting point in connection with the question of the Federal Government subsidizing education: It seems that certain private industry groups do not fear Federal control if they get Federal subsidies. At least, they were willing to accept Federal subsidies last year to the tune of more than a billion dollars.\textsuperscript{39}

The case of the "vanishing teacher" and the resulting "erosion of human resources"\textsuperscript{40} from lack of qualified teachers emphasized the seriousness of the educational problem. According to Senator John J. Sparkman "Only one-half of the teachers employed in 1940-41 are still teaching today."\textsuperscript{41} There were those who

\textsuperscript{37}Congressional Record. 80th Congress. 1st Session. Vol. 93, Part 11, p. 2290.

\textsuperscript{38}Congressional Record. 80th Congress. 1st Session. Vol. 93, Part 11, p. 2401.

\textsuperscript{39}Congressional Record. 80th Congress. 1st Session. Vol. 93, Part 5, p. 5649.

\textsuperscript{40}Congressional Record. 80th Congress. 1st Session. Vol. 93, Part 11, p. 2057.

\textsuperscript{41}Congressional Record. 80th Congress. 1st Session. Vol. 93, Part 11, p. 2469.
maintained that such a turnover would bankrupt an industry of the same size and predicted an educational bankruptcy for the future citizens of America if aid was not given. Educational bankruptcy on the part of future citizens in a democracy which depends for its perpetuity and progress on education was not a matter to be taken lightly. Senator George D. Aiken reminded that:

The kind of schools we have today will determine the kind of citizens and the kind of democracy we will have tomorrow. Nineteenth century education cannot meet the needs of an atomic energy age...If we as a Nation continue to sow the wind of neglect, we shall reap the whirlwind of chaos and regret. The teachers of the United States deserve our support; the children of America need it; and the welfare of the Nation demands it.\(^2\)

Senator George D. Aiken attacked the problem of a teacher shortage by saying "The number of children in the United States is on the upgrade; the school system is on the downgrade"; "The shortage of teachers is the anemia that is sapping the lifeblood of our public school system"; "This shortage of teachers is traceable primarily to the terrible inadequate pay they receive";

"We cannot expect to educate our children at bargain-basement prices without getting bargain-basement quality."\(^3\)

As to the "inadequate pay" Senator John J. Sparkman of Alabama presented figures compiled by Business Week as follows:

\(^2\) Congressional Record. 80th Congress. 1st Session. Vol. 93. Part 5, p. 5649.
\(^3\) Congressional Record. 80th Congress. 1st Session. Vol. 93. Part 5, p. 5642.
Farmers have an increase in average spendable income, in terms of 1939 dollars, of 155 per cent, coal miners 61 per cent, business and professional men of 25 per cent, while school teachers are at the bottom of the list with a 20 per cent drop in real income.44

The "bargain-basement prices" offered were encouraging; "bargain-basement quality" in teachers as shown by the fact that in 1920, twenty-two per cent of all college students attended teachers colleges and in 1947 only seven per cent of the students were enrolled in teachers colleges. This did not mean that the seven per cent were planning to be teachers since due to crowded colleges, these had been the only schools open to some students. This lack of interest shown in entering such an ill-paid profession promised little hope for qualified replacements for emergency teachers teaching grades higher than they had completed.

Regarding the qualifications of teachers, Senator George D. Aiken said:

Only fully trained lawyers who have passed the bar are permitted to handle our litigation. Only fully trained physicians are permitted to attend us when we are sick. Only fully trained veterinarians are permitted to doctor our animals when they are ailing. Yet we are so short of teachers that we must accept for the instruction of our children those who fall far short of the fully trained mark. This is not fair to the children of America.45


As to the need for better teachers for the children of America, Congressman John R. Murdock of Arizona inserted from an article by E.M. Tuttle:

Human lives are enlarged, inspired, made more capable and strong, or they are left stunted, warped, aimless, and ineffective by the teachers of their early years.46

And as to the need for a change of policy designed to secure effective teachers Congressman George H. Bender of Ohio suggested:

It is time for the lawmakers and fund disbursers of the country to recognize that praise and platitudes are not substitutes for food, clothing, and shelter.47

Congressman Charles R. Clason of Massachusetts included in the Record an address by Hubert W. Kregloh, a New England commentator. Kregloh deplored the fact that the American people, by and large, expected devotion and perfection from the teaching profession but evaded the issue and offered excuses when it came to paying them a decent wage. He reviewed the services rendered by the teachers of the Nation, the charity of the depression, the extra services during the war, and their contribution to the ability of American citizens to deal wisely and intelligently with the complex problems of the day – and, yet, for all the sacrifice, devotion, and unselfish service, the American people

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by their actions said "Here is a group whose legitimate needs we may conveniently ignore." On the other hand, Mr. Kreglow compared the actions of the labor unions as follows:

Taking note of the strategy of labor unions, we complain that the tactics of their leaders are frequently belligerent, unreasonable, insolent, detrimental to the interests of the public and generally offensive. But does not the plight of the self-restrained teachers tend to confirm the contention of the unions that without pressure, threat, belligerence, and noise improved working and living conditions just cannot be obtained?

During this period some teacher groups throughout the country were adopting the strike tactics of the labor unions. Some members of the Congress deplored such actions and criticized the teachers for these actions. Congressman Estes Kefauver said:

To me it is disgraceful that this country should permit our public-school situation to become so desperate that teachers should have to resort to such extreme measures.

The usual references were made to the staggering federal debt, the tax burden, the enormity of the federal budget and the many obligations of the Federal Government. On the other hand, several members of the Congress informed their fellow members that in the United States only 1.5 per cent of the national income was spent for education while Great Britain was spending three per cent of her national income and Soviet Russia was spending 7.5 per cent.

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48 Congressional Record. 80th Congress. 1st Session. Vol. 93, Part 13, p. 1416.
49 Congressional Record. 80th Congress. 1st Session. Vol. 93, Part 13, p. 1416.
50 Congressional Record. 80th Congress. 1st Session. Vol. 93, Part 13, p. 1077.
of her national income for education. Furthermore, they reported that Great Britain had just inaugurated an enlarged program of education which would require six to seven per cent of her national income and the new five-year plan of Russia included an increase in educational expenditures of seventeen to twenty per cent of the national income for education. There were those who questioned these figures, seemingly prompted by a desire of not wanting to believe such figures. However, those presenting the figures countered with documentary evidence and more figures. (Soviet Press, Feb. 21-26, 1947, and others). They added that the Russian government had increased its 1946-1947, educational budget over the preceding year by fifty-two per cent. Its new budget called for an appropriation of $7,500,000,000 for education. This was approximately three and one-half times the amount spent on public education in the United States the same year ($2,412,511,236).

As to the school enrollment in Russia during 1947, there were 31,300,000 in primary and secondary schools, 693,000 in higher educational institutions, 1,064,000 in technical schools and 1,900,000 in trade schools.51

In answer to those who maintained that we cannot "afford federal aid at this time" Congressman Monroe L. Redden of North Carolina retorted "I take issue with this holding...It seems to

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As we have money for every purpose except to build up our school system and educate the youth of America. We are economizing at the expense of the health and education of the school children of America. 52

In the address by H.R. Harriman, mentioned above, he also took issue with this holding as follows:

To contend glibly that in this rich country the funds to raise teachers' salaries to decent levels are not available is either malicious or stupid. We spend more per capita than any other nation for lipstick; powder and perfume; for baubles to stick in our ears, put on our fingers or pin on our dresses; for ice cream and soft drinks for whiskey and bubble gum; and for jive records. If we cannot divert a fraction of the sums spent on these pleasant but quite non-essential luxuries to the financing of an education commensurate with our role in the world we admit to monumental national immaturity...it would be shameful to argue that the funds could not possibly be raised by the Nation which provided its citizens with the world's finest conveniences, financed the most prodigious war effort in the history of man, and has already shipped to foreign countries almost $20,000,000,000 worth of post-war assistance in one form or another. 53

There were other members of the Congress informing their fellow members that the people in the United States spent in 1945 $7,700,000,000 for alcoholic beverages, or $55.65 per capita; $3,000,000,000 for tobacco, or $21.49 per capita; yet, spent only $17.76 per capita for education. In regard to such figures Walter Lippman wrote:


No man can keep a straight face and argue that this country could not afford to spend $2 per capita more on schools when he looks at what it does spend on other things.54

The members of Congress were reminded of the great power of education. Recent events had dramatically demonstrated to them how education could be used to promote the aims of democratic or totalitarian nations. There were those who lauded the results produced by our educational system in the past which had given us victory over the totalitarian states. For instance, Senator John J. Sparkman introduced into the record an address by Dr. Ralph E. Adams who claimed our enemies had underrated Americans by thinking them "schooled to weakness by a soft democracy," and instead, they had found them intelligent and resourceful, as he said:

This product of our educational system manned our research laboratories, and piloted our bombers, labored in our shops and on our farms, and made us the greatest military power in the world. His teacher, the myopic professor scorned by the practical world, became the most feared soldier of them all - the brain behind the atomic bomb.55

Congressman Eugene J. Keogh of New York introduced into the record an address by James A. Farley in which he attested to the effectiveness of an educated people in time of war as follows:


In time of war a trained population has been mobilized twice in my lifetime to form, in each instance, the most effective and most modern military organization the world has ever known.

None of this could have been done without a people so educated that leadership is available on call, all the way from foreman to managing director in industry, or corporal to general in the Army. Her millions of educated men and women are the greatest resource of the United States.56

Congressman John P. Murdock of Arizona introduced into the Record an article by E. M. Tuttle in which he said:

We Americans have grown up with a smug idea that we have the best schools in the world. Maybe we have had in the past, though the claim might be open to argument. But our schools are losing ground now. What good is it to set the pace for a brief stretch if we lost the race in the end?57

Early in the century Germany had cornered most of the foreign markets. The reason: the products she offered were the best in the world because of her highly skilled workers. America looked on with envy but not for long, because America began pouring millions into education to obtain skilled workers. Business, labor, the farmers and others demanded vocational education. These millions have paid off in economic and military victory for America. Regarding the raising of educational expenditures in Great Britain and Russia


Congressman Kefauver warned that:

When we realize that Great Britain and Russia both learned the values of educational expenditures from us we realize that we can no longer neglect to provide adequate support of America's public schools. 58

Russia and the ideology to which she subscribed loomed as a threat to America and the democratic ideology. Evidence of the awareness of this threat are obvious in the following statement by Congressman James H. Morrison of Louisiana:

No generation of American youth has in the past faced problems as complex or more important than those we are passing on to our young people. Yet we are shamefully neglecting our young people at a time when the political and economic philosophies inimical to our way of life are being vigorously, and even enthusiastically, strengthened to compete with, perhaps even to attempt to throw off balance and destroy, the principles upon which this Nation has grown great. The fact that some other powerful nations are reported to be spending relatively a great deal more for the education of their youth than we are for our own is a danger signal we would do well to heed. Every element in our national life must be cultivated to the highest possible degree, in terms of what we are all proud to call the American way of life, if our way of life is to have the powers of resistance to hostile faiths necessary to perpetuate and improve our own. 59

Senator John J. Sparkman was concerned in respect to our advances in the physical sciences which had given us the atomic bomb and, in contrast with our lack of command of the sociological and political sciences which are necessary to preserve the peace


and turn to constructive uses the advances in the physical sciences.

He said:

...if you can help to provide means whereby youth will advance as rapidly and as soundly in democratic sociological and political sciences as we have in the physical sciences, you will have done much to save the Nation.60

As to the importance of progress in the sociological and political sciences Congressman W. F. Norrell of Arkansas referred to the statement by H. G. Wells as follows:

In a famous statement of the 1920's, H. G. Wells predicted that the fortunes of the world were dependent upon the outcome of the race between catastrophe and education — the right kind of education. By 1939, it was clear that catastrophe had won the race. It cost the world six years of bitter warfare, 60,000,000 casualties and $3,000,000,000,000 to give itself another chance — a chance to start the race all over again.61

As to now we were to compete in the chance to run the race again, education loomed as of first importance in making us competent to win the race and save the world from annihilation.

The world was faced with competing ideologies determined to capture the minds and hearts of men. One of these was totalitarian and unmindful of the rights of men and without respect for the individual. Since totalitarianism thrived on ignorance Senator

60 Congressional Record. 70th Congress. 1st Session. Vol. 93, Part 11, p. 2470.

61 Congressional Record. 70th Congress. 1st Session. Vol. 93, Part 12, p. 3012.
Robert A. Taft said "Education is the only defense of liberty against totalitarianism." And Congressman W. E. Harrell added that "democratic government and democratic way of life are possible only to a people well educated under democratic principles."

To make our democracy strong Senator Robert A. Taft concluded that "It is the concern of the entire Nation to see that the principles of the Declaration of Independence and the Constitution are translated into reality." Congressman Thurston Ballard Norton of Kentucky reminded that according to the principles of the Declaration of Independence and the Constitution "We are one Nation, dedicated to a program of equal opportunity for all citizens."

Senator George D. Aiken thought that "To conserve and develop this human resource is the best insurance we can have for the future greatness and security of our Nation."

As to the chance of passage of a federal aid bill the following remarks in the course of Congressman Estes Kefauver's plea for federal aid seem pertinent:

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64 Congressional Record. 80th Congress. 1st Session. Vol. 93. Part 10, p. 1027.
Mr. BUCHANAN. Just what does the gentleman think the chances are of getting that sum out of this Congress?

Mr. Kefauver. This is, of course, an economy Congress, and there is no chance in this session, but let us hope it may be different in the next session. I may say this is not a gift. It is an investment in the youth of America which will yield high returns. 67

Senator Robert A. Taft, co-author of S.472, was cognizant of the "need for economy." He said "The people today on the average are paying one-third of their income in taxation, working one day in three for the Government. I believe such a tax system will soon discourage both individual initiative and corporate expansion. The Federal contribution, therefore, to the States for matters where States have the primary obligation, like welfare, health, housing, and education, must be in limited amounts." 68

Senator Taft did not approve of large amounts of federal aid to education because first:

I quite realize that this bill does not hold out any immediate promise of relief to the teachers in many States. Where the aid does go, probably eighty per cent of it will go for increases in teachers' salaries where those salaries are now the lowest. There are some bills providing a general contribution by the Federal Government to all teachers' salaries and proposing very large appropriations for Federal assistance to education. I do not believe that Congress under the present budget condition could possibly adopt any such bills. In fact, even with S.472 we may have to postpone its first effective year until the Appropriation Committee certifies that the program can be begun with the over-all limitation set up by the provisions of the Lafollette-Moroney bill. 69

His second reason was that there might be more inducement for federal control if the federal government provided a major part of the expenditures for education, even though as he said "the tradition of the Office of Education has been one of non-interference."

As to the prospects for the passage of S.472, Senator Robert A. Taft said:

The principal danger to the present bill rests in the differences between the advocates of federal aid to education. I feel very strongly that if all the advocates would unite behind S.472 it could be passed at this session of Congress."

As to the differences between the proponents, the following statement by Congressman Richard J. Welch of California; the proposed amendment presented by Congressman Joseph H. Bryson of North Carolina; and the statement by Senator Robert A. Taft are self-explanatory:

Mr. WELCH. The Federal Government must not be partial to either the public or the non-public schools. It must treat both fairly...I'll tolerate Federal aid, but only on condition that Federal aid legislation is fair to all needy American children.

Congressman Joseph H. Bryson's amendment:

Therefore, I am today introducing a joint resolution

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proposing an amendment to the Constitution providing that neither Congress nor any of the several States shall aid any educational institution wholly or in part under sectarian control, except for educational benefits heretofore or hereafter granted to vets or their dependents, and except for such aid or support of scientific research projects as may be authorized by the Congress in the interest of national security.73

Senator Robert A. Taft's statement:

The danger of Federal control of educational policy appears clearly in the controversy now going on regarding private and parochial schools. The advocates of such schools insist that the Federal money be available to such schools regardless of the policy of any State Government in refusing to recognize such schools as part of the public school system. On the other hand, the opponents of such schools wish us to declare that no Federal money shall be expended for private or parochial schools regardless of what the policy of the States may be in dispensing its own funds. If we yield to either of these arguments, we would clearly be changing the educational policy of the States. This bill is a State-aid bill, and the State should be authorized to use the Federal funds for the same educational purpose for which it uses its own State funds. If the State recognizes private and parochial schools as part of its State educational system, then the bill provides that it may use Federal funds in the same proportion in which its State funds are used for such schools. On the other hand, if the State educational policy is to operate only through public schools, Federal money can only be used for that purpose.

If we cannot maintain the principle of non-interference in State educational systems, I would be opposed to the whole bill. The question has nothing to do with the highly controversial problem of whether States should appropriate public funds for parochial schools. One may feel strongly either way on the subject, but it is a matter for each State and the people of each State to determine.74

73 Congressional Record. 80th Congress. 1st Session. Vol. 93. Part 4, p. 4459.

According to Senator Elbert D. Thomas S.L72 had the support of such national organizations as the American Legion, the Federal Council of Churches of Christ in America, the General Federation of Women's Clubs, the Association of Childhood Education, the American Association of University Women, the National Education Association and others.

It might be added that President Truman placed himself squarely on record in his first budget message for "Basic legislation under which the Federal Government will supplement the resources of the States to assist them to equalize educational opportunities and achieve satisfactory educational standards."75

Senator Lester Hill reviewed the fight for federal aid to education and the opposition that had been encountered. As to the opposition at this point he said:

Still ranged against us in the fight for federal aid we find the old familiar faces of reaction. Since revolutionary days our citizens have had to fight against those who opposed the 'diffusion of knowledge' among the people—against those who never believed in the people's right to know. Now, as then, they believe in monopoly of power—whether it is money, political rights or education. For knowledge, too, is power. Just as they would monopolize money, lands, economic power—just as they would restrict the vote and political preference to a small group—so do the reactionaries still seek to keep tight the ranks of the educated...76


Congressman Max Schmabe of Missouri advanced the following arguments against federal aid to education:

It is the business of the Federal Government to pay the cost of national defense but not to finance our public schools. That is the duty and responsibility of local governments.

The real trouble that has caused the crisis in the teaching profession is excessive spending in Washington. Teachers' dollars are worth less because of the policy of creating scarcity of goods at home by shipping so many life-sustaining necessities abroad.

...there is no State in the Union but what is better able to finance its schools today than is the Federal Government... Where would the Federal Government get the money to pay this huge subsidy?

Local governments always collects and distributes funds more directly and more efficiently...Our local officials are more familiar with the problems and best suited to deal with them.

To say that we can have Federal aid without Federal control of education is wishful thinking... Congression. Ralph W. Owinn of New York added:

All is not well with American education.

Can its ills be cured by Federal aid?

Millions of our citizens say "no" and assert that sickness of the world is not due so much to lack of money for education as it is to the lack of God in the instruction in the moral law. If so Federal aid and control of education by the far-off Central Government would only more completely exclude religious disciplines from our educational enterprise and worsen our situation...
The individual States all force payment of taxes to support schools. They compel school attendance under threat of jail for the parents. Likewise, they exclude in certain cases all religious disciplines by State administrative influence and compel the pupils to submit to the teachings and doctrines of many inefficient teachers whom the States force upon the local school boards by such measures as the compulsory tenure law.

The practical effect is to compel, through taxation and State control the great majority of parents to submit their children to pagan station instead of Christian disciplines. Needless to say, this kind of system is contrary to the original American design for public education which was intended to be a Christian school under local controls and protected by the laws of the States. 10

During this session of Congress, Senator Claude Pepper offered an amendment to the Internal Revenue Code allowing teachers to deduct from their income taxes, expenses incurred in training required to hold or to advance in their jobs. The amendment was defeated. The vote was thirty-seven yeas and forty-seven nays.

Supreme Court Decision - McCollum Case

On March 6, 1948, the Supreme Court handed down another decision relevant to education. It was the case of McCollum v Board of Education of School District No. 71 Champaign, Illinois. The case was based on the following situation:

10 Congressional Record. 60th Congress. 1st Session. Vol. 93. Part 13, p. 4157.
With the permission of a board of education, granted under its general supervisory powers over the use of public school buildings, religious teachers, employed subject to the approval and supervision of the superintendent of schools by a private religious group including representatives of the Catholic, Protestant and Jewish faiths, gave religious instruction in public school buildings once each week. Pupils whose parents so requested were excused from their secular classes during the periods of religious instruction and were required to attend the religious classes; but other pupils were not released from their public school duties, which were compulsory under state law. A resident and taxpayer of the schools sued in a state court for a writ of mandamus requiring the board of education to terminate this practice.79

Among other things the Court ruled:

This is the utilization of the State's tax-supported public school system and its machinery for compulsory public school attendance to enable sectarian groups to give religious instruction to public school pupils in public school buildings violates the First Amendment of the Constitution, made applicable to the states by the Fourteenth.80

This decision by the Court regarding the McCollum case upheld Madison's objection to any form or degree of official relation between religion and civil authority.

S.472 in 1948

The second session of the 80th Congress convened January 6, 1948. On January 7, 1948, President Truman delivered his message


80 Ibid., p. 203.
Our first goal is to secure fully the essential human rights of our citizens...any denial of human rights is a denial of the basic beliefs of democracy and of our regard for the worth of each individual. Today, however, some of our citizens are still denied equal opportunities of education...

Our second goal is to protect and develop our human resources. The safe-guarding of the rights of our citizens must be accompanied by an equal regard for their opportunities for development and their protection from economic insecurity. In this Nation the ideals of freedom and equality can be given specific meaning in terms of health, education, social security and housing...

Another fundamental aim of our democracy is to provide an adequate education for every person...

Our educational systems face a financial crisis. It is deplorable that in a nation as rich as ours there are millions of children who do not have adequate schoolhouses or enough teachers for a good elementary or secondary education. The Federal Government has a responsibility for providing financial aid to meet this crisis.

In addition, we must make possible greater equality of opportunity to all our citizens for an education. Only by so doing can we insure that our citizens will be capable of understanding and sharing the responsibilities of democracy.

The Government's programs for health, education, and security are of such great importance to our democracy that we should now establish an executive department for their administration...81

During this session of Congress the Senate passed S.472 providing Federal aid for Education. The House took no action on any educational bill.

March 23, 1948, Senator Kenneth S. Werry, as the Republican

81 Congressional Record. 80th Congress. 2nd Session. Vol. 91. Part 1, pp. 33-34.
whip, moved that the Senate consider Calendar 439, Senate bill 472, the Federal-aid to Education bill. Senators J. Howard McGrath of Rhode Island and Henry Cabot Lodge, Jr., of Massachusetts objected. The Senators objected to the bill on the basis that they considered it as unfair and discriminatory to parochial schools. They asked that they be given a little more time to try to reach some agreement among Senators or in the Committee as to how this discrimination could be removed from the bill. They also saw "no reason now, in view of the condition of the Nation's finances, why the Federal Government has to put money into some of our States which have more than they can spend on education." 82

Senators Robert A. Taft of Ohio; Charles W. Tobey of New Hampshire; J. William Fulbright of Arkansas; Allen J. Ellender of Louisiana; Dennis Chavez of New Mexico; and Lester Hill of Alabama asked for the consideration of the bill. They pointed out that huge appropriations had been made for other things and it was time the Congress undertook "the fundamental improvement of conditions among the people." 83 Regarding the parochial issue, Senator J. William Fulbright said "The Everson case and the McCollum case outlined and limited that particular controversy in the sense that it is, so far as the Federal Government is concerned, unconstitutional to devote public monies to private schools." 84 They added

82 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3289.
83 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3288.
84 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3288.
that the President had recommended such legislation and "had included considerable sums of money in his budget for it"; that the platform of the Democratic Party in 1944, had favored federal aid; and that his bill had been studied for many years and the Chamber of the Committee on Labor and Public Welfare contained many volumes of hearings on the subject.

Senator Brien McMahon of Connecticut attempted to get the bill considered next week or some other time, but the vote was called and the Senators voted fifty-three to twenty-one to consider the bill.

Debate

During the first day of the debate on S.472, Senator Robert A. Taft started the discussion by explaining the bill in detail. Changes made in the bill since the last session of Congress were as follows:

1. Each state was required to spend 2.5 per cent of its total income payments for education for full participation in Federal funds. Not to spend 2.5 per cent of income payments for education resulted in certain penalties as to federal benefits.

85 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3289.
2. Each state was to receive $5 per child five to seventeen years of age in the state.

3. The basic minimum expenditure provided for each child was to be $25 instead of $40.

4. The allocation of federal funds was to be made on the difference between the amount necessary to provide for a $45 minimum expenditure for each child in the state and one per cent of the income payments of the state. (The $45 figure used here because each state received $5 regardless of need.)

Regarding the expenditure of funds for parochial schools, Senator Taft said:

If a State as part of its educational system, chooses to distribute money to private schools in the conduct of its educational system, then federal funds may be used in the same way. If a State refuses to do so, the federal funds cannot be used in that way. In other words, it is an absolutely home-rule provision.

He introduced into the Record the Supreme Court decision and the dissenting opinions of 

_Everson v Board of Education of the Township of Ewing and _McCollum v Board of Education, Campaign County, Illinois._

Senator Robert A. Taft began the meticulous presentation of facts and statistics relative to the need for federal aid to education. He was followed by his colleagues who gave irrefutable

_Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3352._
evidence of a situation which Senator Murray characterized as a "national hazard." 87

Senator Robert A. Taft anticipated no relief from the existing conditions of inequality as to educational opportunity, since, in the poorer areas "they cannot receive sufficient education, because they are poor; and they remain poor, because they do not have enough education." 88 He believed that to deny a child an opportunity for an education was to deny the rights set forth in the Declaration of Independence, since, "The ordinary child who receives no education is, in effect, condemned to a life of poverty, a life on the basis of a low standard of living, a life of little interest, and a life which is of little value to the people of the United States." 89 As to the importance of education to the United States, to the social unit, or to democracy Senator Warren J. Magnuson of Washington said:

Democratic government in the final analysis rests upon the mental and physical strength of its people. Present day economic, political, and social problems cannot be solved by leadership alone. Under representative government, informed intelligent fellowship is an indispensable part of the teamwork through which acceptable solutions are achieved.

Only by liberating and perfecting the intrinsic powers of every citizen can the central purpose of democracy be achieved. 90

87 Congressional Record. 60th Congress. 2nd Session. Vol. 94, Part 3, p. 3474.
88 Congressional Record. 60th Congress. 2nd Session. Vol. 94, Part 3, p. 3468.
89 Congressional Record. 60th Congress. 2nd Session. Vol. 94, Part 3, p. 3316.
90 Congressional Record. 60th Congress. 2nd Session. Vol. 94, Part 3, p. 3924.
Senator Harley V. Kilgore of West Virginia summed it up this way:

...we have always thought of our remarkable system of public education as being a double-barreled gun, aimed first at the goal of self-sufficient, independent, citizens, and second, at the goal of rich national development.91

As to democracy and America, Senator H. Alexander Smith of New Jersey stated that "It has now become obvious that communism is a menacing threat to our survival."92 Senator Saltonstall of Massachusetts said "We are not yet at peace. A battle for the minds of men is raging throughout the world. Our trump card in this insidious struggle is an educated and understanding American public. More and better education for our youth is the way to win that battle."93 Senator J. William Fulbright of Arkansas reminded that we were "fighting a war of ideas with the Communists" and we could not hope to win with Russia spending four times as much of her national income for education as we were spending.

He said:

That is a factor that all those who spend so much time berating communism should ponder over.

It is a strange thing to me that so many persons, and the same ones who are so strong in their condemnation


92 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3783.

93 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3924.
of communism, at the same time see no merit in this bill and the program provided by it, which, I think would be clear to anyone, is the greatest defense against the spread of communism.94

Senator Claude Pepper of Florida said it was time we were showing "the world that American democracy is moving ahead; that not only by what we preach but what we practice are we showing the dignity of man and what freedom means and what opportunity can be afforded to those who have the blessings of democracy."95

Senator H. Alexander Smith added that to deny these educational opportunities was "to belie our allegiance to the democratic principles of government"96 and the Federal Government was the only agency capable of providing these opportunities.

Senator Lister Hill said:

We are told that the Federal Government, with its public debt and its commitments under the Marshall plan, cannot afford to help the State school systems. This is less than candid. We have swallowed the camel, and gag at the gnat...We need a Marshall plan here at home for American education.97

Senator J. William Fulbright commented that:

Today, judging from the actual conditions in the teaching profession, the education of our children certainly has no priority on our money or our thoughts...

95 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3947.
96 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3784.
It is a rather strange commentary on our sense of values that so many people accept without alarm the proposal for Universal Military Training, costing $2,000,000,000 or $3,000,000,000, but balk at $300,000,000 for education...98

Senator John Sherman Cooper of Kentucky was also puzzled, as he said:

There is something wrong with an economic and social system which makes better provision for men and women in labor, industry, or other professions, than those who have made great sacrifice in time and money to prepare themselves to teach the youth of the Nation.99

Senator Lister Hill pointed out that "Since 1939 the national income has more than doubled, yet the percentage of that income spent for education has actually declined, in the face of an ever-rising need for more and better education for our children."100 Senator J. William Fulbright added that "In Arkansas, at the outbreak of the war, the average preparation of teachers was 2.5 years. This average had dropped to 1.9 years in 1943."101 On the other hand, Senators reported that according to a gallup poll of August 1, 1947, seventy-eight per cent of the people wanted the teachers to receive a minimum annual salary of $2400.

Senator Lister Hill reported that Dr. Conant, President of

99 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3786.
100 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3463.
Harvard had found a close correlation between the number of scientists produced and the educational expenditures made by the various states. Senator Saltonstall quoted President Conant as saying "Bear in mind the importance of first-class men with sound training. There is only one thing that can outmatch young men with good ideas and that is still younger men with better ideas." Opponents attacked the bill first on the allocation of $5 per child in each state regardless of the wealth of the state. They considered it as a "pork barrel" provision. Senator Irving E. Ives of New York had insisted on this clause in the Committee on Labor and Public Welfare. He defended the clause as follows:

...it is a very unsound governmental policy to have a system of aid established whereby certain States would contribute to it and receive nothing out of it, and other States would contribute little, or almost nothing, and receive everything that is contributed to the fund. That is not good government policy...Federal aid will be helpful to all...certain States and when it comes to the States, certain counties, should never be regarded as objects of charity. Any aid system which is instituted should be instituted for the benefit of all - to be sure, with its cost falling more heavily on some than others, but for the benefit of all... Finally, and most important, we shall be on the alert to see that the educational structure in this country does not fall under the control of the Federal Government.

Senator John Sherman Cooper of Kentucky gave the other reason which was implicit in the wording of the bill:

102 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3922.
103 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, pp. 3351-3354.
The bill establishes a formula by which it is determined whether a State as such shall receive any funds; and, but for the provision for a payment of $5 per school child, there would be fifteen or sixteen States which would not receive any funds. I submit that the bill is not intended solely to aid the substandard school of low income States but to aid substandard schools wherever they are. Within the States there are school districts, and it is very probable that in every State, even the richer States, there are school districts which cannot meet with local funds the minimum requirements fixed by the bill. It is to help these districts that the $5 appropriation per child is made.104

The next question raised referred to the possibility that some future Congress might amend the bill as to change the provisions. The following remarks are pertinent:

Mr. OVERTON. What assurance have we that if the bill is enacted into law, subsequent sessions of Congress will not amend it so as to change materially the chief sections of the bill?

Mr. TOBEY. ...as I understand it, the distinguished Senator from Louisiana made the point that this bill might subsequently be amended to change the existing terms of the bill. Of course, it is elemental that any piece of legislation in God's world can be changed by a future Congress, as far as the east is from the west, but we cannot control that. Our task is to meet the day's responsibilities and not be concerned with what may happen to existing legislation in the future...105

The bill contained provisions as implicit as the Senators knew how to make it preventing federal control of education.

104 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3351.

Senator Wayne Morse said "I am not the least bit moved by the fear arguments." Senator Robert A. Taft urged the passage of the bill to maintain the state and local control of public schools, as he said "My theory is that if we do not undertake a Federal aid program, we shall have a national program forced upon us, as was true during the emergency." As to the action of future Congresses, he believed that the establishment of a federal policy of non-control of education would serve to restrain future Congresses from changing or passing legislation which would permit federal control of education or the American people from allowing such action.

Senator Henry Cabot Lodge, Jr. questioned the advisability of allocating the funds without taking into account the cost of living in the various states. He said it took more to live in the North than in the South and:

...if we are to do it simply on a per capita income basis, with no regard to the cost of living, that is not an honest or scientific way to get at it.

The Senators did not arise to debate the issue of cost of living versus standard of living, but Senator Robert A. Taft merely answered that such a formula would be impossible. Senator Henry

Cabot Lodge, Jr. countered that such formulas had been worked out before. The other Senators still did not take up the issue.

**Amendments**

Senator Forrest C. Donnell of Missouri offered the following amendment:

> Provided. That no funds appropriated under this act shall be disbursed in any State for the support or benefit of any sectarian or private school.

In support of his amendment Senator Forrest C. Donnell reviewed the establishment of the principle of freedom of religion and the separation between church and state in this country. He quoted from relevant Supreme Court decisions and state documents and various state constitutions. From the constitution of his own State of Missouri he quoted from Article IV Section 8, as follows:

> Sec. 8. Prohibition of public aid for religious purposes and institutions: Neither the general assembly, not any county, city, town, township, school district, or other municipal corporation shall ever make an appropriation or pay from any public fund whatever, anything in aid of any religious creed, church, or sectarian purpose, or to help support or sustain any private or public school, academy seminary, college, university, or other institution of learning controlled by any religious creed, church, or sectarian denomination whatever; nor shall any grant or donation or personal property or real estate ever be made by the State, or any county, city, town, or other municipal corporation for any religious creed, church, or sectarian purpose whatever.109

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He maintained this bill was objectionable in its present form in that it did not prohibit the use of public funds for sectarian schools. To permit public funds derived from people of all religious beliefs, or no religious beliefs, in one state to be used for the teaching of religious views held by a specific group in another state was to deny freedom of religion. It is support exacted from one man for another man's religion. He believed this bill provided for the breaching of the wall of separation between church and state, and to breach this wall was not good for church or state. He said that according to the World Almanac of 1930 there were seventy-nine different denominations and 169 different sects in the United States and "to attempt division of funds in such would lead to inefficiency and educational chaos"110 and "To provide Federal funds for parochial schools would be to encourage segregated educational systems and thereby threaten our democracy by fragmentizing our culture."111 He maintained that the tax-supported free public schools had been a unifying force in the promotion of our democratic way of life. He quoted various leaders of Protestant and Jewish organizations as urging him to propose this amendment.

111 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3794.
Senator George D. Aiken of Vermont where private academies and sectarian schools are supported by public funds, plead for Senator Donnell's amendment not to pass as it would wreck Vermont's school system.

Senator Robert A. Taft pointed out that in nineteen states some services were being provided by the States to sectarian schools. These services included bus transportation, textbooks and health services. This amendment would prohibit those states from using federal funds to supplement the educational policies of those states. Senator Taft, therefore, recommended that the amendment be rejected and that "home rule" he maintained for all states to determine and implement their own policies according to their own constitutional provisions. This bill was to be considered as purely a federal aid bill to the states for education. The amendment was rejected. The vote was five yeas and eighty nays.

Senator Forrest C. Donnell offered an amendment which provided that since the bill was justified under "common welfare" clause a fund from taxes collected should be set aside for administering the bill and that the Federal Government could not borrow for this purpose.

Senator Taft said he did not think it important one way or another. Senators Walter F. George, Spessard L. Holland, Brien McMahon, and Lister Hill opposed the designating of money for a
specific purpose. Senator Larkley said "common welfare" and "common defense" were in the same phrase and should be accorded equal emphasis. The amendment was rejected.

Senator Tom Connally, of Texas, offered an amendment that would prevent the Appropriations Committee from putting any limit on funds to be disbursed. For instance, to exclude children "with red hair." This strengthened the clause prohibiting discrimination according to race or minority group. The amendment was accepted.

Senator Brien McMahon, of Connecticut, offered an amendment providing for a reimbursement to tax-exempt non-public schools of sixty per cent of their total expenditures for transportation, health services, instructional supplies, and equipment, including books.

In support of his amendment Senator McMahon said:

It cannot be said that giving a child a glass of milk or fixing its teeth or fixing up a basketball court is going to make him an atheist, a Mohammedan, a Protestant, a Catholic, or anything else, but if may make an American better prepared physically to carry on for his country in the event of conflict.112

Senator James E. Murray of Montana cited the Cochran v

Louisiana Supreme Court decision authorizing the furnishing of textbooks to non-public school pupils, and the Everson v Township of Ewing Supreme Court decision involving the constitutionality

112 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3609,
of a New Jersey transportation statute, as examples where the
Supreme Court had recognized such expenditures as constitutional.
In further cited the allocation of National Youth Administration
funds for non-public school students, the GI bill allowing attend-
ance at non-public institutions, the school lunch program, the
Army and Navy training program, cadet nurses training program and
aid to hospitals.

He maintained it was the Federal government's responsibility
to make sure that every child in any state received some benefit
from funds appropriated in the interest of the general welfare of
the Nation. He thought it unfair "to count children in and count
them out in one and the same bill"\textsuperscript{113} and "I think the Federal
government should make certain that the Federal funds actually are
used for those children regardless of State practices to the
contrary."\textsuperscript{114} He believed to do otherwise was "imposing in effect
penalities on those who faithfully carry out the practices and
beliefs of their religions."\textsuperscript{115} He did not consider it fair "to
encourage or discourage one system of education as against another,\textsuperscript{116}

\textsuperscript{113} Congressional Record. 70th Congress. 2nd Session. Vol.
54. Part 3, p. 3474.

\textsuperscript{114} Ibid., p. 3475.

\textsuperscript{115} Ibid., p. 3475.

\textsuperscript{116} Ibid., p. 3475.
since we believed "a governmental monopoly of education inevitably will doom this Nation either to blind nationalism or to stupid totalitarianism." 117

He said the Federal Government need not be concerned with whether or not a welfare institution to perform or improve the standard of the public service which is to be stimulated and facilitated by a grant of federal funds. 116 He said parochial schools not only contributed to the general welfare but also represent an enormous saving to the taxpayers.

As to the objection to allocating public funds to church-controlled schools on the grounds of breaching the wall of separation between church and state he said "we have considered this problem very carefully and we have concluded that such a fear is groundless." 119

Senator Wayne Morse said that while there was no doubt as to the constitutionality of the use of federal funds for the support of public schools under public control, it was equally certain that direct payments of public funds of all types of private sectarian schools was unconstitutional. He quoted the Supreme Court as follows:

117 Ibid., p. 3475.

116 Ibid., p. 3475.

No tax in any amount, large or small, can be levied to support religious activities or institutions whatever they may be called, or whatever form they may adopt to teach or practice religion.120

As to the opposition to S.472 offered by certain sectarian groups Senator Wayne Morse said:

In my opinion the leaders of private school education in this country are unwise in raising such vigorous opposition to S.472 because I think they should first be willing to see established in the Federal statutes Congressional approval of the principle of Federal aid to education.

I think they have been unwise in the second place in raising such strenuous opposition to S.472 because the bill does not close the door to future Federal aid to children attending private schools to the extent that such may be possible within the terms of our Federal Constitution. It is true that S.472 does not provide direct Federal aid to children in private schools but it does authorize the use of Federal aid funds for the benefit of children attending private schools to whatever degree a given State provides specific services under State law to children attending private schools...it should be said frankly that political realities make the inclusion of any provision the death warrant for the bill itself. There are too many problems still to be solved in connection with the constitutional legal implications of such a proposal to justify jeopardizing the Federal aid principle for education which we seek to establish in Federal law by passage of the bill....I think that Senate Bill 472 is a bill which represents fair compromises and it is a bill which is sound in principle....121

Senator Robert A. Taft said there were twenty-nine states which were prohibited by their constitutions to give aid to non-public

120 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 3956.
121 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, pp. 3955-3956.
schools in any form. He disapproved of any attempt to interfere with these state policies. He said:

It seems to me the only safe view for us to take in a case where the Federal interest is purely secondary, where the primary obligation of education rests upon the States, and where the Federal Government only affords secondary aid because of the lack of finances of the States, is that we must, if we are going to maintain our system, leave the control of the educational system in the hands of each State. That is the principle of section 2 of this bill. I do not think we should in any way attempt in granting Federal money to force upon a State an educational system or any detail of an educational system or any incidentals to an educational system which are opposed to the policy of the State as shown by its own laws and its own constitution. On that ground I believe very strongly that if we intend to adhere to the sound principle of aid to States the principle upon which Federal aid to States can be justified, the pending amendment should be rejected, as the amendment by the Senator from Missouri was rejected.122

The amendment was rejected by a vote of fourteen yeas to sixty-six nays.

Senator Albert Hawkes of New Jersey offered an amendment which required the teaching of the "Constitution of the United States, consisting of not less than two hours of classroom instruction during each four-week period within the school year above the fifth, excluding kindergarten."123

Senator Albert Hawkes considered the teaching of the Constitution so important that in this case an exception should be made as to what the schools were required to teach.

122 Ibid., p. 3907.
123 Ibid., p. 3909.
Senator Taft opposed the amendment on the ground that it violated every principle of the bill. The bill specifically stipulated that the Federal Government would have no control as to the instruction or method of instruction in the schools. He said: "If we instruct the States to have the Constitution taught in their schools, there is no reason why we should not go further and say they shall teach history, specify the kind of history, and how it shall be taught. There is no possible stopping point..."

The amendment was rejected by a vote of fourteen yeas to sixty-two nays.

Senator Irving Ives of New York offered an amendment providing that all States receive at least a $5 minimum per child whether or not they spend 2.5 per cent of their income for education. According to the bill some of the wealthier states as Maryland spent only 1.2 per cent of its income for education and according to the penalizing formula of the bill for not spending 2.5 per cent of its income for education Maryland would get only $2 per child for education. As can be seen this amendment applied only to the wealthier States not benefiting from the equalization fund designed to establish a $55 minimum educational expenditure. The penalties regarding the poorer States needing in excess of $5 per child to

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establish a $55 minimum expenditure for education were not involved in this amendment. The amendment was adopted.

### Substitute Bill

Senators Theodore Frances Green and McRatna of Rhode Island offered a substitute bill. This bill provided $15 per pupil for elementary and secondary teachers' salaries. The appropriation of $259,000,000 was to be allocated on the basis of $15 per pupil in average daily attendance. It was estimated this would give all teachers a raise of approximately $450.

In support of this substitute bill Senator Green discussed at great length the statistics regarding the teacher shortage, the inadequate pay received by the teachers and the shrinking enrollments of the teachers colleges. He compared the provision of his substitute bill with those of S.472 and maintained his bill superior in that:

1. It made a simple direct appropriation of $15 per pupil in daily attendance, whereas, S.472 had a complicated formula and provided $5 per pupil five to seventeen years of age whether in the public schools or not.

2. It dealt with the fundamental question of teachers' salaries and avoided all controversial issues.

3. It was aimed at the principal deficiency in the present situation, namely, good teachers and cut out less important
expenditures.

4. It treated all states alike, yet teachers in poorer states would receive a greater average increase in salaries, for example a teacher getting $3,000 would get $3,450 or an increase of fifteen per cent, a teacher getting $1,200 would get $1,550 or an increase of thirty-seven and one-half per cent and a teacher getting $450 would get $900 or an increase of one hundred per cent.

5. Under this bill the appropriation would be only $259,000,000 instead of $300,000,000 which would mean a savings of $41,000,000.

It is obvious that this substitute bill was offered in an effort to defeat S.472. It made a direct appeal to the Senators of the wealthier states and the "economy-minded" Senators. It made no attempt to alleviate the existing educational inequalities by providing a minimum educational expenditure for all children. It offered all states and all teachers a "slice of pie" but did not offer all children a minimum of educational opportunity so necessary for the development of each child and the welfare of the Nation. The substitute bill was rejected.

Further Debate and Passage of S.472

In opposition to S.472 Senator Harry Flood Byrd of Virginia
Never in our history has there been a more unpropitious time for the Federal Government to enter into a long-range proposition such as is proposed in the pending legislation. Today the Federal Government is confronted with the greatest expenditures in time of peace ever contemplated in our history, and these vast expenditures will be certain to continue for many, many years. World War II ended not quite three years ago, but today this Nation is rearming at a cost which may stagger the financial solvency of America. I predict that within a space of two years the Federal budget will reach a total of at least $50,000,000,000 annually and perhaps more.

This money...must be raised by annual taxation and will place a burden upon the private-enterprise system of America as we have never experienced in time of peace.

Let us not forget that the strength of America is in a strong and virile system of free enterprise, which is not possible if the taxes are so burdensome as to destroy the initiative and the prospect of profit of those from whose business operations the Government must obtain its funds to pay its costs. These colossal expenditures may require a regimentation of our economy equal to that which now exists in England and which has virtually destroyed the freedom of the individual in that country. The most sacred responsibility we have is to preserve here at home the principles of free democratic government and a solvent nation, because once the democracy of America falls, then it is not likely that anywhere in the world free government will be established for centuries to come.

This is certainly not a time to expend Federal expenditures in a new field, but it is time to conserve all of our resources to meet the financial strain of the days to come.125

He presented statistics showing that all states was making progressin educational expenditures. He maintained that Federal

125 Congressional Record. 60th Congress. 2nd Session. Vol. 54. Part 3, p. 3925.
control might someday change the system of segregated schools in
the South. As to Senator Taft's change of position regarding
federal aid, he said that Senator Taft was once "on the ball", but was now turning senile.

Senator James P. Kem of Missouri agreed with Senator Byrd
that the preservation of the free enterprise system was of first
importance. He said:

I think if we are going to preserve the American
free-enterprise system we must lighten the present burden
of Federal taxation; if the States want to remain independent
and sovereign, they must perform the functions that fall
within their sphere. Education is one of those functions.

Senator James P. Kem also warned of federal control and the
establishment of "a ministry of education and propaganda, from
its headquarters in Washington, guiding the thinking of the American
people in accordance with the political ideas of the party in power" and of Washington telling the schools "what shall be taught, how
it shall be taught, and by whom."

As to the duty of Washington regarding the support of edu-
cation, Senator Dennis Chavez of New Mexico said to Senator James
P. Kem:

126 Congressional Record. 80th Congress. 2nd Session. Vol.
127 Part 3, p. 3931.
128 Part 3, p. 3953.
129 Ibid., p. 3953.
I wish to say that when we think of Washington and when criticisms are made of the governmental groups in Washington, it is easy to forget that in time of emergency, when it is a question of calling the young men of the country to its service in order to answer the emergency call, the Nation depends on Washington. But when it comes to a question of having some responsibility in Washington to prepare the young people of the country to answer an emergency call, then it is assumed by some persons that responsibility in Washington is all wrong. Under that theory, it would be all right to call the young people to service, and let them be killed on some foreign battlefield, and subsequently, give them a white cross and bring their bodies back to this country, but it is assumed that it is all wrong for Washington to help them do their duty. 130

Senator Raymond E. Baldwin of Connecticut said that "to proceed upon the assumption that dollar expenditures per pupil alone are an adequate measure of the quality of education, and that Federal grants to States are necessary, indeed, indispensable, to finance a proper educational system, is, in my opinion unwarranted." 131 He said Connecticut could not "give of her riches without knowing they were really needed because of inadequate resources and not merely from a dissipation of resources through unplanned and uneconomical administration." 132 He said he did "not mean to imply that the people of Connecticut resent having funds taken out of their pockets by Federal tax gatherers and spent

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130 Ibid., p. 3944.
131 Ibid., p. 3951.
in other states but that the people of Connecticut believed in states and local responsibility as far as the financing of education was concerned and felt it the duty of Congress at all times to see "that money be wisely and usefully spent."

He said if absolutely necessary he would prefer helping the six, eight, or ten states which really needed help.

Senator Claude Pepper informed Senator Raymond E. Baldwin of the "fact that the big insurance companies in his good State of Connecticut which contribute to the States wealth, which he has told us about this afternoon, making it one of the wealthiest States of the Union, is derived in very large proportion from other States, and Southern States are large contributors to that wealth."

Regarding the duty of the rich states to share in the national educational burden, Senator Wayne Morse said:

"It is sometimes said that during the course of the development of the industrial era in America the raw material States of the South and West have served as economic colonies of the manufacturing East and in no small measure have felt the effects of the exploitation of the natural resources of the South and West by the East..."

Therefore, in view of the many economic benefits which the people of the East have received and are receiving from

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133 Congressional Record. 60th Congress. 2nd Session. Vol. 94. Part 3, p. 3951.
134 Congressional Record. 60th Congress. 2nd Session. Vol. 94. Part 3, p. 3932.
135 Congressional Record. 60th Congress. 2nd Session. Vol. 94. Part 3, p. 3932.
the natural resources of the South and West I submit
that it is not a sound argument for representatives of
the Eastern States to argue in the Halls of Congress
that it is unfair to raise revenue from Federal taxes
in Eastern States to be used in a Federal-aid program
for education throughout the Nation.136

Senator Harley H. Kilgore insisted that the concentration
of wealth in certain centers and absentee ownership made many
states unable to tax what he termed "fugitive income"137 for edu-
cational purposes. He, therefore, believed it the duty of the
Federal Government to tax the wealth where it was found and expend
it according to need.

As to sectional limitations, Senator Lister Hill said regarding
the South:

Let me recall to the Senate some of the reasons why
income is low in the South despite its rich natural resources:
One hundred years of high tariff, freight rates deliberately
designed to choke its economic development, financial
policies at Washington that worked against the South, and
ruthless exploitation by greedy men who put their personal
power and profit before the human needs and welfare of the
people.

So in the South we carry the burden of high tax rates
for schools...138

Senator Henry Cabot Lodge opposed S.472 because "this was
not the time"; that it was unfair to the rich states; that it was

136 Congressional Record. 80th Congress. 2nd Session. Vol.
137 Congressional Record. 80th Congress. 2nd Session. Vol.
94. Part 3, p. 3743.
138 Congressional Record. 80th Congress. 2nd Session. Vol.
reprehensible to leaders of important religious groups; and it would lead to federal control.

Senator Edward Martin of Pennsylvania said he voted for ERP because he deemed it necessary for national defense but that in getting national defense the American people must do without the "frills" on the home front, in other words, "The American people must choose between liberty and independence and expensive governmental embroidery." He said there was a need for the "strictest economy" or we would bankrupt the nation when American solvency was the only thing that would stop "the rising tide of communism." He said the educational lobbyists admitted the expenditures under the bill might rise to a billion dollars. Such expenditures for education were to Senator Martin a threat to American solvency.

Senator John H. Overton of Louisiana said he was afraid to support this bill unless there was an amendment guaranteeing the right of the states to maintain separate schools for minority groups.

Senator Allen W. Barkley said "I am glad to support the bill without any reservations, without any reservations," and Senator Wayne Morse said "I think this is an historic hour, in that at long last the vote in the Senate tonight, I hope, will show we have finally caught up with Thomas Jefferson, so far as his views on


140 Congressional Record. 80th Congress. 2nd Session. Vol. 74. Part 3, p. 3854.
in the importance of education to democracy are concerned.

The bill was passed by a vote fifty-eight to an twenty-nine.

Reaction in the House

In the meantime, in the name the "pressure" for Federal aid to education was being felt. Congressman George D. Schmabe of Oklahoma an opponent of federal aid for education had this to say:

In the first place pressure groups have been organized and propaganda has been inspired and broadcast among the members of the Congress in an attempt to force us to vote for Federal aid to education. Some have even written letters threatening to vote and work against the re-election of the present members of Congress, unless we support the pending measures. Of course, such letters are beneath the dignity of what we have a right to expect of the teaching profession...I am sure that it is difficult in these times of emergencies for those in the teaching profession to consider the problem objectively. Human nature is prone to suggest the "me" in all relief and appropriations measures. But the high standing of the teaching profession demands that other consideration transcend personal interests, and that the decision be based upon most worthy and lofty grounds.

Little do I think that those among the teachers who cherish an enviable reputation for leadership will inspire propaganda or be instrumental, directly, in causing organizations and other to attempt to pressure Congress to pass a bill that will mean comparatively little in dollars and cents in the way of an increase in salaries to the average individual teacher...

If the program is in keeping with our American tradition and ideologies that is one thing. If, on the other hand, it is not consistent with our American ideals or local self-government or our public-schools, or at most with their...
management and control by the several states, that is something else.\textsuperscript{11}\textsuperscript{1}

Congressman Schwab did not consider such bills as S.472 in keeping with our American traditions and ideals. Congressman Schwab also introduced into the Record an article by Congressman Ralph W. Gwinn of New York. In this article Congressman Gwinn attacked the United States Commissioner of Education, John W. Studebaker, for what he called "embarking upon a propaganda campaign for the promotion of zeal for American democracy in schools and colleges."\textsuperscript{11}\textsuperscript{2} He said "John W. Studebaker, U. S. Commissioner of Education, has been conducting a vigorous campaign to stimulate better education for democracy in our public schools.”\textsuperscript{11}\textsuperscript{3} He opposed such actions on the grounds that it was "unwarranted and unwanted interference in a domain which must remain free of Federal advice, Federal propaganda, and Federal missionary work.”\textsuperscript{11}\textsuperscript{4} He said:

We must urge more and more free education, spontaneously supported by the thousands of local communities, as the only possible source from which we can teach God and freedom and combat paganism and statism. The turn toward paganism and statism has come about because educators cannot or do not teach about God and self-government under religious disciplines.\textsuperscript{11}\textsuperscript{5}

\textsuperscript{11}\textsuperscript{1} Congressional Record. 50th Congress. 2nd Session. Vol. 94. Part 10, p. 11460.
\textsuperscript{11}\textsuperscript{2} Congressional Record. 50th Congress. 2nd Session. Vol. 94. Part 9, p. 553.

\textsuperscript{11}\textsuperscript{3} Congressional Record. 50th Congress. 2nd Session. Vol. 94. Part 9, p. 553.
\textsuperscript{11}\textsuperscript{4} Congressional Record. 50th Congress. 2nd Session. Vol. 94. Part 9, p. 554.
Regarding the Supreme Court decision on the McCollum case handed down March 2, 1948, Congressman E. E. Cox of Georgia said "this decision shocked, and rightly so, all God-fearing people in America and made them wonder just why and how the Court made this finding at a time when communism is conducting a vicious attack upon religion and religious institutions everywhere."\(^\text{146}\)

Congressman Charles J. Kersten of Wisconsin believed the McCollum Court decision an obstacle to meeting the challenge of communism effectively, as he said:

The main issue involved in the world today is the great basic issue of atheism against belief in God... Lenin himself said that communism is coextensive with atheism, and that is the real issue today. When we have a situation in our country where our highest court states that the children of our country cannot receive any kind of general religious education by fair arrangement, then there is something wrong with our educational system when it does not prepare our children to meet this challenge that is presented to the American people.\(^\text{147}\)

Introduced into the Record and referred to by Senators and Congressmen was an article by Vashti Burr, deputy attorney general of Pennsylvania. Miss Burr maintained that education was the responsibility of the state and local governments; that federal aid meant federal control and the destruction of state and local initiative; that the states were more able to support education

\(^{146}\) Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 29448.

\(^{147}\) Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 4075.
than the Federal Government; that federal aid "contemplated by 3.472 is not genuinely needed"; that the present crisis was due to the war emergency, since many states were increasing their expenditures for education; and that according to 3.472 there was no assurance equalization of education could be accomplished, since, "In some States, in fact, equalization is contrary to their existing constitutions or traditional practices." To alleviate the educational situation she recommended returning some of the sources of taxation exploited by the Federal Government to the States for taxation and the adjustment and revision of state tax systems to meet their educational responsibilities.

On the other hand, Congressman Jere Cooper of Tennessee introduced into the Record a letter from J. V. Cowtin, a high school student, who gave the following ten reasons for federal aid to education:

1. Ours is a shifting population, a person educated in one State may live the rest of his life in another.

2. Each State has representatives and helps elect the president.

3. Fun is made of people in the poorer States and they are told how to manage their affairs. Education would make them less amusing and more able to handle their affairs.

Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 9, p. 222.

Ibid., p. 222.
4. In the war between the States the South was overrun, became in debt, and had her property destroyed. Then she was robbed. The thieves and robbers were protected by the United States Army. Nor have all discriminations against the South been abolished.

5. The businessmen of the richer States gain in their business transactions with the businessmen of the poorer States. The former set the prices — buying price and selling price.

6. Recently it was decided that all citizens of a State should have equal opportunities for education. Why not for the Nation?

7. Educated whites and educated blacks would go a long way in solving the race problem. Why has there been a conflict in which all parties were educated?

8. Illiterates and others lost to the army because of poor education were a loss to the entire Nation — also the allies.

9. Criminals in the poorer States commit federal offenses. Lack of education is a cause of crime.

10. By subsidies, tariffs, grants, special privileges, etc., big business has received Federal aid. In many ways labor has received Federal aid. Even the farmer has received some Federal aid — though not enough. Why shouldn't education, America's most important business, receive Federal aid? Teachers are dependent upon others for their livelihood.

Congressman Henderson Lanham of Georgia congratulated the Senate on passing "the most progressive piece of social legislation enacted so far by the Eightieth Congress". Congressman Gerald W. Landis of Indiana remarked that in meeting the "emergency

150 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 9, p. 979.

151 Congressional Record. 80th Congress. 2nd Session. Vol. 94. Part 3, p. 4073.
of the world's greatest conflict, the United States spent on
war in one year far more than it spent on public elementary and
secondary education in the seventy-five years immediately pre-
ceding.\footnote{152} He admitted the necessity of such expenditures for
the preservation of our country and our democratic principles,
however, for the continued preservation of our country and our
democratic principles he urged the passage of a Federal aid to
education bill in the House, as he said:

Subversive tendencies cannot survive among a
people given the educational opportunities, as envisioned
at the very dawn of our history to prepare for intelligent
participation in our democracy. Our ideals, successfully
defended in world conflict, must be defended in the class-
rooms... A nation cannot be strong enough to lead the way
in peace and democracy if it disregards the educational
needs of its own people.\footnote{153}

\section*{S.246 in 1949}

During the first session of the 80th Congress (January 3,
1949-October 19, 1949) the bills introduced pertaining to direct
federal aid to education and receiving some action by the Congress
were S.246 and H.R.4643.

S.246 known as the "Educational Finance Act of 1949" was a
revised form of S.472 passed by the previous Congress. It was

\footnote{152} Congressional Record. 76th Congress. 2nd Session. Vol. 2. Part 3, p. 4179.

\footnote{153} Congressional Record. 76th Congress. 2nd Session. Vol. 94. Part 3, p. 1100.
Introduced into this session of Congress by Senators Robert A.
Tait of Ohio; Lister Hill of Alabama; James E. Murray of Montana;
George D. Aiken of Vermont; Dennis Chavez of New Mexico; Allen J.
Allender of Louisiana; Irving I. Eves of New York; Russell S.
Long of Louisiana; J. Howard Kefauver of Tennessee; Wayne Morse
of Oregon; Matthew M. Poole of West Virginia; Claude Pepper of
Florida; and H. Alexander Smith of New Jersey.

This was the last federal aid to education bill designed to
lessen the inequalities as to educational opportunities to pass
either House of the Congress. The bill will be described in detail.

This seems necessary, since it represents the kind of legislation
that might be acceptable to a majority of those interested and
those not so interested in a bill providing federal aid to education.

The purpose of S.246 was:

To authorize the appropriation of funds to assist
the States and Territories in financing a minimum founda-
tion education program of public elementary and secondary
schools, and in reducing the inequalities of educational
opportunities through public elementary and secondary
schools, for the general welfare, and for other
purposes.154

Regarding federal control of education, Senator Lister Hill
said "The bill makes it just as certain and sure as the language
of a law can make anything sure and certain... It is airtight,
it is one hundred per cent a job, as can be done in an act of
Congress."155 This "airtight" provision was as follows:

154 Senate Bill 246. 81st Congress. 1st Session, p. 1.
155 Congressional Record. 81st Congress. 1st Session. Vol.
75. Part 4, p. 5311.
Sec. 2. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or to prescribe any requirements with respect to any school, or any State institution or agency, with respect to which any funds have been or may be made available or expended pursuant to this Act, nor shall any term or condition of any agreement or any other action taken under this Act, whether by agreement or otherwise, relating to any contribution made under this Act to or on behalf of any school, or any State educational institution or agency, or any limitation or provision in any appropriation made pursuant to this Act, seek to control in any manner, or prescribe requirements with respect to, or authorize any department, agency, officer, or employee of the United States to direct, supervise, or control in any manner, or prescribe any requirements with respect to, the administration, the personnel, the curriculum, the instruction, the methods of instruction, or the materials of instructions, nor shall any provision of this Act be interpreted or construed to imply or require any change in any State constitution prerequisite to any State sharing the benefits of this Act.  

The bill provided for an appropriation of $300,000,000. Of this sum ninety-seven per cent was to be spent for education in the several states and three per cent was to be spent for education in Alaska, the Canal Zone, Puerto Rico, American Samoa, Hawaii, the Virgin Islands, and Guam.

The bill provided $5 per child five to seventeen years of age in each state. In addition, the bill provided a minimum foundation expenditure for all children of $55. This was provided by the $5 per child to all states and the additional $50 to make the $55 minimum was provided by a specific formula. The formula

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156 Senate Bill 216. 81st Congress. 1st Session, pp. 1-2.
provided that the first year the apportionment to the states be
made on the basis of the difference between one per cent of the
average of the preceding five years total income payments of a
given state and the average number of children five to seventeen
years of age in the state for the three preceding years multiplied
by $50. The second year and the years thereafter the same formula
applied except the income payments were based on a three year
average as the child population was based on a three year average.

Every state was assured of $5 per child five to seventeen
years of age in the state. However, for full participation in the
equalization fund the states were required to spend for education
2.25 per cent of their total income payments the first two years
and 2.5 per cent thereafter. To fail to do this entailed certain
penalties in the disbursement of federal funds. No state could
receive more than $5 per child spending less than two per cent of
its total income payments for education after the fiscal year
beginning after June 30, 1953.

It was the duty of the United States Commissioner of Edu-
cation to determine the apportionment to each state and inform the
Secretary of the Treasury. The Secretary of the Treasury was to
pay the designated sums to the various state treasuries in four
quarterly installments. The state treasuries were to pay out
such funds on the requisition of the state educational authorities
for purposes designated under the Act.
To qualify for these funds the states through their legislatures, or their governor until the legislature convened, were to accept the provisions of the Act; provide for the state treasurer to disburse the funds and submit a report as to expenditure to the United States Commissioner of Education, for transmission to Congress; provide for the administration of these funds through the duly constituted educational authorities; provide for an annual audit and a system of reports from local public-school jurisdictions and other state public-education agencies to the state educational authority; provide for the state educational authority to make a report concerning the administration of the Act to the Commissioner of Education, who in turn was to submit such reports to the Congress with any relevant recommendations; and in the states where separate schools were maintained an equitable apportionment of such funds were to be made and funds expended for educational purposes during the fiscal year ending 1949 were not to be reduced. After the fiscal year beginning after June 30, 1953, a state plan of expenditure of such funds and state legislative enactments and regulations pertaining to the administration of such funds were to be transmitted to the Commissioner of Education. Federal funds could be legally expended for any current expenditure for elementary or secondary school purposes for which educational revenues derived from state or local sources were legally and constitutionally expended in such state.
In case the state educational authority was dissatisfied with any action taken by the Commissioner of Education, he was to appeal to the Commissioner to change the action. If after ninety days the Commissioner failed to act the state authority had the privilege of appealing to the United States district court. The judgment of the district court was to be subject to review by the United States Supreme Court.

As to the term "equitable expenditure" regarding schools for minority races, it meant that funds expended be not less than the proportion that such minority race in a state bears to the total population within that state. It is obvious to anyone familiar with the statistics that the provisions of this Act would provide much more than an allocation proportional to the total population for the minority group. For instance, in Mississippi, in the year 1945-1946 the average expenditure per pupil was $45. In many cases the white schools spent more than $55 per child but the Negro schools spending as low as $9 per child brought this average down to $45 per child. Therefore, to bring the minimum expenditure per child up to $55 the Negro schools would benefit many times their proportional part as to proportion of population. In other words, the provisions requiring "equitable expenditures" according to the definition given would be more than adequately covered in the administration of the Act. Accusations as to discrimination based on proportion of educational expenditures for the Negro child
cannot be substituted as far as the bill is concerned. The bill simply provided that any child choosing to enter any public school be given a minimum of equal educational opportunity.

The term "current expenditures" did not include expenditures for interest, debt service, or capital outlay, nor did it include expenditures for health services for the prevention, diagnosis, or treatment of physical or mental defects or conditions. The health services were excluded in this bill since the Senate, not the House, had passed April 27, 1949 a separate bill (S.1111) called the National School Health Act. The bill had been introduced by Senators Elbert D. Thomas of Utah; James J. Murray of Montana; Claude Pepper of Florida; Lister Hill of Alabama; Matthew I. Reely of West Virginia; Garrett L. Mithers of Kentucky; Robert A. Taft of Ohio; George D. Aiken of Vermont; H. Alexander Smith of New Jersey; Wayne Morse of Oregon; Forrest J. Donnell of Missouri; and Leverett Saltonstall of Massachusetts.

The purpose of S.1111 was:

To provide for the general welfare by enabling the several States to make more adequate provisions for the health of school children for the prevention, diagnosis and treatment of physical and mental defects and conditions.

The bill authorized an appropriation of $25,000,000 and necessary administration expenses annually. It was to be administered by the

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Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 17, p. 744.
federal security administrator. The funds were to be allocated on the basis of a formula considering the children five to seventeen years of age in the state in relation to the per capita income of the state. The state was required to submit plans for the expenditure of the funds; make full use of existing health agencies; to match the funds with local expenditure by twenty-five to fifty per cent, depending upon the state's ability; and to submit to audits and present reports of the expenditure of funds.

In states not permitting, by law, the disbursement of funds to non-public schools, the Federal Security Administrator was to withhold a proportionate amount of funds to make direct provisions for children attending non-public schools. The same conditions were to be imposed with respect to funds allocated to public schools. In this connection, on page 6, line 21 of the bill it reads as follows:

Such examinations and service shall be made available to children, on a just and equitable basis, without regard to race, creed, color, or nationality, or the location or character of the school in which the examination is made.198

This left as far as §246 was concerned the possibility of such auxiliary services as transportation and textbooks available to non-public schools as determined by the state statutes, constitutions, practices and policies regarding the interpretation of the "general welfare" principle as applying to the individual child. Since, according to the Supreme Court public funds cannot

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198 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 1, p. 5493.
be expended for other than public schools.

Amendments

Consideration by the Senate of Calendar No. 135, Senate Bill 216 was begun April 22, 1945. Perfecting amendments were agreed to by the Senate.

The proponents of the bill stated that the President strongly urged the passage of such a bill and the bill had been reported unanimously by the Committee on Labor and Public Welfare. They presented again the statistics relevant to the need for the passage of a federal aid to education bill. The statistics clearly revealed that if any semblance of equality as to educational opportunities were to be provided the federal government would have to provide aid. They maintained that it was the duty, the obligation, and the responsibility of the Federal Government to give such aid for its national defense, for its economic and social well-being, and the progress and perpetuity of the way of life to which it subscribed. Such aid was not to be considered as a "dole," or a "charity" but an investment which would bring substantial returns in economic, social and national well-being. Federal aid to education was considered long over-due and to continue to neglect the development of the human resources of the nation was to deny the principles upon which this nation was founded and to risk the destruction of
this nation and the principles for which it stood.

Senator Henry Cabot Lodge, Jr. of Massachusetts offered the first amendment to the bill. The amendment provided a new formula for the apportionment of the funds appropriated under the bill. It provided for a flat allotment of $10 per pupil in average daily attendance in public elementary and secondary schools. The states were required to spend 2.25 per cent of their total income payments for education the first two years and 2.5 per cent thereafter for full participation. Not to meet this requirement reduced the amount per pupil received. If by the fiscal year beginning after June 30, 1953, a state did not spend two per cent of its total income payments for education the state received only $5 per child. Under this amendment the $300,000,000 appropriation would have been cut to $229,094,000 with full participation on the part of all states. This meant cutting the sixteen states needing the aid badly by $110,637,000, with $70,906,000 being retained by the Federal Government and $40,000,000 going to the wealthier states. Senator Thomas said that in reality because of the penalties and low average daily attendances, the appropriation would actually be cut to about $173,251,000.

The amendment specifically meant this: New York spending 1.75 per cent of its income payments for education maintained an education expenditure of $230 per pupil. Under S.246 it would
receive $11,525,000, while under the formula of the Lodge amendment it would receive $15,257,000. On the other hand, Mississippi spending 2.05 per cent of its total income payments for education maintained an educational expenditure of $54 per pupil. Under S.246 it would receive $16,960,000 while under the formula of the Lodge amendment it would receive $3,359,000. The net result with full participation would be New York spending $240 per pupil and Mississippi spending $64 per pupil, as far as federal funds were concerned.

Senator Henry Cabot Lodge quoted from Fortune Magazine as to the number of millionaires in Texas and questioned the need of Texas for aid given under the formula of S.246. (S.246 provided $12,640,000 for Texas and his formula provided $10,596,000. He did not mention, though certain Senators encouraged him to consider the fact, that the appropriation for Mississippi would be reduced seventy-four per cent while New York's would be increased twenty-five per cent.) Senator Paul H. Douglas of Illinois reminded Senator Henry Cabot Lodge, Jr. of some figures relevant to the need of the elementary and secondary schools in Texas and warned that "One should not mistake the plumage of the peacock for the condition of the barnyard hen."159

Senator Henry Cabot Lodge, Jr. objected that hearings had not

159 Congressional Record. 81st Congress. 1st Session. Vol. 55. Part 4, p. 5319.
been held on S.246. Senator Thomas informed the Senator that hearings had been held on federal aid bills for the last fourteen years and the Chamber of the Committee on Labor and Public Welfare contained many volumes of hearings proving beyond a reasonable doubt that such a need existed.

Senator Edward J. Thye of Minnesota congratulated Senator Henry Cabot Lodge, Jr. on his comprehensive approach to the problem. Senator Irving K. Ives of New York though a sponsor of the bill, thought it might "be a sounder approach than the one now proposed in the bill." (He voted for the amendment).

Senator Russell B. Long of Louisiana could not see any merit in the amendment. He said that this amendment provided funds which would facilitate "the rich getting richer and the poor getting poorer" and "that under this formula the thirty-two states which have the least need for Federal aid to education would be the States which will gain the most by the amendment." He pointed out that according to the S.246 the six states (Louisiana, South Carolina, Mississippi, Georgia, Alabama, and New Mexico) with the highest illiteracy would get $95,000,000 and according to this

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150 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 4, p. 5328.

161 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 4, p. 5323.

162 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 4, p. 5328.
amendment these states would receive only $32,000,000. He claimed this amendment did nothing to remove the existing educational inequalities, nor did it offer effective aid for the eradication of illiteracy.

Senator Henry Cabot Lodge, Jr. pointed out that all states had teacher shortages. He objected to the Federal Government continually taking wealth from the wealthy states and giving it to the poorer states because:

...certainly none of us wish to kill the goose that lays the golden egg; we do not wish to carry the principle of siphoning wealth from one section of the country to another to such a point that it will defeat its own ends...I take a national view. Certainly, there is no Member of the Senate who objects more strongly, with every fiber of his being, to illiteracy among our youth than I do...Let me say in passing that I have heard this bill described as a bill to eliminate illiteracy, but I cannot find in it language which concentrated the bill upon that particular target.163

He recommended that in the case of the poorer states:

They ought to deal with the ruthless influences that beset their state legislatures. They ought not to be required merely to put up a certain percentage. They ought to make the maximum effort of which they are capable...164

He maintained that with his amendment "Mississippi would get a great deal more than she would get without new legislation"165

163 Congressional Record. 61st Congress. 1st Session. Vol. 95. Part 4, p. 5192.
164 Congressional Record. 61st Congress. 1st Session. Vol. 95. Part 4, p. 5192.
165 Congressional Record. 61st Congress. 1st Session. Vol. 95. Part 4, p. 5323.
and that the poorer states would actually receive the greatest benefits, since as in the case of Mississippi, the state's contribution to this fund would be only $1,300,000 and the state would receive $1,461,000.

Senator George B. Aiken advised that:

The Senator's amendment would defeat the purpose of the bill. I think it would be much fairer to come right out and say that we are against federal aid in education and to vote against the bill than try to kill it by the offering of amendments which would have the effect of killing it.

I have no sympathy at all with those amendments. They simply offer bait to the Senators from thirty States of the Union to vote against Federal aid to education.

(Senator Lodge had said repeatedly that he intended to vote for the bill).

The amendment was rejected by a vote of eleven yeas and sixty-eight nays.

Senator Henry Cabot Lodge, Jr. then offered another amendment which was to "provide that public elementary and public secondary schools shall admit all qualified pupils without regard to race, color, creed, or national origin of such pupils." 167

In support of this amendment Senator Lodge said "On the negative side, it strikes out the existing provision of the bill which in

166 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 1, p. 5416.
167 Amendment to S.246. 81st Congress. 1st Session, p. 1.
 affect sanctions segregation in the schools. On the positive side it requires, as a condition precedent to federal aid, that there shall be no segregation. 168 He quoted the Republican and Democrat platforms and the Declaration of Independence to substantiate his position. He said the amendment had been requested by the National Association for the Advancement of Colored People in a telegram to him from Leslie S. Perry of that organization.

Senator Aiken said:

…the Senator from Massachusetts states that his amendment is approved by the National Association for the Advancement of Colored People. That may be true... If it is true, I would question whether that organization is doing the colored people of America any valuable service. I would be inclined to say it is not...

However, Mr. President, in my opinion the most ardent supporters of the amendment offered by the Senator from Massachusetts would not be found among the colored race, but would be found among the hard-skulled reactionary elements of some of the State Chambers of Commerce who are opposed to social progress of any kind at any price...

I am sure that if the amendment offered by the Senator from Massachusetts is approved by the Senate, regardless of the rights of the case, the Federal-aid-to-education bill will be killed; and if this amendment is approved and if the bill is killed, the colored race will not only continue to be segregated in schools in certain States, but will be denied even an opportunity for an improved education which will help them to rise above the status which now prevails in some areas. 169

In the Annual Report of the National Association for the

168 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 4, p. 5493.
169 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 4, p. 5471.
Advancement of Colored People for 1948 is the following statement:

Introduced in the first session of the 80th Congress by Senators Robert A. Taft (R., Ohio), Elbert D. Thomas (D., Utah) and Lister Hill (D., Ala.) 3.472 provided 300 million dollars annually for aid to education. The Bureau had testified in support of this legislation in both the House and the Senate during the first session.170

At this point, Senator Thomas reminded that things are not always what they seem:

We are facing a new type of propaganda against this bill, the meanest type, a type which insults every school teacher, whether he be white or black, whether in a parochial school or in a public school. Some persons are saying, in so many words that Federal aid to education is an attempt to communize the boys and girls of America. Some persons are supporting that idea.

There is, Mr. President, a National Council of Education in America. It is presided over by a gentleman by the name Zook. It is the most respectable, the most high-class, the finest educational body in the United States. But there has been organized a Council for National Education. It is presided over by a man by the name of Zoll. Its latest bulletin charges every school teacher, because the Federal Government is trying to pass an aid-to-education bill, with attempting to control and to communize all of the boys and girls in America. Thoughtless readers confuse the names Zoll with Zook, and they confuse the name "National Council of Education" with the name "Council for National Education." Some persons are frightened.

There are thousands of persons in our country who believe anything about their own neighbors, so long as the information comes to them from afar. I say that, Mr. President, because the board of education of the City of Salt Lake City adopted a formal resolution asking me to work against Federal aid to education because, under Federal aid to education they say there will be introduced into the

170 National Association for the Advancement of Colored People Annual Report. 1948. NAACP. 20 West 40th Street, New York 18, New York, p. 50.
schools of Salt Lake City foreign ideologies; and I am supposed to fight that danger. There are some things which become so ridiculous that we should not even mention them. Here are my own people, who have known me all my life, and who must be aware that my name has been on bills identical with the pending bill for fourteen years, formally adopting a resolution asking me to work against this bill so that the boys and girls of Salt Lake City will not be subjected to and corrupted by foreign ideologies, introduced by the Federal Government...

I saw a great deal of this character of propaganda when I was a member of the Committee on Civil Liberties years ago. Organizations mushroomed everywhere with the avowed object of saving the Constitution of the United States...

I believe in the principle of civil liberties. Others have worked for that and I have worked for it. But Mr. President, there are values that are worth preserving. The educational system of the United States is one of those values; the public school system is one of them; the relationship between the States and the Nation is one of them; and the Federal system is another. All these things can be marred and hurt by attempts to use force, or attempts to legislate out of existence that which cannot be legislated out of existence.\footnote{171}

Senator Thomas said that standing by a principle was one thing and standing by a fact was another. He pointed out that even though the principle of segregation might be wrong the fact was that to add this amendment would be to defeat federal aid to education. He referred to the Langer amendment of 1943, and said:

I made the statement that the black man of the South has been cheated out of three or four years of decent

\footnote{171 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 4, p. 5473.}
education because one black man of the South, supported by a white man, suggested to one Senator that a fine way to kill the aid-to-education bill would be to add to it an amendment of this character.172

Senator Hubert H. Humphrey of Minnesota clarified his values as follows:

...as much as I detest segregation, I love education more. I believe education is the fundamental answer, in the long run, to the problem of segregation.... We are out to fight for education. We are doing battle for opportunity and we are doing battle against ignorance and against inadequate opportunity.... The issue is federal aid to education or no Federal aid.173

Senator Irving I. Ives questioned this position and the following exchange of remarks resulted between Senator Ives and Senator Humphrey:

Mr. IVES. The Senator from New York feels very strongly that whenever any of these questions arise we should not slink away from them. We should not run away from them but should face them head on.

Mr. HUMPHREY. ...I submit that the issue now before the Senate is Senate Bill 246, the bill to provide Federal aid to education, and I submit that the amendments which are proposed to be attached to that bill constitute the slinking away. The slinking away consists in the efforts, if you please, so to distort the legislation or so to set up blocs of resistance against it that it cannot be passed.174
Senator Wayne J. Morse reminded that:

...the Supreme Court has not held yet that the States do not have the right under the Constitution of the United States to adopt a policy of segregation in their public schools. As I read the cases they have thus far hinged on the question of providing equal educational opportunity.... I cannot out of one corner of my mouth say to the people of one country, I am for Federal aid for education...and out of the other corner of my mouth vote for the Lodge amendment.... This Federal-aid-to-education bill does not rest upon my claim that we have the right to determine State school policies as a condition precedent to obtaining Federal funds.175

The Lodge amendment was rejected.

Senators Millard J. Tydings and Herbert R. O'Connor of Maryland; John T. Dricker of Ohio; and Harry F. Cain of Washington offered an amendment to the effect that:

The result of such action would be that the twenty-four States which are below the average for the entire country in respect to their contributions per pupil for educational purposes would receive all the money to be appropriated under this bill, and the twenty-four States which are above the average and which do not need the money would not receive a single dollar of it... It will save taking nearly $100,000,000, but of the Treasury.... In what better way can we save $100,000,000 than by taking from the bill that amount intended for States what do not want it and do not need it, and for whom it is a sheer waste of money to make the contribution?176

Senator Estes Kefauver of Tennessee reminded Senator Tydings of the discussion pertaining to this issue during the consideration of S.472, and said that "It appears from the debate that even the

175 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 4, pp. 5489-5490.
176 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 4, p. 5496.
well-to-do States have school districts with sub-standard educational facilities. 177 Senator Irving K. Ives opposed the amendment on the ground that all states should share in the funds, for the funds to be used most effectively and to guard against federal control. The amendment was rejected by a vote of seventeen yeas and fifty-seven nays.

Senator Raymond E. Baldwin of Connecticut offered an amendment which was described by the Senator as follows:

...the amendment offered by the junior Senator from Connecticut simply provided that the collector of internal revenue in each State shall set apart the amount to which the State would be entitled under the terms and provisions of the bill, as a credit to the State, that a like credit be set up on the books of the Treasury in Washington as the amount of money which the State would be credited against the collection of internal revenue within the State, and that each year that amount be determined in accordance with the terms of the bill, so that the money collected in the State from all sources of Federal taxes would be left in the State, and would be turned over by the collector of internal revenue, at the direction of the Secretary of the Treasury, directly to the State treasury...this is one way of guaranteeing to the States and to the cities and towns within the States that there will not be Federal control of education. 178

Senator Robert A. Taft opposed this amendment, he said:

His amendment certainly violates every principle of Federal finance. It is based on the supposition that in some way a State has some property right to the taxes collected from sources within its boundaries. If for one

177 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 1, p. 5497.

178 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 4, pp. 5579-5580.
moment we admit such a principle, the entire Federal financial system will crash, because a State has no such interest. The place where tax monies are collected has no relationship even to whether people living in that State pay the taxes. For instance, hundreds of thousands of people live in Connecticut and pay income taxes to the collector of taxes in Connecticut, but earn all their income in the State of New York. None of that money comes from Connecticut. There is no reason why Connecticut should be credited with that particular money, for it is not earned in Connecticut. Likewise, many corporations of tremendous size have their principal offices located in Connecticut, and other corporations have their principal offices located in New York. Certain other tremendously large corporations have their principal offices located in other States. Each of those corporations pays its income taxes at the place where its principal office is located, although in many cases the money on which those taxes are paid is earned in all the States of the Union.  

He also insisted that the amendment was not feasible, since for example, Puerto Rico would not collect its proportional share of federal taxes and Senator Elbert D. Thomas objected to the "earmarking" of Federal funds for any purpose. The amendment was rejected by a vote of thirty yeas and forty-nine nays.

Senators Joseph B. McCarthy of Wisconsin; William Langer of North Dakota; and Robert C. Hendrickson of New Jersey offered an amendment which required that each teacher in each public elementary or public secondary school within the State be paid at a rate of not less than $2,850 per school year.

179 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 4, p. 5582.
Senator Elbert D. Thomas objected to the amendment on the grounds that it was out of harmony with the entire bill, since "The second section of the bill lays down the principle that the Federal Government shall make no prescriptions in regard to anything which specifically refers to persons in schools." On a division, the amendment was rejected.

Senators Brien McMahon, of Connecticut; Edwin C. Johnson, of Colorado; Henry Cabot Lodge, Jr. of Massachusetts; and, Irving K. Ivins, of New York offered an amendment which "Provided, however, That funds expended to provide school-bus transportation shall be available to all school children, on a just and equitable basis, without regard to race, creed, or color, or nationality, or the location or character of the school which the child attends."

In support of this amendment Senator Brien McMahon said:

Only a few days ago we passed what I think is a very beneficent piece of legislation, the so-called school-health bill.... In the connection with the school health program we made no distinction in the bill which we passed as to the kind of child, his creed, race or religion. We did not establish any such test for participation in the benefits afforded by the funds provided under that measure for repairing their teeth, examining their eyes, or performing any of the other services to bring a sound citizen to adulthood...the transportation of all children to and from school is only an act of common decency.\textsuperscript{182}

\textsuperscript{180} Amendment to S.246. 81st Congress. 1st Session, p. 1.

\textsuperscript{181} Amendment to S.246. 81st Congress. 1st Session, p. 1.

\textsuperscript{182} Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 5, p. 5634.
Senator Taft opposed the amendment on constitutional grounds and on the impropriety of the Congress to attempt to nullify state laws. (Twenty-nine states prohibited). He maintained that it was the duty of the Federal Government to give aid to the state but it was the state's prerogative to administer the funds according to the statutes, constitution, practices and policies of the state. The amendment was rejected.

Senator William Langer of North Dakota offered an amendment which gave to any person questioning the administration of the funds the right to complain to the Commissioner of Education, and, subsequently to the United States district court.

As Senator Thomas said, the amendment Senator Langer,

...has offered is an amendment which results in an open invitation for some disgruntled person to make an appeal on practically any subject under the sun, which, of course, would make it possible to throw into litigation - not strictly litigation, but the equivalent of litigation - all the questions which we are trying to avoid... We want State supremacy and State control and we want no hindrance at all from anyone in regard to the way in which the bill is to be administered in the various states. 183

The proponents believed that sufficient checks on the administration of the fund according to the provisions of the act were provided for in the Act and the administration of the funds should not be left open to the unscrupulous attacks of people opposed to public education or the principle of federal aid to education. The amend-

183 Congressional Record. 83rd Congress. 1st Session. Vol. 95. Part 5, p. 5650.
Senator Forrest C. Bouchell of Missouri offered an amendment which provided that funds be used only for schools considered as public schools. According to his amendment the private schools of Vermont qualified since they were considered by the state as public schools. The sectarian schools would be excluded from any benefits whatsoever.

In support of his amendment he quoted from the Constitution and many Supreme Court decisions. He believed this amendment necessary for the preservation of the wall of separation between the church and state. He introduced endorsements of his amendment by such organizations as the American Unitarian Association, the National League Opposed to Sectarian Appropriations, the Council of Bishops of the Methodist Church, the National Baptist Convention, Associated Church Press, Christian Churches of California and others.

Senator Taft again maintained that the Federal Government had no right to by-pass or nullify state laws (nineteen states provided some services to parochial schools) and that it must remain the prerogative of the State to administer the funds according to the statutes, constitution, practices and policies of the state. The amendment was rejected by a vote of three yeas to seventy-one nays.

Senator Edwin C. Johnson of Colorado offered an amendment which earmarked seventy-five per cent of the funds allotted under this Act to the State, for the payment of salaries of teachers in the
public elementary and public secondary schools, and that the
term "teacher" meant any person professionally certified in his
State as eligible to teach, who was engaged in the conduct of edu-
cational work in direct relation to pupils.

Senators pointed out that this amendment was contrary to section
two of the bill prohibiting federal control in the administration
of the funds under the Act. The amendment was rejected.

Senator John W. Bricker of Ohio offered an amendment to sub-
stitute S.16290 for S.246. S.16290 provided federal aid to the
States for the construction of public-school facilities. The
amendment was rejected by a vote of eleven yeas and sixty-five nays.

Senator J. Allen Pears, Jr. of Delaware offered an amendment
which limited the provisions of the bill to two years. The amend-
ment was rejected.

Differing Opinions and Passage of S.246

Senator Kenneth S. Merry of Nebraska warned that with the
passage of such bills "we shall be entirely over the line into
State Socialism" and Senator Styles Bridges of New Hampshire
said the proponents "will live to rule the day they put the Federal
Government in education."

184 Congressional Record. 81st Congress. 1st Session. Vol.
95. Part 5, p. 5601.

185 Congressional Record. 81st Congress. 1st Session. Vol.
95. Part 5, p. 5683.
Serlet Larry Flood Lyd, referred to the huge state sur-
pluses, the staggering federal debt, the importance of American
solvency, and the hope of America, our "free enterprise system,"
based on American solvency. He feared federal control, the inter-
ference in Southern segregation laws and from the impression given
Senator Matthew I. Neely of West Virginia he seemed to fear an
educated electorate. Senator Neely said:

The distinguished Senator referred to the fact that
he was formerly the Governor of Virginia. He thus re-
minded me of another governor of that great State, namely
Governor William Berkeley who in the year 1671 said:

'I thank God there are no free schools, nor printing,
and I hope we shall not have these hundred years; for
learning has brought disobedience and heresy and sects
into the world, and printing has divulged them, and
libels against the best government. God keep them both.' 186

S.246 passed the Senate May 5, 1949 by a vote of fifty-eight
years to fifteen nays.

House Action

In the meantime H.R.4643 was introduced into the House by
Congressman Graham A. Barden of North Carolina. A hearing was
held on the bill by a sub-committee of the House Committee on
Education and Labor. Congressman Graham A. Barden was the chairman

186 Congressional Record. 81st Congress. 1st Session. Vol.
95. Part 5, p. 5654.
of the sub-committee. The sub-committee reported the bill out by a vote of ten to three and the approval of the chairman, to the Committee on Education and Labor of the Whole House. There the bill remained. However, the bill gained national attention by the controversy it provoked.

The purpose of the bill was:

To provide for Federal financial assistance to the States in bearing certain costs of public elementary and secondary school education.\(^{187}\)

The bill provided:

1. Appropriations for public elementary and secondary school as follows: $300,000,000 for the several states in the United States; $50,000 for Alaska; $250,000 for Hawaii; $11,000,000 for Puerto Rico; and $200,000 for the Virgin Islands.

2. It applied the same type of formula and arrives at approximately the same allotment as the formula in S.246.

3. The funds were disbursed by the Secretary of Treasury to the States and the expenditure of such funds was subject to the laws of the state rather than the laws of the United States, except for the following conditions:

   (1) that it shall be used for public elementary and secondary schools within such State; (2) that the current expenditure from all sources for public education in each State shall be no less than the average current expenditure from all sources for public education in the United States.

\(^{187}\) Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 17, p. 905.
elementary and secondary schools will average in each local public-school jurisdiction, $60 or more for each pupil.\textsuperscript{128}

4. There was a provision where any taxpayer suspecting a violation of these two requirements could appeal to the Courts "for an order enjoining such acts or practices or for an order enforcing compliance."\textsuperscript{189}

5. Provisions of the bill prohibited federal control, required audits and reports to be transmitted to the Congress by the Commissioner of Education.

6. The funds were to be expended only for current expenditures incurred by the public elementary and secondary schools within the States.

The definitions used here were:

The term 'current expenditure' does not include expenditures for transportation or for interest, debt service, bonded indebtedness, or capital outlay, and does not include expenditure for health services for the prevention, diagnosis, or treatment of physical or mental defects or conditions.\textsuperscript{190}

and

The term "public elementary and secondary schools" means tax-supported grade schools and high schools which are under public supervision and control.\textsuperscript{191}

\textsuperscript{128} Congressional Record. 61st Congress. 1st Session. Vol. 95. Part 14, p. 1160.

\textsuperscript{189} Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 14, p. 1161.

\textsuperscript{190} Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 14, p. 4161.

\textsuperscript{191} Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 14, p. 4162.
The real difference between H.R. 1643 and S. 246 was that in H.R. 1643 by defining "current expenditures" the controversial services to non-public schools were eliminated. This caused some people to say "Support the Barden bill - it preserves the basic principles of separation of church and state" and other to say "Kill the Barden bill - it discriminates against Catholics." 192

As to why these particular services to public and non-public schools were eliminated from the bill, Congressman Barden explained as follows:

This provision is identical with the Senate provision, except the term 'bonded indebtedness' was added for clarification and transportation was excluded because upon investigation of the committee it was found that the forty-eight States had more than forty-eight different systems and types and methods of transportation, some by contract and otherwise, some with mileage limitations, some States have constitutional prohibitions against transporting any students other than public-school students. The committee, therefore, decided that that was a matter to be left to the States so desired it could transfer such monies from its present appropriation covering school teachers' salaries, books, and so forth, to the transportation fund and replace these funds with money from the Federal grant. It was regarded that would be simpler than to proceed otherwise. 193

As to what had happened concerning the bill up to this time, Congressman Barden said:

193 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 14, p. 4161.
Chairman Lesinski, prior to the appointment of a sub-committee, discussed the matter with me and indicated his dislike for any federal aid-to-education bill, and later, without consulting me at all, named the members on the sub-committee without my approval, placed my name as chairman, sent the bills to my office, and instructed me to conduct hearings. He also sent part of his Labor and Education Committee staff to assist in the hearings. I drew H.R. 1643 with the assistance of the House drafting attorneys after conferring with various agencies and departments of the Government interested. The sub-committee conducted full hearings. We then went into executive session and held a number of executive sessions. The committee which was appointed by Chairman Lesinski, without any knowledge on my part who they were to be, reported the bill out by a vote of ten to three.154

Congressman Graham A. Barden said that as a result of this action he had been the object of all kinds of vilification. He said:

The quotation accredited to Mr. LESINSKI that Representative Graham A. Barden, Democrat, of North Carolina, purposely injected bigotry into the federal aid-to-education bill because he wanted to kill the whole measure is a false statement and if made by him was known to be such at the time he made it. Mr. LESINSKI well knows that the full committee, of which he is chairman, consisting of twenty-five members will have to pass on every part and parcel of this bill.

The United Press and Associated Press as well as possibly others carry the following quotations: 'This bill is anti-Catholic and anti-Negro. It is my opinion that he drew it up that way purposely because he did not want any aid to education and wanted to kill it.' 'It was tired of keeping my mouth shut.' 'That BARDEN bill is so anti-religious that it does not have a chance.' 'I do not believe we should upset procedure which has been established for many years in many States.' 'It is unfair.
to send parochial-school children who will receive none of the benefits. The Gardin bill is not anti-Catholic, but it also discriminated against Baptist, Episcopalian, and Unitarian parochial schools. That the bill was with bigotry as well as racial prejudices and was anti- Negro as well as anti-Catholic. It goes on with other statements of similar nature.

...I do not know where Mr. District got his inspiration for making such statement, unless it was because some similar statements have been accredited to some high officials of his church. The statement certainly could not have been inspired by or founded on either truth or facts.

In a radio broadcast Congressman Andrew A. Gardin was questioned by ED Part regarding this bill. As to the accusations that this bill discriminated against Negroes, Congressman Gardin explained that as far as federal funds were concerned they would benefit more from this bill than from 8,246 since the minimum foundation expenditure required was $55 instead of $15. As to the accusations that the bill was anti-Catholic Congressman Gardin said the funds were for the tax-supported public schools and that there was no discrimination against Baptist schools, Methodist schools, Episcopal schools or any other church schools. He quoted a Catholic Congressman Andrew Jacobs of Indiana as saying:

As long as we have the same right to send our children to public schools as anyone else, we are not discriminated against.... Our parochial schools are an adjunct of our religion. The issue is clear - either you keep parochial schools and maintain them or accept public funds and convert the schools into public schools.... As Catholics, we do not have the right to a separate publicly supported school system nor does any other group of people have such a right.
Congressman Darden said:

I do not think the American people as a whole want private or parochial schools, regardless of the denomination, subsidized by the Federal Government. Let those who think otherwise be honest and have a bill prepared which would, if passed, grant such aid, then we would know who among us would sanction the violation of the First Amendment to our Constitution.197

As to the controversy over the bill, Congressman Darden said:

I regret that it apparently has, but since this is the case may I remind some church dignitaries who start political controversy that they need not expect immunity from political blows. They may lose some of their effectiveness as spiritual leaders in such combat, and if they resort to falsehood and name-calling as weapons, they run the risk of losing even their honor. As you know, Mr. Hart, there has been a personal campaign of vilification against me. What the effects of this are upon me is of little consequence, but those individuals behind this personal campaign apparently have a far greater design than merely attacking me... Such falsification concerning my bill is not accidental. It comes from those sources who are demanding as their right — their right, mind you, to receive Federal money for the support of church schools. It comes from those sources who charge bigotry to any who disagree with their political views, It comes from those sources who would whip their flock into a fanaticism which could destroy a first principle of American democracy — the separation of church and state. I say to these people, with Thomas Jefferson, 'To compel a man to furnish contribution of money for propagation of opinion which he disbelieves is sinful and tyrannical.'198

On the other side, according to an article introduced into the Record by Congressman L. Gary Clemente of New York from the


198 Congressional Record. 95th Congress. 1st Session. Vol. 95. Part 15, p. 4606.
Brooklyn Tablet of June 10, 1919, the actions in Congress had been as follows:

In the present session of Congress several measures for Federal aid to schools have been proposed. The Senate passed a bill flagrantly discriminatory against children in non-public schools, but the loopholes permitted funds for some services at the discretion of the various States. Representative Granam A. Barden of North Carolina, took over the questionable assignment of plugging up those loopholes in a House measure which completely eliminated any child in a Catholic school from benefitting from Federal funds. The measure was sent to the House sub-committee of which none other than the North Carolina gentleman is chairman. Only a limited number of persons were heard and Mr. Barton closed the hearings. The sub-committee then approved two amendments guaranteeing the expenditures of more Federal, or taxpayers' money and rejected one proposal to restrict Federal largesse to needy States and to which might have permitted a stray dollar to provide health, bus, or some other service to a boy or girl attending a non-public school.\footnote{Congressional Record. 61st Congress. 1st Session. Vol. 95. Part 14, p. 1127.}

The article in the Brooklyn Tablet attacked the fight being made by the Protestants and Other Americans United for Separation of Church and State, which included Jewish members, in support of the Barden bill.

We need not elaborate on the obvious fact that the drive to force passage of the Barden bill is but one maneuver in the whole strategy of POAU and its allies, namely, the destruction of Catholic - and ultimately all Christian - influence in the United States. Bishop O'nam, Glen Archer, Guy Emery Snipier and others in the vanguard of the anti-Catholic fight are to be pitied, perhaps, for their blind and unwitting service to the cause of rampant, Codlessness, yet they must be halted before their reckless, aggressive attack ends in widespread hate, intolerance,
bigness, and fatal division among the American people...

Many times in the past the interest of Catholic Americans in the past have been fought for and protected by Protestant, and Jewish Members of the Senate and House of Representatives...

Every Catholic parent must write... every Catholic affiliated with a non-sectarian organization whether it be a labor union or a chamber of commerce should insist that that organization publicly oppose the Garden bill - if not to prevent an act of legalized discrimination and bigotry, at least to stop tax funds from being wasted as they will be in this irresponsible bill - and no Catholic should rest until H.R. 1543 is consigned to the Congressional wastebasket.

The article urged that Catholics counterattack the efforts of the Protestants and Other Americans United for Separation of Church and State by:

To quote from a message sent by the PAAU to bigots and anti-Catholics all over the country: "It is highly important that we act now!"

Catholic organizations arose to the occasion. Congressman William A. Barrett of Pennsylvania introduced into the Record an article appearing in the Catholic Standard and Times of July 1, 1943, which quoted the resolution of the Knights of Columbus as follows:

One of the cherished and inalienable rights guaranteed by the Constitution of the United States is the right of parents to further the education of their children in the schools of their choice, whether public, parochial, or private.

200 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part II, p. 4127.

201 Ibid., p. 4127.
The history of our country, past and recent, abundantly proves that parochial schools, maintained at great cost to Catholic taxpayers effectively prepare children for the responsibilities of American citizenship and graduate young men and women qualified to vote, eligible for public office and subject to military service.

The burden bills-in effect repudiate the rights of parents and reduce parochial-school pupils to a status of second-class citizenship by depriving them of the bus rides, non-religious textbooks and health aids to which they have a constitutional right.

The burden bills, which counts parochial school pupils in for the purpose of computing the federal aid to be granted and counts them out of their share of benefits, is the worst and most objectionable federal-aid bill ever approved by any Congressional Committee.202

The article also said:

Diocesan weeklies gave the burden bill story top play, and many carried special editorials analyzing the bill and urging protests to Congressman. Hundreds of pastors discussed the proposed legislation with their congregation.203

The article also included the following concerning President William Green of the American Federation of Labor:

Washington, June 20. - President William Green of the American Federation of Labor has attacked the burden bill as not satisfying the A.F. of L's requirement that federal school aid include health and welfare services for children in all schools. He hit hardest at the bill's discrimination against Negroes and its lack of guarantees that teachers' salaries will be increased.204

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204 Congressional Record. 81st Congress. 1st Session. Vol. 95. Part 15, p. 4340.
The climax of this controversy was the exchange of views between Mrs. Roosevelt and Cardinal Spellman. Mrs. Roosevelt discussed the issue of federal aid to education in her column "My Day" in the New York World-Telegram of June 23, 1945. This article by Mrs. Roosevelt provoked Cardinal Spellman to write her a letter, which he released to the press on July 11, 1945. Two days later Mrs. Roosevelt replied to Cardinal Spellman's letter. This reply was also released to the press. The article provoking the controversy and the two letters are in the Appendix.

The Tier Bill

Also introduced into this Congress was H.R.3429, by Congressman N. Tier, of Minnesota. The bill provided an appropriation of $7,500,000 for the fiscal year 1945 "in order to assist local school agencies in providing educational opportunities for children residing (a) on Federal reservations or on other federally owned property, or (b) within the boundaries of local school agencies overburdened financially by defense-incurred school enrollments or reductions in the school revenue resulting from the acquisition or ownership of land by the United States." The bill was approved September 10, 1945, and became public law number 306.

Summary

During this period (1946 - 1949) the proponents of federal aid to education constructed and presented in the Senate a federal aid to education bill which commanded sufficient support to secure its passage in two consecutive Congresses. These bills exemplify the kinds of compromises which must be made, and the benefits which must be offered the various groups represented in our national life if a federal aid to education bill is to pass the Congress. The controversy concerning the Barden Bill in the House is indicative of what may be expected from any deviation from the provisions of the bills which passed the Senate.
The proponents of federal aid to education were impeded in their attempts to secure the passage of a federal aid to education bill by the controversy provoked by the Barden Bill. During the second session of the 81st Congress (January 3, 1950 - January 2, 1951) no action was taken on any bill pertaining to direct federal aid to education in the several states. However, many Senators and Congressmen included their remarks and the remarks of others in the Record. These remarks, in the main, were directed toward keeping the issue alive by reminding of the need and interpreting the Constitution and the Supreme decisions.

By way of reminding of the need for an equalization of expenditures for education Congressman Carl Elliot of Alabama included in the Record elaborate statistics showing the existing inequalities as to expenditures and ability of the several states to support education. The following figures relative to teachers' salaries during the year 1949-1950 exemplifies the situation:

<table>
<thead>
<tr>
<th>State</th>
<th>Average Salary</th>
<th>Lowest Salary</th>
<th>Highest Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mississippi</td>
<td>$1,393</td>
<td>$500</td>
<td>$3,200</td>
</tr>
<tr>
<td>Arkansas</td>
<td>1,675</td>
<td>700</td>
<td>3,960</td>
</tr>
<tr>
<td>California</td>
<td>3,940</td>
<td>2,400</td>
<td>6,000</td>
</tr>
<tr>
<td>New York</td>
<td>3,875</td>
<td>2,000</td>
<td>6,200</td>
</tr>
</tbody>
</table>

1 Congressional Record. 81st Congress. 2nd Session. Vol. 96. Part 18, p. 70440.
Regarding the interpretation of the Constitution and the Supreme Court decisions, it may be said that those favoring auxiliary services to non-public schools interpreted the Constitution and the Supreme Court decisions as condoning the expenditure of federal funds for these services to non-public schools. On the other hand, there were those who interpreted the Constitution and the Supreme Court decisions in such a way as to conclude the granting of public funds for such services to sectarian schools as a serious breach in the wall of separation between church and state.

**Passage of S.2317 and H.R.7940**

While this session of Congress did not take any action on a direct or comprehensive federal aid to education bill, it did pass two bills aiding certain overburdened areas due to federal activities. These bills were S.2317 passed September 23, 1950 and H.R. 7940 passed September 30, 1950. H.R.3829 of the last session of Congress had provided an appropriation for assisting such areas during the year 1950.

S.2317 was introduced into the Congress by Senators George D. Aiken of Vermont; Dennis Chavez of New Mexico; Sheridon Downey of California; Lister Hill of Alabama; Estes Kefauver of Tennessee,
Robert S. Kerr of Oklahoma; Harley M. Kilgore of West Virginia; Warren G. Magnuson of Washington; Ernest W. McFarland of Arizona; Wayne Morse of Oregon; James E. Murray of Montana; Matthew M. Neely of West Virginia; Claude Pepper of Florida; Glen H. Taylor of Idaho; Elbert D. Thomas of Utah, and, Pat McCarran of Nevada.

It became public law number 815 and authorized:

...grants to the States for surveying their need for elementary and secondary school facilities and for planning State-wide programs of school construction; and to authorize grants for emergency school construction to school districts overburdened with enrollments resulting from defense and other federal activities, and for other purposes.\(^2\)

(This bill was reported out of the Committee on Labor and public Welfare during the last session of Congress but due to objections by certain Senators it was not considered by the Senate).

H.R. 7940 was introduced by Congressman Bailey of West Virginia and became public law number 874 and was intended:

To provide financial assistance for local educational agencies in areas affected by Federal activities, and for other purposes.\(^3\)

The conditions determining eligibility for aid under these bills were such as (1) where children attended the district school though living on non-taxable federal property for which the district received no taxes; (2) where children's parents were

\(^2\) Congressional Record. 81st Congress. 2nd Session. Vol. 96. Part 19, p. 680.

\(^3\) Congressional Record. 81st Congress. 2nd Session. Vol. 96. Part 19, p. 789.
employed on non-taxable federal projects and the districts received less than the normal tax returns; (3) or, where a very large and sudden increase in school population in a district not associated directly with loss of tax revenues, but which is too great for the community to absorb with its own resources.

In the Report released June 30, 1951, by the Commissioner of Education it is interesting to note that the largest amount of this appropriation to any state $6,772,507.16 went to California, while Mississippi received $271,269.86.

Hearings on School Construction Bills

At various times members of Congress have introduced bills pertaining to the construction of school buildings. The passage of S.2317 and H.R.7940 encouraged those interested to press for action on a construction bill to assist the states in providing adequate public and secondary school facilities.

A sub-committee of the House Committee on Education and Labor held a hearing on H.R.155. This bill provided $300,000,000 in grants and $300,000,000 in loans through the Reconstruction Finance Corporation. The $300,000,000 in grants was to be allocated on the basis of the number of children in the state five to seventeen years of age. The $300,000,000 for loans was to be for a period of time, not in excess of twenty years, at an interest rate of
two and one-half per cent per year.

Appearing at the hearings and endorsing aid to public school construction were representatives of such organizations as the American Federation of Labor; the Congress of Industrial Organizations; the National Farmers' Union; the National Education Association; and, many superintendents of schools. Several Congressmen also appeared to explain the kind of school construction aid they proposed.

Congressman Albert Rains of Alabama appeared at the hearings and reported that in 1947 there were approximately 21,550,000 children enrolled in the elementary and secondary schools. Due to the increase in the birth rate he said:

> It is estimated by the United States Census Bureau that that number will increase... It is expected to increase by almost three-fourths of a million to one and a quarter million each year for the next five years. By 1954, enrollment is expected to be over 31,000,000 or 6,500,000 more than the current year, and in 1958, or in ten years, it is estimated that there will be over 34,000,000 children enrolled in the elementary and secondary schools. This is an increase in ten years of 38.9 per cent, or roughly 9,500,000 more children than attended schools in 1947.

Dr. Earl J. McGrath, the United States Commission of Education, appeared at the hearings and with Dr. Ray L. Hamon, Chief of the School Housing Section of the United States Office of Education, and gave an overview of school building needs.

According to Dr. McGrath:

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Current estimates of cost of needed construction on a Nation-wide basis run to $13,500,000,000. The basis of that figure is an estimated 500,000 classrooms and related facilities, including shops, laboratories, and libraries, and so forth.\textsuperscript{5}

He said the need for this construction was a result of a high wartime birth rate; great wartime and postwar population shifts; the curtailment of regular building maintenance programs; and obsolescence of much present school housing.

Dr. Hamon reported that the states spent $757,000,000 in 1949, for school construction. He expected a slight increase in 1950, but this was obviously far short of the $13,500,000,000 needed for school construction.

Dr. McGrath outlined the following principles which he believed should be embodied in any legislation providing federal assistance for school construction:

1. Any Federal assistance program for surveying the need for and planning and constructing school facilities should utilize the service of the United States Office of Education.

2. Federal funds for school construction should be on a grants-in-aid basis to the respective State educational agencies, rather than to local school administrative units.

3. Federal funds should be made available to assist the States in making surveys necessary to the development of their respective State-wide school-plant programs.

\textsuperscript{5} \textit{Ibid.}, p. 147.
4. Federal funds for school construction should require financial participation of State and local governmental units.

5. Federal funds for school construction should be made available to the States on the basis of an objective formula.

6. In a program of aid for school construction, the Federal government should give special consideration to school systems overburdened with enrollments resulting from specific activities of the Federal Government.

7. Federal aid for school construction should encourage equalization within the States.\(^6\)

Dr. McGrath hoped that federal financial assistance would be granted the states to help solve the school housing problem, however, he said:

> Let me add that I do not regard financial aid for school construction as in any sense a substitute for Federal financial aid for current expenses, particularly since such aid will be essential in attracting additional teachers to man the additional classrooms. Both types of Federal financial assistance to the States are desperately needed. This Nation can afford both. It is my firm belief that ultimately it will make both available.\(^7\)

Dr. Worth McClure, executive secretary of the American Association of School Administrators of the National Education Association, made the following statement before the sub-committee:

> Schoolhouses are needed - badly - but there is little point in building them unless we can have schools. Good schoolhouses are not a substitute for good teachers. Providing a classroom for a child who has no teacher is comparable to erecting a hospital for the victim of a highway accident before calling a doctor. The shortage of teachers

\(^{6}\) Ibid., pp. 148-149.

\(^{7}\) Ibid., p. 146.
and the large number of teachers who are licensed by substandard certificates have been reported to you at previous hearings. The need for general Federal aid has been proved with conclusive and thoroughly objective evidence. That need is familiar to you, and I hope you will make provision for aid to current operation as well as aid to capital outlay in the financial support of our schools.8

George T. Guernsey, Associate Director of Education of the CIO, stated at the hearings that:

I think it should be made clear to this subcommittee that the Congress of Industrial Organizations, in supporting an adequate school construction program financed by Federal grants, does not consider it a substitute for the general Federal-aid-to-education grant which we have been supporting and will continue to support.9

Regarding support for a school construction bill he said:

Both the National Grange and the National Farmers Union have endorsed the plan of Federal funds for school construction.

It is unfortunate, indeed, that the American Farm Bureau has not seen fit to endorse the general principle of Federal aid for school construction, since such legislation has a special application to the children of Farm Bureau members.

In general, a wide variety of organizations are supporting Federal grants for school construction, although, as usual The United States Chamber of Commerce and the National Association of Manufacturers have not gone on record in favor of a bill which would help to improve educational opportunities for American children.10

8 Ibid., pp. 75-76.

9 Ibid., p. 211.

10 Ibid., p. 209.
Efforts of Congressmen in 1951

In his Budget Message to the 1st session of the 82nd Congress (January 3, 1951-October 20, 1951) President Truman made his position regarding federal aid to education clear in the following statement:

I, therefore, urge the Congress to authorize Federal financial assistance to help the States provide a level of elementary and secondary education that will meet the minimum needs of the Nation. The budget includes a tentative appropriation estimate of $300,000,000 for this purpose.11

The Congress did not comply with the President's request. Neither did the Senate Committee on Labor and Public Welfare nor the House Committee on Education and Labor report a bill for federal aid to education. Even the Senators and Congressmen introduced, comparatively speaking, fewer bills pertaining to education.

Senator William Langer of North Dakota introduced S.397 into the Senate. The purpose of the bill was:

To authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public and elementary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes.12

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11 Congressional Record. 82nd Congress. 1st Session. Vol. 97. No. 28, p. 1313.
12 Congressional Record. 82nd Congress. 1st Session. Vol. 97. No. 1, p. 60.
Similar bills were introduced into the House by Congressman Barden of North Carolina, Chairman of the House Committee on Education (H.R.4468), Congressman Carl D. Perkins of Kentucky (H.R.345), and others.

Senator James E. Murray of Montana introduced a bill (S.990) into the Senate authorizing aid for public school teachers' salaries; for school building construction; for scholarship funds for needy students; for the eradication of adult illiteracy; and for essential services for health and welfare.

The only action taken, relevant to education, during this session of Congress was the passage of House Resolution 474 (Congressman Bailey, of West Virginia) and Senate Resolution 225 (Senators Hubert H. Humphrey of Minnesota; V. Blair Moody of Michigan; and, William F. Knowland of California.) allocating steel for the construction of schools and hospitals. Those districts able to build school buildings had been unable to get steel and other materials.

Congressman Albert Gore of Tennessee informed his colleagues that according to recent figures the low income states were the predominantly rural states. Due to this low income they could not provide adequate educational opportunities for their high proportion of children. In contrasting the expenditures of predominantly rural states and predominantly urban states he said:
In 1947-48 four of our strictly rural States were limited in their educational expenditures to the following averages: Mississippi, $60; Arkansas, $87; Tennessee, $90; and Georgia, $98.

In that same year the average expenditures per school child in four of our industrialized States stood as follows: In Massachusetts, $211; in Illinois, $243; in New Jersey, $249; and in New York, $256.13

and as to teachers' salaries:

In 1947-48 the twelve States in which teachers' salaries averaged from $1,256 to $2,062 were States ranging from sixty per cent to eighty per cent rural. In greatest contrast stood twelve of our most highly industrialized States with average salaries for teachers ranging from $3,016 in Illinois to $3,690 in California. 14

Regarding the efforts of the various states to support education Congressman Carl D. Perkins of Kentucky said:

Alabama spends 2.5 per cent of her total income, the income of everybody added together, for her public schools, and stands eighth in the forty-eight States in her effort to educate her children. New York spends 1.56 per cent of her total income for education, and rates forty-second in effort; yet Alabama's effort yields only $87 per child, whereas New York's effort of 1.56 per cent yields approximately $225 per child.15

According to Congressman Albert Gore, the reason New York can provide so well for her children on so little effort is because, for instance, in 1948 Mississippi had 276 children per 1000 adults and New York had only 174 children per 1000 adults; Mississippi had

13 Congressional Record. 82nd Congress. 1st Session. Vol. 97. No. 197, p. 13818.

14 Ibid., p. 13818.

15 Congressional Record. 82nd Congress. 1st Session. Vol. 97. No. 28, p. 1313.
$753 per capita income and New York had $1,800 per capita income; however:

Translated into income per school pupil, the differences between States are still more striking. Personal income of New York citizens averages $10,500 per child of school age. In Arkansas that figure is $2,500.16

Congressman Boyd Tackett of Arkansas described the South's raw-material economy. He enumerated all the economic discriminations made against the South. He believed it the duty of the Federal Government to help the South by federal aid to education. As he said:

...it is my observation that the main and foremost reason why the underprivileged sections of the South have failed to receive Federal assistance in the education of their children is because that great area is within the borders of the United States...(after the Civil War) There was no Marshall plan and there has never been a point four program for the South; but to be certain that the South would starve for twelve years, the people were forced to live under the carpetbag rule of the hellacious reconstruction era, wherein what little was left after the war was gobbled up by these carpetbagging storm troopers.

The South is the only people every defeated on the battlefields by the United States Army who were not later fed, clothed, and rehabilitated and its plants and facilities restored by our Government.17

At this time the world situation was such that the members of Congress were vitally interested in materials of war. By ways of warning, Senator Hill introduced an editorial from Business

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16 Congressional Record. 82nd Congress. 1st Session. Vol. 97. No. 197, p. 13648.

17 Congressional Record. 82nd Congress. 1st Session. Vol. 97. No. 28, p. 1312.
Week entitled "The Business of Schools" which begins:

In Germany it was "butter or guns." Guns won, and Germany lost. In America, as the cold war takes more of our cash and time, it may become "guns or schools." If we choose either we lose. Somehow we've got to have both.\textsuperscript{18}

Congressman Carl D. Perkins of Kentucky reported that endorsement to federal aid to education had been given by the American Legion, the Midcentury White House Conference on Children and Youth, the National Congress of Parents and Teachers, the National Grange, the American Farm Bureau, and the Congress of Industrial Organizations.

The question of money for schools has been a persistent problem. Time and again Senators and Congressmen have fought federal aid to education with such phrases as "the staggering federal debt"; "back-breaking taxes"; "on the verge of bankruptcy"; "American solvency"; and others. These opponents have asked again and again "Where are you going to get the money?"

During this session of Congress eighteen Senators answered the question. These Senators proposed that the over $10,000,000,000 worth of oil off the coast of the United States and belonging to the Federal Government, and thereby all the people, be diverted to education. These Senators were: Senators Lister Hill of Alabama; Wayne Morse of Oregon; Paul H. Douglas of Illinois; William Benton

\textsuperscript{18} Congressional Record. 82nd Congress. 1st Session. Vol. 97. No. 194, p. A6728.
of Connecticut; Charles W. Tobey of New Hampshire; Matthew M.
Neely of West Virginia; John J. Sparkman of Alabama; Estes Kefauver
of Tennessee; Hubert H. Humphrey of Minnesota; Dennis Chavez of
New Mexico; Hennings of Missouri; Gillette of Iowa; Herbert H.
Lehman of New York; James E. Murray of Montana; William Langer
of North Dakota; Blair Moody of Michigan; George D. Aiken of Vermont;
and J. William Fulbright of Arkansas.

(It may be noted that these are the same Senators who
have always supported federal aid to education...those
opposing federal aid because of "economy" yet declaring
their "love" for education did not take advantage of this
opportunity to support the allocation of funds for federal
aid to education.)

Senator Hill introduced into the Record a lengthy prepared
statement he had entitled "Oil for the Lamps of Learning." He
referred to the early land grants for education and thought it
proper that this money should be expended for education. He
maintained this oil belonged to all the people and not to the three
states claiming such rights (California, Louisiana, and Texas).

Enemies of Public Education

Senator James E. Murray of Montana addressed the Senate
regarding the activities of the following organizations: (and
others)

Friends of the Public School of America, Inc., of
Amos A. Fries.


American Parents Committee on Education, New York.

Church League of America, Chicago.

Employers Association of Chicago.

Institute for Public Service, New York.

National Association of Pro-America, Seattle, Washington.

American Education Association, New York.


Senator James E. Murray informed the Senate that:

...these Fascist-minded groups are threatening the very roots of liberty in their attacks on public schools and in their efforts to impose thought control on the teachers of the country. To my mind they are no different than the Nazis, the Italian Fascists, or the Communists who are now acting to destroy freedom of thought throughout the world.

The methods of these groups and the sources of their financial aid are not new in the United States. In 1928, as a result of a resolution introduced by a great liberal United States Senator, Hon. Thomas J. Walsh, of Montana, and his distinguished colleague, Hon. George Norris, of Nebraska, a Federal Trade Commission investigation showed how the captains of finance dominating the electric power and gas companies furnished the money to propagandize everybody from United States Senators down to public-school children in an effort to confuse public opinion and thus control legislation relating to the Boulder and Muscle Shoals projects. Today giant business monopolies, seeking the extend the tenacles of their control like octopuses over individual freedom of thought hide behind alleged impartial tax-exempt foundations to which they contribute heavily.
Hearings held by the Select Committee on Lobbying Activities in July 1950, on the Foundation for Economic Education which has a school at Irvington, New York, clearly revealed how the giant steel, chemical, auto, rubber, public utilities, oil, and other corporations have contributed almost $1,200,000 in a period of four years to this alleged non-profit educational institution whose income is tax-exempt and donations to which are deductible by the donors in determining their net incomes for Federal income-tax purposes. The publications of this foundation received wide circulation among the teachers in our colleges and high schools on economic and political science issues. It has a workshop which trains economists, writers and administrators. In the guise of a non-profit educational institution it is the spring through which the dishonest ideas and concepts of these selfish, grasping monopolistic corporations are fed into the life stream of democracy, seeking to poison it and eventually destroy our American educational system.19

Senator James E. Murray included in the Record an article from the Washington Post of July 4, 1951, entitled "NEA Told Ten Organizations Lead in Sowing Distrust in Public-School Administration." The article lists these organizations and characterizes them as "enemies of public education." It describes these organizations as being:

...right wing in nature, without any traces of communism and seem motivated by dislike of the rising cost of public education, by opposition to school expansion, and the fads and frills of progressive education, and by bigotry.

They often use totalitarian tactics...including "repetition of the big lie," smear techniques, rabble-rousing, and name calling.20

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Senator Murray included into the Record another article from the *Washington Post*, of April 24, 1911, entitled "This Happened in Pasadena: How It's Happening in Greater Washington" by Agnes H. Meyer. In her article Mrs. Meyer stated:

It is a fact that certain forces, vicious, well organized, and coldly calculating, would like to change the face of education in the United States. This they must not be allowed to do.\(^1\)

She describes how the Pasadena schools suffered from the activities of these organizations; how these organizations have been condemned as pressure groups "ambitious to control public opinion";\(^2\) and, that "none of these national propaganda organizations is directed by people respected in the educational world."\(^3\)

According to Miss Meyers these groups under the guise of their "spread-eagle patriotism"\(^4\) first admit the importance of public education and then proceed to damn every phase of a modern public-school system."\(^5\) They do not admit that they "seek control of the public-school curriculum, the teachers and the administrators,"\(^6\) since "They know that whoever controls the public schools, controls public opinion."\(^7\)

To gain their objectives they capitalize on the sincere concern of Americans for their public schools. They denounce the public schools with "their vague epithets that our public schools..." \(^8\)


\(^{22}\) Congress. 23, 26, 27, 28
To gain their objectives they capitalize on the sincere concern of Americans for their public schools. They denounce the public schools with "their vague epithets that our public schools are progressive, Communist, Godless, Socialist and that not." They instigate investigations concerning the textbooks and the teachers for "subversive" influence. They claim the neglect of the 3 R's. They proceed "to befuddle the public with racial issues, class hostility, taxation, failure to teach the fundamentals, budget cutting, and progressive education, all mixed up together, as well as rabblerousing mass meetings to stir up personal animosity" against school personnel.

To expedite the confusion necessary to wrecking a school system their strategy calls for:

...the formation of a self-appointed school committee without real community backing, more destructive than constructive in its approach; a flood of material to the press denouncing the system as it stands; the welcome into its fold of all dissatisfied parents, of superpatriots and of ambitious, frustrated, individuals; mass meetings of public forums where only their views, and not opposing views, are aired; the repetition over and over again of heresy, half-truths, and educational clichés.

They supplement their efforts by the distribution of pamphlets with such titles as "Reducers at Harvard"; "How Red Are Our Schools"; "They Want Your Child"; "Progressive Education

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Congressional Record. 82nd Congress. 1st Session. Vol. 97. No. 113, p. 3924.

30 Congressional Record. 82nd Congress. 1st Session. Vol. 97. No. 113, p. 9688.
Increases dilinquency"; and others.\(^31\) And finally, they circulate catchy phrases, one of which is "Progressive education means progressive taxation" which could be one of the minor roots of all the evil.

On the other hand, Senator William E. Jenner of Indiana on October 20, 1931, introduced into the Record a radio broadcast by John T. Flynn who said:

I charge that a group of teachers, very important in the teaching profession, many of them high up in the councils of the national teacher organizations, have been carrying on a conspiracy for a number of years to use our public schools for the purpose of indoctrinating the students in the principles of socialism. I do not mean they have succeeded in all or even most of our schools. I do say they have succeeded in many, and maybe, in your own town.\(^32\)

As to citizen reaction he said:

Now if a citizen finds this sort of thing in his school and criticizes it, he is denounced by these birds as an enemy of the schools. The real enemies of education are this party that is trying to sneak socialism into our public schools. They are the enemies of the schools.\(^33\)

Regarding the techniques of these teachers he said:

Remember they do not teach communism. They do not teach socialism as such. The scheme is first to break down the child's faith in our form of government and then to sell him a half dozen ideas which, when all put together, mean socialism.\(^34\)


\(^{34}\) Ibid., p. A7163.
He defended Allen Call, who had been called "a former
Hitlerite"; Sen. Alco A. Ames, who had been called an anti-
catholic; and Mrs. Lucille Garden Grain. He denounced the article
in McCall's magazine concerning these organizations and these people.
He said the attack in the McCall's article on Mrs. Grain "is one
of the shabbiest things I have ever seen."35

Oil for the Lamps of Learning

During the second session of the 82nd Congress (January 1,
1952 - June 30, 1952) the members of the Congress, who were
interested in securing federal aid to education, diverted their
energies from attempts to secure legislation providing federal
aid to education, to attempts to help Senator Mill get "Oil for
the Lamps of Learning." Senator Case of North Dakota joined the
other eighteen senators in supporting the proposal to earmark the
revenues obtained from the sale of this oil for education.

After re-estimates of the potential wealth in oil and natural
gas in the Continental Shelf, the figure had increased to over
$100,000,000,000. With this kind of an estimate it is understandable
that members of the Congress, interested in education, saw fit to
divert their attention to oil. However, they were not the only ones
attracted by these fabulous natural resources.

No one had questioned the Federal Government's ownership of the Continental Shelf surrounding the United States until modern technological findings revealed these vast resources of oil and natural gas. However, the instant this was known the issue of states' rights reared its head. These underwater lands, enriched with oil and gas, were off the coasts of Texas, Louisiana, and California. These states immediately claimed these lands belong to them as a matter of states' rights. They were aided in their attempts to secure these states' rights by the oil lobby since:

"The presumption has been that they believe they could work out better deals for exploiting these properties with the various State governments than they could with the Federal Government."

It normally would be assumed that the six senators from these three states and the proportional number of representatives in the House would find it difficult to persuade the other ninety senators and proportional representatives in the House to join them in such an effort to maintain states' rights in this matter. This is especially true when it is remembered that under the ownership of the Federal Government these rights belonged equally to the "constituents" of all states in the Union. However, what the six senators and proportional members of the House lacked in persuasiveness seemed to have been sufficiently supplemented by the oil lobby.

Five years previously, the Congress had passed a bill granting these off-shore lands to these states. President Truman vetoed the measure. Since that time the Supreme Court has handed down three decisions upholding the Federal Government's ownership of these lands. With the best legal talent at ample funds could employ these states, and the oil lobby, were represented before the Supreme Court, but on each occasion the Supreme Court upheld its decision. However, the prize was of such proportions that continued efforts have been exerted to change or by-pass the Supreme Court's decision.

The dispute over these lands produced three legislative proposals to this session of Congress. They were:

1. A give-away or quit claim proposal designed to over-rule the Supreme Court and hand the off-shore lands over to the state governments. (Proposed by Senator Spessard L. Holland, of Florida, and Congressman Francis E. Walter, of Pennsylvania.)

In the Senate, thirty other Senators sponsored this proposal with Senator Holland. They were Senators John H. Butler of Maryland, Hugh Butler of Nebraska, Harry Flood Byrd of Virginia, Harry P. Cain of Washington, Homer B. Capenart of Indiana, Frank Carlson of Kansas, Guy Cordon of Oregon, James H. Duff of Pennsylvania, James C. Eastland of Mississippi, Allen J. Ellender of Louisiana, J. Allen Prear of Delaware, Walter F. George of Georgia,

2. Legislation keeping the disputed lands under federal control but allocating thirty-seven and one-half per cent of the revenue to the states, and sixty-two and one-half per cent to the Federal Government. The Federal Government's share of the revenue was to be put in escrow until some future Congress could decide as to the expenditure of such funds.

(Proposed by Senator Joseph C. O'Mahoney, of Wyoming).

3. An amendment to proposal number 2 dedicating the federal funds placed in escrow to national defense during the emergency and thereafter to education. In addition, the amendment provided for a national council of education having twelve members, four appointed by the President, four by the Senate and four by the House to allocate
grants-in-aid to equalize educational opportunities.

(Senator Hill and eighteen other Senators).

The Senate Committee on Interior and Insular Affairs (Senator O'Mahoney, chairman) considered the matter. The amendment by Senator Hill and eighteen other Senators was defeated in Committee nine to four and on the floor of the Senate by a vote of forty-nine to thirty-six. The O'Mahoney proposal was reported out of the Committee but the substitute Holland bill passed the Senate. The Walter bill passed the House 265 to 106. President Truman vetoed the bill and the Congress in its hurry to make the Conventions did not try to override the veto.

Some members of the Senate Committee on Interior and Insular Affairs attributed their hesitancy to attach the bill amendment for fear it would jeopardize the passage of the O'Mahoney bill. They reasoned that the matter of education could be considered later.

Those appearing before the Senate Committee on Interior and Insular Affairs to endorse the amendment by Senator Hill and others were representatives of the American Council on Education; the Congress of Industrial Organizations; twenty railroad unions; the American Federation of Labor; the American Federation of Teachers; the National Grange; the National Farmers Union; Americans for Democratic Action; Friends Committee on National Legislation; American Library Association; American Vocational
Association; and, the Consumers Co-operative Association.

Benjamin Fink, education editor of the New York Times, appeared before the Committee. He presented facts which showed that in our educational system "An unwholesome deterioration has set in" due to the fact that "Education is still a by product in American life. It is a luxury, sometimes a marginal luxury." In substantiating these statements he said:

It costs a lot of money to run the country's school system. This academic year we will spend about $5,000,000,000 for the operating expenses, and another $1,000,000,000 for buildings. This is an increase of about ten per cent over the previous year, but it is an illusionary increase. Inflation has eaten away the increase.

Yet the record amount spent for schools this year, in terms of fiscal 1952 dollars the percentage of national income that goes for public elementary and secondary schools is considerably lower than it was in the depression years. In 1933-34 we spent 4.32 per cent of the national income for public school education. But in 1949-50, the last year available, the Nation spent only 2.57 per cent.

Education does not get as much of the national income as do some of the luxury items. In 1950, the people of this country spent for alcoholic beverages $8,100,000,000; for tobacco products, $4,609,000,000; and for cosmetics, $2,291,000,000. In other words, about $12,000,000,000 for these three luxuries and a third of that amount for the education of 25,000,000 boys and girls of school age.

He realized the importance of a qualified teacher in the classroom, yet the hope of securing such teachers in the future

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37 Congressional Record. 82nd Congress. 2nd Session. Vol. 98. No. 50, p. 2960.

38 Congressional Record. 82nd Congress. 2nd Session. Vol. 98. No. 50, p. 2961.
looked dim since:

The nation's public schools face a dangerous teacher shortage. We need at least 105,000 new elementary teachers each year, and we are training but 35,000. In ten years, at the present rate, we will have a shortage of 700,000 teachers. And to make the situation worse, fewer students are entering the teachers' colleges - there has been a drop of sixteen per cent over the last year.

He pointed out that this drop in prospective teachers was due to the working conditions and inadequate pay. In some states this pay was as low as $10 or $15 a week. He describes some of the teachers receiving this pay as follows:

I've seen the teachers that have been hired at these fantastically low salaries. Some have never gone beyond high school. Others are sullen, lost souls who are still living in the horse and buggy days. It is tragic to watch some of the teachers at work. They are making mental, emotional, and intellectual cripples of their charges. They rule with an iron hand and an incompetent mind... If you plant corn you will get a crop of corn. If you plant wheat, you will get wheat. And if you pay a teacher $12.50 a week in the year of 1952 you will get children who are cheated of their democratic birthright.

As for the working conditions he said:

As for the working conditions he said:

One cut of every five schools in the country is obsolete, and the figures may be even more startlingly tragic by the end of the year. During the next seven years, the times study showed, the country will need to build 600,000 classrooms - but we won't get anywhere near that figure. That is the result? Children go to school

38 Congressional Record. 82nd Congress. 2nd Session. Vol. 98. No. 50, p. 2961.
39 Congressional Record. 82nd Congress. 2nd Session. Vol. 98. No. 50, p. 2961.
in church basements, in cellars, in attics, in garages, in private homes, in freighters, in abandoned mines. I even saw children going to school in a morgue and undertakers parlor. Imagine eight years from now, when they have a class reunion. They will attend the reception of public school eight, the morgue. I saw a civics book with the 1869 imprint — those children don't know who won the Spanish-American War.39

To illustrate what has happened he added:

The story is told of Rip Van Winkle, Jr. Envious of his father's fame and his twenty years of sleep, young Rip set off for the woods. He fell asleep, but for one hundred years — five times better than his old man. When he awoke, he staggered to the road; to his astonishment, he found it was hard dirt that hurt his bare feet. Soon a strange monster, without any horses, came roaring at him. He dashed into the ploughed field to escape the noisy animal, but again he was dumbfounded. A smoke belching monster roared at him, without wheels, going on tracks. Young Rip dashing wildly to the top of the hill, threw himself under a tree, when a huge bird, roaring like thunder flew overhead. Frantic with fear, Rip dashed down the hill and saw a little red schoolhouse in the distance. He rushed to it, opened the door, threw himself on the bench, peacefully — nothing changed.39

To change things for the "little red schoolhouse" more money was needed. This would be difficult with state and local tax problems and the federal deficit, but as Pino said:

Fortunately, we do have a solution. It is a once-in-a-million answer to a difficult problem... The money is available, and it will not add to our tax problems...Oil for the lamps of learning. The money is there, right before us. We must not permit it to evaporate; we must not dissipate it. Nothing is more important than good sound schools and colleges. We need not fear the Communist menace if we are a well informed, educated, literate people...

39 Congressional Record. 62nd Congress. 2nd Session. Vol. 90. No. 56, p. 2962.
Our schools and colleges need our financial support, if they are to survive the present crisis. I am pleading with you not to let them down. Thirty million boys and girls, young men and women, are at stake. Let us give them the kind of education of which a democratic nation can be proud. We have the opportunity in our grasp. We must not let it slip away and forever after be lost.40

The proponents of this amendment proposed by Senator Hill and others viewed the bill as "the chance of a generation to give a better chance to future generations of Americans."41

The opponents opposed the amendment "because of some possible and future danger that some administrator in the Federal Government would set himself up as a czar over our school system."42

It is interesting to note that Senator Russell B. Long of Louisiana who had participated in the fight for the passage of 3.246, and had been a pronounced advocate of equalization of educational opportunities now maintained that the coastal lands belonged to the states and "He took the position that the Federal Government was robbing the people of his State to educate children in other parts of the country."43

40 Congressional Record. 82nd Congress. 2nd Session. Vol. 98. No. 50, p. 2961.

41 Congressional Record. 82nd Congress. 2nd Session. Vol. 98. No. 54, p. A2135.

42 Congressional Record. 82nd Congress. 2nd Session. Vol. 98. No. 55, p. A2167.

43 Congressional Record. 82nd Congress. 2nd Session. Vol. 98. No. 29, p. A1200.
The American Bar Association and the United States Chamber of Commerce were reported as favoring the quit claim proposal.

Socialism in the Schools

Simultaneously with the consideration of the oil bill several articles were introduced into the record by Congressman Paul J. Shafer of Michigan regarding unwelcome advocacy of socialist ideas in the schools by such educators as Counts, Ingr, Kilpatrick, and Dewey. He lined them with organizations that had been labeled "subversive." He also introduced a communication from the Indiana State Parent-Teachers Association praising the Small Business Men's Association for helping them to recognize certain socialist trends in the schools. The Association believed "that alerted parents will be able to control the materials used in the schools - and their presentation. The Federal aid-to-education bill, no matter what safeguards are set up, would be the first step toward moving control to Washington."[44] The Association objected to the National Parent-Teachers Organization having endorsed this measure without polling its 6,500,000 members.

Public vs. Private Schools

Congressman John F. Shelley of California introduced into the Record an article by Royce Brier entitled "Private Against Public Schools." Excerpts from the article are as follows:

Dr. Conant, who recently spoke before the American Association of School Administrators in Boston, was quoted as saying that independent (non-public) secondary schools lead to divisive attitudes in the community.

To this tenet the Catholic association in an official statement replied: 'Private schools of all kinds are as American as public schools. Private schools are not divisive; they do not undermine the unity of American society. Unless the United States becomes a totalitarian state, we always shall have differences and diversity. These differences and diversity. These differences become a threat to national unity only when they are exaggerated and distorted by persons with totalitarian or monopolistic tendencies, by persons who refuse to admit that the goal of successful living together in the United States is harmony - not uniformity.'

True - as the answer says - our diversity can be exaggerated and distorted. It is, then the intolerant turn our own weapon of tolerance against us, and metamorphose it to intolerance, which they then enthrone. That is the fundamental process of all authoritarianism, an induced social arrangement in which men are forbidden to be different. 45

Supreme Court Decision - Clawson Case

On April 2, 1952, the Supreme Court handed down another decision relevant to the religious issue and the public schools. It was the

45 Congressional Record. 82nd Congress. 2nd Session. Vol. 96. No. 65, p. A3202.
Scrach et al. v. Clawson et al., Constituting the Board of Education of the City of New York. A statement of the case and the decision is as follows:

Under: 3210 of the New York Education Law and the regulation thereunder, New York City permits its public schools to release students during school hours, on written requests of parents, so that they may leave the school buildings and grounds and go to religious centers for religious instruction or devotional exercise. The same section makes school attendance compulsory, students not released stay in the classrooms; and the churches report to the schools the names of children released from public schools who fail to report for religious instruction. The program involves neither religious instruction in public schools nor the expenditure of public funds.

Held: This program does not violate the First Amendment, made applicable to the States by the Fourteenth Amendment. *McCollum v. Board of Education*, 333 U.S. 203, distinguished.

(a) By this, New York has neither prohibited the "free exercise" of religion nor made a law "respecting an establishment of religion" within the meaning of the First Amendment.

(b) There is no evidence in the record in this case to support a conclusion that the system involves the use of coercion to get public school students into religious classrooms.46

Justice Douglas wrote the opinion of the Court. He summarized the plea of the appellants as follows:

Appellants, who are taxpayers and residents of New York City and whose children attend its public schools, challenge the present law, contending it is in essence not different from the one involved in the *McCollum* case.

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Their arguments stated, elaborately in various ways, reduces itself to this: the weight and influence of the school is put behind a program for religious instruction; public school teachers police it, keeping tab on students who are released; the classroom activities come to a halt while the students who are released for religious training; without the co-operation of the schools this "released time" program, like the one in the McCollum case, would be futile and ineffective. 47

Justice Douglas explained that there was no evidence that the students were coerced into attending these released time activities. He likened the situation to a student being excused for a Catholic Holy Day Obligation, a Jewish Yom Kipper, or a Protestant baptismal. The student would be required to bring an excuse from the parent and the teacher would check to see that the student complied. He said that in this way:

The teacher co-operates in a religious program to the extent of making it possible for her students to participate in it. Whether she does it occasionally for a few students, regularly for one, or pursuant to a systematized program designed to further the religious need of all the students does not alter the character of the act. 48

The attitude of the Court was:

We sponsor an attitude on the part of government that shows no partiality to any one group and that lets each flourish according to the zeal of its adherents and the appeal of its dogma. When the state encourages religious instruction or co-operates with religious authorities by adjusting the schedule of public events to sectarian needs it follows the best of their traditions. For it then respects the religious nature of our people and accommodates

48 Ibid., p. 313.
the public services to their spiritual needs. To hold that it may not would be to find in the constitution a requirement that the government show a callous indifference to religious groups. That would be preferring those who believe in no religion over those who do believe. Government may not finance religious groups nor undertake religious instruction nor blend secular and sectarian education on any person. But we find no constitutional requirement which makes it necessary for government to be hostile to religion and to throw its weight against efforts to widen the effective scope of religious influences. The government must be neutral when it comes to competition between sects. It may not thrust any sect on any person. It may not make a religious observance compulsory. It may not coerce anyone to attend church, to observe a religious holiday, or to take religious instruction. But it can close its doors or suspend its operation as to those who want to repair to their religious sanctuary for worship or instruction. No more than that is undertaken here. 49

The opinion of the Court was:

This program may be unwise and improvident from an educational or a community viewpoint.... Our individual preferences, however, are not the constitutional standard. The constitutional standard is the separation of church and state. The problem, like many problems in constitutional law, is of degree.... In the McCollum case the classrooms were used for religious instruction and the force of the public school was used to promote that instruction. Here, as we have said, the public schools do no more than accommodate their schedules to a program of outside religious instruction. We follow the McCollum case. But we cannot expend it to cover the present released time program unless separation of church and state means that public institutions can make no adjustments of their schedules to accommodate the religious needs of the people. We cannot read into the Bill of Rights such a philosophy of hostility to religion. 50

Justice Black, in his dissenting opinion, quoted from the McCollum case as follows:

49 Ibid., pp. 313-314.

50 Ibid., pp. 314-315.
Pupils compelled by law to go to school for secular education are released in part from their legal duty upon the condition that they attend the religious classes. This is beyond all question a utilization of the tax-established and tax-supported public school systems to aid religious groups to spread their faith. And it falls squarely upon the ban of the First Amendment.51

He held that in the McCollum case the Court attempted to make categorically clear that the same decision would have been given had those classes not been held in the school buildings. He quoted again from the McCollum case as follows:

"Here not only are the state's tax-supported public school buildings used for the dissemination of religious doctrines. The state also affords sectarian groups an invaluable aid in that it helps to provide pupils for their religious classes through use of the state's compulsory public school machinery. This is not separation of church and state.52"

He believed that this channeling of children into sectarian classes by the use of compulsory school machinery unconstitutional.

Justice Black was aware of the fact that the decision handed down in the McCollum case had attracted national attention and wide debate. He was further aware that there were those who agreed with the decision and maintained the wall of separation between church and state should be held high and impregnable, on the other hand, there were those who believed the decision wrong and who "have pledged continuous warfare against it."53

51 Ibid., p. 316.
52 Ibid., pp. 316-317.
53 Ibid., p. 317.
Justice Black summed up the basic question involved as follows:

More the sole question is whether New York can use its compulsory education laws to help religious sects get attendants presumably too unenthusiastic to go unless moved to do so by the pressure of this state machiner. That this is the plan, purpose, design and consequence of the New York program cannot be denied. The state thus makes religious sects beneficiaries of its power to compel children to attend secular schools. Any use of such coercive power by the states to help or hinder some religious sects or to prefer all religious sects over nonbelievers or vice-versa is just what I think the First Amendment forbids. In considering whether a state has entered this forbidden field the question is not whether it has entered too far but whether it has entered at all. New York is manipulating its compulsory education laws to help religious sects get pupils. This is not separation but combination of church and state.54

In retrospect he reminded that:

Under our system of religious freedom, people have gone to their religious sanctuaries not because they feared the law but because they loved their God.55

He believed that such a policy should be maintained since:

State helps to religion injects political and party prejudices into a holy field. It too often substitutes force for prayer, hate for love, and persecution for persuasion.56

Excerpts from Justice Frankfurter's dissenting opinion are as follows:

The pith of the case is that formalized religious instruction is substituted for other school activity which those who do not participate in the released-time

54 Ibid., p. 318.
55 Ibid., p. 319.
56 Ibid., p. 320.
program are compelled to attend.... The Court relies upon the absence from the record of evidence of coercion in the operation of the system.... But the Court disregards the fact that as the case comes to us, there could be no proof of coercion, for the appellants were not allowed to make proof of it.... This allegation - that coercion was in fact present and is inherent in the system, no matter what disavowals might be made in the operating regulations - was denied by the appellees.... When constitutional issues turn on facts, it is a strange procedure indeed not to permit the facts to be established.... The unwillingness of the promoters of this movement to dispense with such use of public schools betrays a surprising want of confidence in the inherent power of the various faiths to draw children to outside sectarian classes - an attitude that hardly reflects the greatest religious spirits.57

Justice Jackson, in his dissenting opinion, described the plan of released time as follows:

This released time program is founded upon the use of the state's power of coercion which, for me, determines its constitutionality. Stripped to its essentials, the plan has two stages: first, that the state compel each student to yield a large part of his time for public secular education; and second, that some of it be "released" to him on condition that he devote it to sectarian religious purposes.58

He explained that coercion was inherent in the plan since these religious groups did not favor the dismissal of school one hour early so each individual would be free to seek his own religious sanctuary because:

...if they are made free many students will not go to the church. Hence, they must be deprived of freedom for this period, with church attendance put to them as one of the two permissible ways of using it.... The greater

57 Ibid., pp. 321-322-323.
58 Ibid., pp. 323-324.
effectiveness of this system over voluntary attendance after school hours is due to the truant officer who, if the youngster fails to go to the church school, dozes him back to the public school. Here schooling is more or less suspended during the "released time" so the non-religious attendants will not forge ahead of the church-going absentees. Yet it serves as a temporary jail for a pupil who will not go to church. It takes more subtlety of mind than I possess to deny that this is governmental constraint in support of religion. It is as unconstitutional, in my view, when exerted by indirectness as when exercised fortuitously.\(^59\)

Justice Jackson stated his own belief by maintaining:

> It is possible to hold faith with enough confidence to believe that what should be rendered to God does not need to be decided and collected by Caesar.\(^60\)

He feared for the future with such decisions and warned that:

> The day that this country ceases to be free for irreligion it will cease to be free for religion except for the sect that can win political power. The same epithetical jurisprudence used by the Court today to beat down those who oppose pressuring children into some religion can devise as good epithets tomorrow against those who object to pressuring them into a favored religion. And, after all, if we concede to the state power and wisdom to single out "duly constituted religions" bodies as exclusive alternatives for compulsory secular instruction, it would be logical to also uphold the power and wisdom to choose the true faith among them.\(^61\)

Justice Jackson considered the decision handed down by the Court in this case in contradiction to the decision handed down

\(^{59}\) Ibid., p. 324.

\(^{60}\) Ibid., pp. 324-325.

\(^{61}\) Ibid., p. 325.
in the McCollum case. As to the change of attitude by the Court precipitating the latter decision, it suggested that "Today's judgment will be more interesting to students of psychology and of the judicial processes than to students of constitutional law." 62

The reactions to this decision were ambivalent. Congressman Poulson of California introduced into the Congressional Record and editorial from the Los Angeles Tidings, of May 2, 1952, (a Catholic paper) which approved this decision. The editorial said:

"We can at least be grateful that something has been salvaged from the unfortunate McCollum affair." 63

Regarding the McCollum case the editorial continued:

An avowed atheist, Ira. Vasati McCollum, challenged the program, and the Supreme Court sustained her in a novel and new fashioned interpretation and extension of the doctrine of separation of church and state. Representative jurists were shocked and dismayed not alone with the legal technicalities of a fatuous decision but with the spirit that seemed to range the power and prestige of government on the side of atheism and unbelief. 64

As to the Court's recent decision:

The Court, no doubt, sobered by the outcry that followed the regrettable McCollum decision, not only denied the allegation but found some good words to say for the religious sensibilities of the American people.

62 Ibid., p. 325.
64 Ibid., p. A3862.
The decision assures the continuance of off-school premises, release-time religious instruction. It is hoped that these programs will now be improved and expanded so that more children may receive regular training in those sound moral and spiritual values that will fit them for decent participation in the blessings of a democratic society. None will hail this decision with more enthusiasm than the rank and file in the public-school system, who will recognize, in this minimal margin of co-operation, a belated attempt to rescue our schools from a secularism that threatened ultimately to destroy them.65

On the other hand, there was introduced into the Congressional Record by Congressman Tom Steed of Oklahoma an article by Mrs. Agnes E. Leary, publisher of the Washington Post. This article was written on March 11, 1952, a short time before the decision was handed down by the Supreme Court.

Mrs. Leary reminded that our nation had been saved bloodshed and all kinds of cruelties and persecutions due to the principle of separation of church and state. She maintained that this principle "The separation of church and state is not merely a principle of our democracy but a body of experience that we have lived for 150 years.66 This principle has become so embedded that Americans have taken it for granted and often forgotten the great contribution it has made to all freedom.

She claimed that "Today the Protestant and Catholic Church

65 Ibid., p. A3862.
66 Congressional Record. 82nd Congress, 2nd Session. Vol. 98. No. 43, p. 1744.
leaders are giving ample proof that they have both forgotten what a profound debt they owe to the wall of separation." She blamed the Protestants for the first breach by their establishment of released-time programs of religious education in the public schools just prior to the first World War. One type of religious education was that banned by the McCollum case, i.e. religious instruction on school premises. The other type was releasing the pupils to the religious institutions (which was condoned by the Clawsen case). She quoted Reverend Charles Morrison as saying that "Protestantism has an incomparably greater stake in the separation of church and state than it could possibly have in the trivial religious-education toy called released time."67

Mrs. Feyers said one of the few resolutions passed by the National Council of Churches in the United States of America stated that they would support the New York released time plan when the appeal was argued before the Supreme Court. On the other hand, this group issued a strong manifesto opposing the appointment of an ambassador to the Vatican. She indicated that:

It is irresolute Protestant thinking such as this which endangers the wall of separation for more than the outright declaration of war upon the first amendment which the Catholic bishops made in their official statement of 1948, "The Christian action."

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67 Ibid., p. 117¼.
Protestant leadership must begin to realize that its position on the first amendment is painfully ambiguous, whereas the position of the Catholic Church on this vital problem is crystal clear. The administrative Catholic bishops boldly declared the American principle of separation of church and state a novel interpretation of the Constitution, a shibboleth of doctorinaire secularism which was recently invented by the Supreme Court in the McCollum decision. They attacked that decision as unconstitutional and announced their determination to work peacefully, patiently, and perseveringly for its reversal.

She describes the Protestant reaction to the Catholic bishops' statement as follows:

Yet nobody has spoken more frankly against the 1948 pronouncement of the Catholic bishops than certain Protestant leaders and publications. They have pointed out that American experience has confirmed - the dependence of democracy on freedom of religious conscience and the impossibility of assuring this without complete separation of church and state. Thus, the bishop's statement places the Catholic hierarchy in permanent hostility to American democratic principles. Some Protestant authorities claim that the bishops' statement does more than that. It challenges the very meaning of America, the whole Jeffersonian doctrine of civil and religious freedom, and our very philosophy of life, our belief in human progress, our hopeful concept of man and his ability to govern himself. Thus, unless the bishops' pronouncement of 1948 is retracted, their challenge is bound to precipitate a division in this country, of whose intensity the present religious hostilities are merely a foretaste.68

She asked the question:

But now, I should like to ask the Protestant churches, can they logically defend the first amendment if their own position on the separation of church and state remains as ambiguous, vacillating, and contradictory as it is today?68

Mrs. Hayers claimed the released time program illegal since due to the 102,705 students released in New York City, over a

68 Ibid., p. A1744.
million dollars worth of secular education was wasted; that regardless of whether religious instruction was given in or out of the public schools the compulsory machinery of the public schools was employed to provide the attendants; and, the releasing of children from their legal duty upon condition that they attend religious classes falls under the ban of the First Amendment according to the *McCollum* case.

She said those advocating the released-time classes argued there was no compulsion, but:

A scientific survey of the New York City released time program made by the center for field services of New York University reports evidence that resistance of children released for religious instruction presents a problem. Frequently the children refuse to go because they prefer to stay in school. Some teachers interpret the word dismiss as permissive and let the children do as they please. Others interpret dismiss to mean pressure, and force the children to go.

I have, personally, experienced the pressure, the unhappiness, the rancor, created by the program, especially in small communities, not only among children but among their parents. I have known teachers to use their influence to force children into these programs, and others who burned with silent rage because they resented the tensions the program creates but lacked the freedom to condemn it. In fact, the pressure on the teachers and school administrators is just as wicked as the pressure on the children. Would a teacher who values her position dare to oppose or even criticize the churches openly? What irony that a program to teach Christian love should create acute conflicts, confusion, and hatred.69

As to the benefits of the program she said:

Some adherents of the program profess to see an improvement in the children's morals. Yet it is a commonly known fact throughout the country, and the report on New York City confirms it, that the released time is an invitation to truancy. Reliable statistics show that about forty per cent of the children who leave their schools never arrive at the religious centers. Often the children play in the school yard and disturb the school session. Others start but never arrive. Principals realize that this trend will grow because the churches cannot control attendance and the teachers are forbidden to do it. Some churches try to prevent truancy by sending escorts to conduct the children from school to church. Most do not take this precaution. The escorts sometimes fail to appear. Often the religious centers call off the program at the last minute, for lack of personnel. If the children have already left school, they can all play hooky. As the children are caught in an equivocal situation, they lie their way out of their difficulties. Since the object of the released time training is the betterment of character and conduct, the truancy and dishonesty to which it tempts children negate its objectives.

As to the penalties involved:

The released time program is unjust because it penalizes the majority of the children who remain in school. If the public-school teachers carry on worth-while activities during this hour, the clergy denounce them for unfair competition. In Chicago, when less than ten per cent of the pupils were enrolled in the released-time program, the principals received orders that "nothing significant shall be said to the children not taking religious instruction." In one elementary school in Westchester County, ten children out of some five hundred use the released time program. As they come from various classes, the whole school loses an hour of work. The indignant parents asked the principal whether the regular curriculum could not be restored. The principal was so terrified of the clergy that he refused to take up the question with them. On the slightest challenge of clerical omniscience, a teacher's whole future may be - and often is - ruined by accusations of atheism. As a result, sabotage of public education and intimidation of school teachers, principals, and parents is taking place all over the country. This is tyranny.

70 Ibid., p. A1745.

71 Ibid., p. A1746.
The school needs all of its time to improve the education of our children and to center upon the task of developing the morality and strength of character that are ideals common to men of all religious faiths. This task is made difficult when the churches force the school to engage in programs that generate divisiveness. The children are in school only five or six hours a day, about two hundred days of the year. That leaves the churches ample time to teach religion.

and again:

If the Protestant leaders will review the effects of the released-time program, they will find that it destroys everything that protestantism has always cherished as its highest ideals. For it is oppressive, unjust, and disruptive of moral discipline. It undermines the legitimate and the unique task of the public schools to establish an integrated program of education that will bind our American children as comrades in a common life.... Either the wall of separation between the school and the sectarian groups must be kept invulnerable or the walls between the sectarian groups will become impassably high.

Since the end of the second Session of the 82nd Congress the political parties in the United States have nominated presidential candidates and stated party platforms. The education plank in the democratic platform was as follows:

Every American child, irrespective of color, national origin, economic status, or place of residence, should have every educational opportunity to develop his potentialities. Local, state, and federal government have shared responsibility to contribute appropriately to the pressing needs of our educational system. We urge that federal contributions be made available to state and local units which adhere to basic minimum standards.

72 Ibid., pp. A1745-A1746.

73 Ibid., p. A1746.
The federal government should not dictate or control educational policy.

We pledge immediate consideration for those school systems which need further legislation to provide federal aid for new school construction, teachers' salaries, and school maintenance and repair.

We urge the adoption by appropriate legislative action of the proposals advocated by the President's Commission on Higher Education, including federal scholarships.

We will continue to encourage the further development of vocational training which helps people acquire skills and technical knowledge so essential to production techniques.

The education plank in the Republican platform was as follows:

The tradition of popular education, tax-supported and free to all, is strong with our people. The responsibility for sustaining this system of popular education has always rested upon the local communities and the states. We subscribe fully to this principle.

On November 4, 1952, the people of the United States by a record vote elected General Eisenhower as President on the Republican platform. It may be added that General Eisenhower and the Republican platform endorsed the giving of "tideland" oil to the states.

Summary

During this period (1950-1952) legislation was passed which gave federal financial aid to education in crowded areas. Bills
designed to obtain federal aid for education or for school building construction remained in the committees of the Congress. The Supreme Court handed down a decision on the Clason case which declares constitutional a form of released time for religious training. The proponents of federal aid to education answered the opponents' question of "Where to get the money for federal aid to education?" with "Oil for the Lamps of Learning." The platform of the Republican Party, endorsed by President Eisenhower, advocates that the responsibility for the financing of education remain with the state and local units, and that "tideland" oil become the property of the bordering states.
CHAPTER X

SUMMARY

The principles embodied in the Declaration of Independence and the representative government, corroborated and authenticated by the Constitution, gave impetus to the establishment of a system of free, tax-supported, public-controlled schools to meet individual and public needs. The financial support for these public schools has been chiefly derived from property taxes levied at the local levels. Beginning in 1913, the states have gradually accepted various degrees of financial responsibility for the equalization of unequal educational opportunities resulting from disparities as to the need and the ability of the various local units to provide educational opportunities.

At various times in our history attempts have been made to secure legislation which would allow the Federal Government to assume a share of the responsibility for the financing of public education. Proponents of federal aid to education have maintained:

1. That we have chosen the democratic way of life for ourselves and our posterity.

2. That we are obligated to implement the way of life we have chosen.
3. That democracy recognizes the worth of each individual and accords to all individuals an equal opportunity for life, liberty, and the pursuit of happiness. This entails providing for equal educational opportunities which will insure the optimal development of all individuals.

4. That the kind of group association to which democracy subscribes demands that all must be able to participate effectively if democracy is to endure and progress. This entails enlightened participants.

5. That in the war of ideologies it is necessary that all individuals be cognizant of the rights and duties of a citizen in a democracy and that all be skilled in and habituated to democratic processes. The defense of democracy depends upon education.

6. That the economic, political, and social well-being of the nation is dependent upon the educational level of the people.

7. That these principles and objectives cannot be implemented if the responsibility for the financing of education is left to the state and local units. The proponents have compiled and presented irrefutable and overwhelming data to prove that inequalities exist as to the needs and abilities of the various state and local units to support education; and that if educational opportunities
are to be substantially extended, or if every child is to be provided with a defensible minimum of educational opportunity there must be federal aid to education, since there is a high correlation between the amount of money spent on education and the educational opportunities offered.

The opponents of federal aid to education have insisted that the financing of education is the responsibility of the state and local units and some have maintained that educational expenditures should be curtailed and that the amount of money spent for education in no way determines the quality of the education provided. Few opponents of federal aid to education openly attack the socially accepted principles and objectives on which federal aid to education is postulated. The chief arguments used by the opponents to defeat federal aid to education have been:

1. Federal aid to education will lead to federal control of the purposes and processes of education.

2. "This is not the time" in the face of a "staggering national debt," "back-breaking taxes," and an economy "bordering on bankruptcy" the Federal Government cannot afford to give aid to education.

3. Federal aid to public education is discriminatory.

In answer to the "federal control" argument the proponents of federal aid to education have pointed out that:
1. The people in the state and local units are the same people who make up the nation and the Federal Government is the instrument of all the people, designed and created by all the people, for the mutual protection and well-being of all the people. There is not reason to believe that a government of, by, and for all the people would be more inimical to the people's interests than a government of, by, and for a few of the people.

2. Recent federal aid to education bills presented to the Congress have included in Section I or II provisions which prohibit, in every conceivable manner the best lawyers can devise, all federal control of the purposes and processes of education.

3. According to the records the participation of the Federal Government in any educational endeavor in the past has been in accordance with the provisions or specifications of the legislation authorizing the participation by the Federal Government.

4. When state aid for education was sought the argument was advanced that undesirable "state control" would be the inevitable consequence. "State control" was the great fear used by the opponents of education of yesterday while "Federal control" is the great fear the opponents attempt to instill
today to defeat the extension of educational opportunities
to all the people in the nation.

5. When attempts were made to secure federal aid to edu-
cation in the Senate the opposition proposed amendments
and measures to defeat the bills which carried federal
controls in excess of any incorporated in proposed
federal aid to education legislation.

6. "Federal control" is a red herring used to defeat the
federal aid to education bills without attracting
attention to the socially unacceptable motives or reasons
prompting individuals or groups to oppose such legis-
lation.

To the opponents insistence that the Federal Treasury could
not stand the strain of federal aid to education the proponents
answered with "Oil for the Lamps of Learning." In the Senate
this proposal was ignored by those who had offered the most
resolute opposition to federal aid to education because of
financial reasons. They were the Senators who were listed as
sponsors of the proposal to give the oil rights to the states. This
action by these Senators has left their opposition to federal aid
based on financial reasons open to question.

To the charge made by some opponents, that federal aid to
public education would discriminate against the children who attend
private and parochial schools, members of the Supreme Court and
proponents of federal aid to education have explained that public funds are used to provide free, tax-supported, public-controlled schools for all children regardless of race, creed, economic status, place of residence or other limiting factor, for the purpose of promoting the optimal development of all individuals in the social unit and for providing for effective participation in a democracy. No individual or group is denied access to these schools. These schools are supported by public funds to promote public ends. If groups or individuals desire to promote other purposes or other ends through education it is their privilege to do so at their own expense but not at public expense. It is an infringement on the freedom of religion, guaranteed by the First Amendment, to levy taxes for the support of the religious activities of one religious group or all religious groups.

The records reveal that the Congress has seriously considered federal aid to education bills only during periods of national stress when teacher shortages have forced school doors to close. Judging from the past, another teacher shortage threatening to close the doors of the schools will have to recur before the Congress seriously considers a federal aid to education bill again. The fact that teacher qualifications may continue to fall will probably have no influence as long as the doors of the schools do not close and excite the "constituents" to prod inert legislators
to action. The fact that a political party has just been elected
to power which opposes federal aid to education and endorses the
relinquishing of federal oil rights to the states, the profit from
which might have been used for federal aid to education, makes it
highly probable that federal aid to education will not be a matter
of business to be considered by the Congress for some time to come.

If a situation arises which causes the Congress to consider
a federal aid to education bill in all probability a bill similar
to the bills which passed the Senate in 1948 and 1949 would have
the best chance of passage. These bills contain provisions which
might make them acceptable to a sufficient number of pressure
groups confronted with some educational crisis to secure the
passage of federal aid to education legislation.

Such a bill would meet the approval of the National Educational
Association and its affiliates, because it leaves the administration
of federal funds to regular state and local school authorities, it
provides additional funds for the equalization of educational
opportunities, and it promises a higher living wage to the most under-
paid teachers.

The bill would have the support of all labor unions because
the labor unions need educated workers who may use their developed
skills to earn higher wages and maintain their rights as workmen.
Any deviation from this line of action could only be expected if
the control of labor unions shifted to members of groups opposed to federal aid to education, as the Catholic group.

The Negro groups would be expected to support such a bill since the Negro children having the greatest need for educational opportunities would be the greatest beneficiaries.

The farm groups should support such legislation since next to the Negro children the rural children would profit most from legislation intended to give a minimum of educational opportunity to all children. Any deviation from this line of action by any farm group might be due to the ability of a few rich farmers, who are able to provide for the education of their own children, to influence the action of the group to the contrary.

Many women's groups and other groups can be expected to give continued support to federal aid to education legislation because they believe it is for the best interest of a democratic nation and the individuals who make up that nation.

Some Protestant and Jewish groups may continue to insist that "public education" be defined as meaning "free, tax-supported, public-controlled education." However, the majority will probably be willing to compromise in order to secure federal aid for public education they deem necessary for men to work out their own salvation by reading and studying their Bibles.
On the other hand, the Catholic groups will probably continue to give strenuous opposition to any federal aid to education bill which does not include similar benefits for Catholic church schools. That a bill, including aid to parochial schools, would be judged as constitutional by the Supreme Court would seem unlikely in light of previous decisions handed down by the Court. Therefore, strong opposition to federal aid to public, secular education, condemned by the hierarchy of the Catholic Church, is to be anticipated.

The business group will also probably continue to oppose federal aid to education since they often adopt and practice policies which are based on profits from quick turnovers rather than greater profits from long time investments. It is wholly unlikely, but should the business group ever awaken to the profit potentials which they proved, in their study "Education - An Investment in People," might accrue to them and their children through industry and commerce from an educated people, their attitude might change. It is more likely that many will continue to believe with the Englishman Mandeville, who wrote in 1724 that:

...in a free Nation where Slaves are not allowed of, the surest Wealth consists in a Multitude of laborious Poor; for besides that they are the never-failing Nursery of Fleets and Armies, without them there could be no Enjoyment and no Product of any country could be valuable.
To make the society happy and People easy under the meanest Circumstances, it is requisite that great Numbers of them should be Ignorant as well as Poor. Knowledge both enlarges and multiplies our Desires...1

If greater profits ever accrue to the business groups through an educational investment in the people by the Federal Government it will probably be against strenuous opposition from many business groups.

Those who would curtail the present educational expenditures and who advocate a return to the days of the "little red schoolhouse" would most certainly continue their relentless opposition to any form of federal aid to education. Members of this group swell the ranks of the reactionaries Senator Hill of Alabama described as follows:

Still ranged against us in the fight for federal aid we find the old familiar faces of reaction. Since Revolutionary days our citizens have had to fight against those who opposed the "diffusion of knowledge" among the people - against those who never believed in the people's right to know. Now, as then, they believe in monopoly of power - whether it is money, political rights or education. For knowledge, too, is power - just as they would restrict the vote and political preference to a small group - so do the reactionaries still seek to keep tight the ranks of the educated.2

If we believe the opportunity to obtain an education intended to promote optimal development to be the birthright of every child


in a democracy; if we believe that the development of human resources provides for the common defense and promotes the economic, political, and social well-being of any nation; if we believe that an educated electorate is essential to the progress and perpetuity of a representative government and the democratic way of life to which we subscribe; and if we are willing to face reality and the facts revealed in the many studies and investigations of the past regarding the educational situation, we must concede the urgent need for federal aid to education.

The groups supporting federal aid to education represent a larger number of the American people than those opposing federal aid to education, and many opinion polls taken of the American people show approximately two-thirds of the people favor federal aid to education, yet the men who represent the people in the greatest legislative body in this nation have not responded to the wishes of a majority of the people.

Our representatives in Congress must be made to realize the importance of passing federal aid to education legislation. The children whose future is determined by the educational opportunities provided have no vote to cast for or against their representatives in Congress. The votes of the citizens of tomorrow depend upon how the citizens of today vote.
APPENDIX

THE ROOSEVELT-SPELLMAN CORRESPONDENCE

In her column "My Day," published in the New York World-Telegram on June 23, 1949, Mrs. Eleanor Roosevelt said:

The controversy brought about by the request made by Francis Cardinal Spellman that Catholic schools should share in federal aid funds forces upon the citizens of the country the kind of decision that is going to be very difficult to make.

Those of us who believe in the right of any human being to belong to whatever church he sees fit, and to worship God in his own way, cannot be accused of prejudice when we do not want to see public education connected with religious control of the schools, which are paid for by tax-payers' money.

If we desire our children to go to schools of any particular kind, be it because we think they should have religious instruction or for any other reason, we are entirely free to set up those schools and to pay for them. Thus, our children would receive the kind of education we feel would best fit them for life.

Many years ago it was decided that the public schools of our country should be entirely separated from any kind of denominational control, and these are the only schools that are free, tax-supported schools. The greatest number of our children attend these schools.

It is quite possible that private schools, whether they are denominational schools -- Catholic, Episcopal, Presbyterian, Methodist, or whatever -- or whether they are purely academic, may make a great contribution to the public school systems, both on the lower levels and on the higher levels.

They will be somewhat freer to develop new methods and to try experiments, and they will serve as yardsticks in the competitive area of creating better methods of imparting knowledge.
The separation of church and state is extremely important to any of us who hold to the original traditions of our nation. To change these traditions by changing our traditional attitude toward public education would be harmful, I think, to our whole attitude of tolerance in the religious area.

This, however, is the very reason why they should not receive Federal funds; in fact, no tax funds of any kind.

If we look at situations which have arisen in the past in Europe and other world areas, I think we will see the reasons why it is wise to hold to our early traditions.

The following letter written on July 21, 1943, by Cardinal Spellman was sent to Mrs. Roosevelt and released to the press:

When, on June 23 in your column, My Day, you aligned yourself with the author and other proponents of the Barden bill and condemned me for defending Catholic children against those who would deny them their constitutional rights of equality with other American children, you could have acted only from misinformation, ignorance or prejudice, not from knowledge and understanding.

It is apparent that you did not take the time to read my address delivered at Fordham University; and, in your column of July 15 you admitted that you did not even carefully read and acquaint yourself with the facts of the Barden bill — the now famous, infamous bill that would unjustly discriminate against minority groups of America's children.

Unlike you, Mrs. Roosevelt, I did not make a public statement until I had studied every phrase of the Barden bill; nor did I take issue with a man because his faith differed from mine. We differed, Congressman Barden and I, over the unimpeachable issue of equal benefits and equal rights for all America's children.

I had intended ignoring your personal attack, but, as the days passed and in two subsequent columns you continued your anti-Catholic campaign, I became convinced that it was in the interest of all Americans and the cause of justice itself that your mis-statement should be challenged in every quarter of our country where they have already spun and spread their web of prejudice. I have received hundreds
of messages from persons of all faiths demanding that I answer you. I am, therefore, not free to ignore you.

You say you are against religious control of schools which are paid for by taxpayers' money. That is exactly what I, too, oppose. But I am also opposed to any bill that includes children who attend parochial schools for the purpose of receiving funds from the Federal Government while it excludes these same children from the distribution and benefits of the funds allocated.

I believe that if the Federal Government provides a bottle of milk to each child in a public school it should provide milk for all school children. I believe if, through the use of Federal funds the children who attend public schools are immunized from contagious diseases that all children should be protected from these diseases.

Taxation without representation is tyranny was the cry that roused and rallied our pioneer Americans to fight for justice. Taxation without participation should rouse today's Americans to equal ardor to protest an injustice that would deprive millions of American children of health and safety benefits to which all our children are entitled. And the Supreme Court of the United States has declared that health and transportation services and the distribution of non-religious textbooks to pupils attending parochial schools do not violate our Constitution.

'The separation of church and state is extremely important to us who hold to the original traditions of our nation,' you continue. But health and safety benefits and providing standard non-religious textbooks for all American children and state!

I cannot presume upon the press to discuss, analyze or refute each inaccuracy in your columns — for they are manifold. Had you taken an objective, impersonal stand, I could then, in the same impersonal manner, answer you. But you did not. Apparently your attitude of mind precluded you from comprehending issues which you either rigorously defended or flagrantly condemned while ignorant of the facts concerning both the Barden bill and my own denunciation of it.

American freedom not only permits but encourages differences, of opinion and I do not question your right to differ with me. But why, I wonder, do you repeatedly plead causes that are anti-Catholic?
Even if you cannot find it within your heart to defend the rights of innocent little children and heroic, helpless men like Cardinal Martyr Mindszenty, can you not have the charity not to cast upon them still another stone?

America's Catholic youth helped fight a long and bitter fight to save all Americans from oppression and persecution. Their broken bodies on blood-soaked foreign fields were grim and tragic testimony of this fact. I saw them there — on every fighting front — as equally they shared with their fellow-fighters all the sacrifice, terror and gore of war — as alike they shared the little good and glory that sometimes comes to men as together they fight and win a brutal battle.

Would you deny equality to those Catholic boys who daily stood at the sad threshold of untimely death and suffered martyrdom that you and I and the world of men might live in liberty and peace?

Would you deny their children equal rights and benefits with other sects — rights for which their fathers paid equal taxation with other fathers and fought two bitter wars that all children might forever be free from fear, oppression and religious persecution?

During the war years you visited the hospitals in many countries, as did I. You too saw America's sons — Catholics, Protestant and Jew alike — young, battered, scarred, torn and mutilated, dying in agony that we might learn to live in charity with one another. Then how was it that your own heart was not purged of all prejudices by what you saw those, your sons, suffer?

Now my case is closed. This letter will be released to the public tomorrow after it has been delivered to you by special delivery today. And even though you may again use your columns to attack me and again accuse me of starting a controversy, I shall not again publicly acknowledge you. For, whatever you may say in the future, your record of anti-Catholicism stands for all to see — a record which you yourself wrote on the pages of history which cannot be recalled — documents of discrimination unworthy of an American mother!

Sincerely yours,

Francis Cardinal Spellman

Archbishop of New York
Two days later, Mrs. Roosevelt sent the following letter to Cardinal Spellman:

Your Eminence:

Your letter of July 21 surprised me considerably.

I have never advocated the Barden bill nor any other specific bill on education now before the Congress. I believe, however, in Federal aid to education.

I have stated in my column some broad principles which I consider important and said I regretted your attack on the Barden bill because you aligned yourself with those who, from my point of view, advocated an unwise attitude which may lead to difficulties in this country, and have, as a result, the exact things which you and I would deplore, namely, the increase in bitterness among the Roman Catholic groups, and the Protestant and other religious groups.

I read only what was in the papers about your address and I stated in my column very carefully that I had not read the Barden bill or any other bill carefully, because I do not wish to have it said that I am in favor of any particular bill.

If I may, I would like to state again very simply for you the things I believe were important in this controversy. In the early days in this country there were rather few Roman Catholic settlements. The majority of the people coming here were Protestants and not very tolerant, but they believed that in establishing a democratic form of government it was essential that there be free education for all a number of people as possible, so there was a movement to create free public schools for all children who wished to attend them. Nothing was said about private schools.

As we have developed in this country we have done more and more for our public schools. They are open to all children and it has been decided that there should be no particular religious beliefs taught in them.

I believe that there should be freedom for every child to be educated in his own religion. In public schools it should be taught that the spiritual side of life is most important. I would be happy if some agreement could be reached on passages from the Bible and some prayer that could be used. The real religious teaching of any child must be done by his own church and in his own home.
It is fallacious, I think, to say that because children going to public schools are granted free textbooks in some states, free transportation, or free school lunches, that these same things must be given to children going to private schools.

Different states, of course, have done different things as they came under majority pressure from citizens who had certain desires, but basically by and large, throughout the country, I think there is still a feeling that the public school is the school which is open to all children, and which is supported by all the people of the country and that anything that is done for the public schools should be done for them alone.

I would feel that certain medical care should be available to all children, but that is a different thing and should be treated differently. If we set up free medical care for all children, then it should not be tied in with any school.

At present there are physical examinations for children in public schools which are provided without cost to the parents, but there is nothing to prevent people who send their children to private schools from making arrangements to pay for similar examinations for their children.

I should like to point out to you that I talked about parochial schools and that to my mind means any schools organized by any sectarian group and not exclusively a Roman Catholic school. Children attending parochial schools, are, of course, taught according to the tenets of their respective churches.

As I grow older it seems to me important that there be no great stress laid on our divisions, but that we stress as much as possible our agreements.

Your state: 'And the Supreme Court of the United States has declared that health and transportation services and the distribution of non-religious textbooks to pupils attending parochial schools do not violate our Constitution.' None of us will presume to decide questions which will come up before the Supreme Court of the United States, but all of us must think seriously about anything which is done, not only in relation to the specific thing, but in relation to what may follow after it and what we think will be good for the country.
Anyone who knows history, particularly the history of Europe, will, I think, recognize that the domination of education or of government by any one particular religious faith is never a happy arrangement for the people.

Spiritual leadership should remain spiritual leadership and the temporal power should not become too important in any church.

I have no bias against the Roman Catholic Church and I have supported Governor Smith as Governor and worked for him as a candidate for the office of President of the United States. I have supported for public office many other Roman Catholic candidates.

You speak of the Hindssonty case. I spoke out very clearly against any unfair type of trial and anything anywhere in any country which might seem like attack on an individual because of his religious beliefs. I cannot, however, say that in European countries the control by the Roman Catholic Church of great areas of land has always led to happiness for the people of those countries.

I have never visited hospitals and asked or thought about the religion of any boy in any bed. I have never in a military cemetery had any different feeling about the graves of the boys who lay there. All of our boys of every race, creed and color fought for the country and they deserve our help and gratitude.

It is not my wish to deny children anywhere equal rights or benefits. It is, however, the decision of parents when they select a private or denominational school, whether it be Episcopal, Wesleyan, Jewish or Roman Catholic.

I can assure you that I have no prejudice. I understand the beliefs of the Roman Catholic Church very well. I happen to be a Protestant and I prefer my own church, but that does not make me feel that anyone has any less right to believe as his own convictions guide him.

I have no intention of attacking you personally, nor of attacking the Roman Catholic Church, but I shall, of course, continue to stand for the things in our Government which I think are right. They may lead me to be in opposition to you and to other groups within our country, but I shall always act, as far as I am able, from real conviction and from honest belief.
If you carefully studied my record, I think you would not find it one of anti-Catholic or anti-any-religious group.

I assure you that I have no sense of being 'any unworthy American mother.' The final judgment, my dear Cardinal Spellman, of the worthiness of all human beings is in the hands of God.

With deepest respect, I am,

Very sincerely yours,

Eleanor Roosevelt

(Mrs. Franklin D. Roosevelt)
BIBLIOGRAPHY

Articles


Time. 58. 27:42. December 31, 1951.

Books


Swift, Fletcher Harper. Federal and State Policies in Public


Bulletins


Congressional Hearings:


Congressional Records


Congressional Record. 65th Congress. 2nd Session. Vol. 56.

Congressional Record. 65th Congress. 3rd Session. Vol. 57.

Congressional Record. 66th Congress. 1st Session. Vol. 58.

Congressional Record. 66th Congress. 2nd Session. Vol. 59.

Congressional Record. 66th Congress. 3rd Session. Vol. 60.

Congressional Record. 67th Congress. 1st Session. Vol. 61.

Congressional Record. 67th Congress. 2nd Session. Vol. 62.

Congressional Record. 67th Congress. 4th Session. Vol. 64.

Congressional Record. 68th Congress. 1st Session. Vol. 65.

Congressional Record. 68th Congress. 2nd Session. Vol. 66.

Congressional Record. 69th Congress. 1st Session. Vol. 67.

Congressional Record. 69th Congress. Extra Session. Vol. 68.

Congressional Record. 70th Congress. 1st Session. Vol. 69.

Congressional Record. 70th Congress. 2nd Session. Vol. 70.

Congressional Record. 71st Congress. 1st Session. Vol. 71.

Congressional Record. 71st Congress. 2nd Session. Vol. 72.

Congressional Record. 71st Congress. 3rd Session. Vol. 74.
Congressional Record. 80th Congress. 1st Session. Vol. 93.

Congressional Record. 80th Congress. 2nd Session. Vol. 94.

Congressional Record. 81st Congress. 1st Session. Vol. 95.

Congressional Record. 81st Congress. 2nd Session. Vol. 96.

Congressional Record. 82nd Congress. 1st Session. Vol. 97.

Congressional Record. 82nd Congress. 2nd Session. Vol. 96.

Reports of Advisory Committees


Supreme Court Decisions


Unclassified Sources


Constitution of the United States.

Declaration of Independence.


I, Anne Gibson Buis was born in New Tazewell, Tennessee. I received my elementary and secondary education in the public schools of Claiborne County, Tennessee. As an undergraduate I attended Lincoln Memorial University, Harrogate, Tennessee; Carson Newman College, Jefferson City, Tennessee; and George Peabody College, Nashville, Tennessee. In 1931, I received the degree Bachelor of Science from George Peabody College. From the University of Tennessee, I received the degree Master of Science in 1940. I had a fellowship while at the University of Tennessee. I have taught thirteen years at the elementary, secondary, and college levels. I have had various work experiences in business. I am at present employed as Chairman of the Division of Home Economics at the Georgia State College for Women, Milledgeville, Georgia.