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Labor in the South by F. Ray Marshall

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an ably edited version of one of Randolph Paul's last articles, *Mr. Justice Black and Federal Taxation*,⁵ and finally an essay based on W. Wallace Kirkpatrick's *Crossroads of Antitrust and Union Power*,⁶ and *Mr. Justice Black and Antitrust*.⁷ Paul's article includes an excellent concise analysis of the relationship between the Supreme Court and partisan politics.

As Strickland points out in a brilliant concluding essay, Black as a judge is too big to be contained either by the labels he has fixed upon himself or those which have been fastened on him by others. He is, after some fashion, a liberal, an absolutist, a judicial activist, a libertarian, and a radical. But none of these labels really fit. Strickland contends that Black is a Madisonian and ultimately a conservative. This is a judgment which, unless Black confounds us all by radically revising his philosophy during yet another decade on the bench, I believe will stand the test of time.

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LABOR IN THE SOUTH. By F. Ray Marshall. Cambridge: Harvard University Press, 1967. Pp. 406. \$8.00.

A non-writing law teacher once asked J. Allen Smith "But why should I write a book review?" and Allen answered, "To show that you've read a book." In light of repeated claims that law schools need more social science courses, a brief look at a recent product of one such social science might be of some relevance.

Perhaps Professor Marshall¹ will forgive me for using his book to focus a criticism which involves not only history, but also those other social sciences traditionally called humanities—including law. Professor Marshall, after all, works in a distinguished tradition and has inherited, not invented, its vices. He has produced a history of labor in the South that is both scholarly and disinterested and these are the book's primary flaws. Filled with facts and figures which are the

⁵ Paul, *Mr. Justice Black and Federal Taxation*, 65 YALE L.J. 449 (1956).

⁶ Kirkpatrick, *Crossroads of Antitrust and Union Power*, 34 GEO. WASH. L. REV. 288 (1965).

⁷ Kirkpatrick, *Mr. Justice Black and Antitrust*, 14 U.C.L.A. L. REV. 475 (1967).

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products of long labor, diligent research, and devotion to carefully accurate minutiae, the book is a monument to the gargoyle of scientism. It wears objectivity like a laboratory mask, beneath whose aseptic surface a sincere dedication to impartiality de-animates each page.

In his Foreword, Professor Dunlop alludes to this essential weakness:

Professor Marshall might well have brought together more explicitly his *rich knowledge* . . . Professor Marshall brings to this volume an unrivaled knowledge of southern labor-management relations acquired . . . from a *rich experience* in the field. (Emphasis added.)²

We need such riches of wisdom acquired from "experience in the field." We need the human richness of personal evaluation that can make this data emotionally relevant, so that Professor Marshall's laboriously acquired insights into the values involved (whatever they may be) can become a significant part of the present and the future. Instead, however, the final imprimatur of academia is attained: "This volume will long remain a standard work,"³ meaning that future scholars will have to wade through an additional 350 pages before they too can seek to win the accolade of another "standard work."

Such predecessors of Professor Marshall as Bruno and Galileo are haloed idols in the successful struggle to emancipate the human intellect from taboo. Results have been spectacular, if unstable. The triumph of the Scientific Method has been nearly complete, intellectualizing even such ancient arts as poetry and painting whose *Waste Land* and *Seated Bather* heralded the modern trend. *Labor in the South* follows this artistic and academic fashion and is thus both symptom and symbol of what has happened to the humanities.

We "humanists" mimic the sciences and merit contempt. We wail about preemption of government grants by the sciences and desperately try to purify our arts by making them models of modern science specialism so we can compete at the trough. And why not? The Scientific Method continues to produce enough empirical results to satisfy even a nation of materialists who have been advertised into craving daily doses of even more spectacular products. But, we haven't gone far enough; we have shrunk from the one useful way of copying the scientific revolution: Emancipating human emotions from their taboos.

Labor in the South is conceptually organized into conventional chronology. Only the first and last chapters attempt any more

² DUNLOP, *Foreword* to F. MARSHALL, *LABOR IN THE SOUTH* at vi. (1967).

³ *Id.* at vi.

functional approach to the material. Beginning with a social scientific synopsis of "Institutional Setting," the content proceeds through analysis of specific unions—before 1932, during Depression and New Deal periods, through the war and post-war years—and ends with another social scientific discussion of "Union Growth in the South: Status, Causes, and Prospects."

The Foreword gives adequate warning:

Labor in the South is a *significant volume* . . . providing an *authoritative* history. . . . Professor Marshall's *contribution* should be *required reading*. . . . (Emphasis added.)⁴

The Author's Preface continues this scholarly theme:

This volume (why does such writing continually emerge in "volumes" instead of "books?") seeks primarily to *analyze* the *factors influencing* (Emphasis added.)⁵

The first "Institutional Setting" chapter professes the modest aim of showing that the Southern labor movement "is sufficiently unique to provide a significant comparison with the nonsouth."⁶ This I had already assumed on the purely intuitive basis of why would anyone write a book called *Labor in the South* unless he could show some significant difference from labor in the North?

Potentially interesting themes occur among socially scientific surroundings: That the South developed a traditional European-model society and thus had problems of underdevelopment to overcome;⁷ that the South has been a Northern "colony";⁸ that the Negro "depresses wages, reduces skill, curtails purchasing power . . . obscure(s) the role of economic issues . . .";⁹ that slavery hindered white productivity;¹⁰ that the plantation system interfered with urban growth and consequent economic diversity;¹¹ that all white economic classes adopted slave-owner values and interests (unidentified) in response to the North and to the need (unexplained) for white supremacy;¹² and that the North ratified Southern segregation.¹³

These nuggets remain unmined, however, resting safely embedded in their surrounding factual earth:

⁴ *Id.* at v.

⁵ MARSHALL, *Author's Preface* to LABOR IN THE SOUTH at vii (1967).

⁶ F. MARSHALL, LABOR IN THE SOUTH 3 (1967).

⁷ *Id.* at 4.

⁸ *Id.* at 16.

⁹ *Id.* at 4.

¹⁰ *Id.* at 4-7.

¹¹ *Id.* at 7.

¹² *Id.* at 8.

¹³ *Id.* at 11.

Names

[C]ampaigns of industrialization were launched by Henry Watterson of the Louisville Courier-Journal, Francis W. Dawson of the Charleston (S.C.) News and Courier and Henry W. Grady of the Atlanta Constitution.¹⁴

Places

The Knights (of Labor) also claimed to have elected mayors at Jacksonville, Florida, Vicksburg, Mississippi, and Anniston, Alabama, in 1888, and a mayor at Selma, Alabama, the following year.¹⁵

Events

Around 1874 an important seam of good coking coal was discovered in the Warrior Field near Birmingham, which had been founded three years earlier. In 1878 the first important Birmingham coal company—Pratt Coal and Coke—was formed to exploit this seam. The first of the "Big Four" in the Alabama iron and steel industry, the Woodward Iron Company, was formed (the stylistic passives are inevitable hallmarks of fact-obsession) in 1881 and started its first furnace in 1883. The Sloss Furnace Company, which later became U.S. Pipe and Foundry, was formed in 1881. The Pioneer Mining Manufacturing Company, organized by the Thomas Brothers of Pennsylvania. . . .¹⁶

Authorities

[A]s John T. Dunlop has demonstrated. . . .¹⁷

George T. Renner defines. . . .¹⁸

W. B. Stanberry defines. . . .¹⁹

W. W. Rostow asserts. . . .²⁰

In 1931 Broadus Mitchell noted. . . .²¹

Rupert B. Vance has identified. . . .²²

As James McBride Dabbs says. . . .²³

William H. Nicholls and C. Vann Woodward do not consider. . . .²⁴

Statistics

The percentage of foreign-born in the South in 1960 was only 1.8 per cent, as compared with 4.4 per cent in the North Central, 6.9 per cent in the West, and 10.2 per cent in the Northeast. The percentages of natives with foreign or mixed parentage were: Northeast, 23.3 per cent, North Central, 14.1 per cent, South, 4.2 per cent and West, 15.5 per cent.²⁵

Titles

After the Communist Party-line change dictated that member organizations join with other groups, the Alabama Share-croppers Union

¹⁴ *Id.* at 12.

¹⁵ *Id.* at 23.

¹⁶ *Id.* at 14-15.

¹⁷ *Id.* at 3.

¹⁸ *Id.* at 4.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² *Id.* at 7.

²³ *Id.*

²⁴ *Id.* at 12.

²⁵ *Id.* at 6.

was taken over by the Farmer's Union of Alabama, and organization of small operators formed in 1930, and others went into the Alabama Agricultural Worker's Union chartered by the AFL in 1937 as the Farm Laborers' and Cotton Field Workers' Union No. 20471. The latter claimed 10,000 members in the spring of 1937, shortly before it was absorbed by the United Cannery, Agricultural, Packing and Allied Workers of America, CIO (UCAPAWA).²⁶

Within each section Professor Marshall furnishes "conclusions" neatly wrapped up into "causes" and "effects":

The reasons for the STFU's failure as a trade union are not difficult to find. Most important were: the depression, opposition from planters who considered the union a threat to the plantation system and white supremacy; the workers' poverty. . . .

The STFU's efforts were not entirely in vain. Its activities focused attention on the plight of southern agriculture, giving support to such programs as the Farm Security Administration. . . .²⁷

While devotees of the intellectual game called "history" may revel in such agglomerations of facts, much as baseball fans delight in batting averages, readers who are looking for understanding of the emotional relevance of events must look elsewhere, to an historical Ring Lardner or Bernard Malamud, if there are any.

Throughout Professor Marshall's book tantalizing glimpses of great value issues run like yellow brick roads through the gray wasteland of facts. The issue of irresponsible economic power is one such gem:

In 1876 the federal government adopted a land policy which stimulated railroad building and led to rapid exploitation of the south's timber resources by lumber companies and land speculators. The rapid depletion of much of the south's timber resources stimulated activity for a while as lumber companies denuded a wide area of the region. A government forestry expert referred to this as "probably the most rapid and reckless destruction of forests known to history." By 1899 the southern states became the leading timber-producing region of the United States, a position they held until 1930 when they were superseded by the Pacific states.²⁸

The juxtaposition of these two ideas, "reckless destruction" and "leading timber-producing region," is one technique which Professor Marshall uses throughout those areas where facts impinge on value issues. Wherever the facts demand value judgments, Professor Marshall inserts facts from the opposite side, thus insuring his historical objectivity and impartiality while ensuring frustrated emotional reaction in the reader: *e.g.*, is our obsession with the G.N.P. necessarily destructive?

²⁶ *Id.* at 157.

²⁷ *Id.* at 165.

²⁸ *Id.* at 14.

The companies countered in characteristic fashion by importing strike-breakers, evicting workers from company houses, and calling in troops to protect company property. The strike was finally defeated when the governor ordered militiamen to tear down the tent colony, in which evicted Negro and white families lived, on the grounds that racial mixing could not be permitted in Alabama.²⁹

Strikers picketed in defiance of an injunction, resulting in 1250 arrests. The town's main water supply was dynamited May 16. The Communist-led NTWU sent agents from nearby Gastonia, North Carolina, to agitate against the UTW. And, according to McGrady, "Sympathizers with mill management have had the union put out of its regular meeting place; young girls and young men are arrested for nonpayment of their board bills while they were on strike. . . ."³⁰

The plant manager's reaction to the killing was widely publicized "I understand there were 60 or 75 shots fired in the Wednesday's fight. If this is true there are 30 or 35 of the bullets accounted for. I think the officers are damn good marksmen. If I ever organize an army they can have jobs with me. I read that the death of each soldier in the World War consumed more than five tons of lead. Here we have less than five pounds and these casualties. A good average I call it."³¹

The use of quotations is a second of Professor Marshall's impartiality devices. Where value judgments threaten to erupt from the facts, Professor Marshall inserts someone's value judgment in the form of a quotation that is often so obviously partisan that the reader is sure to reject it.

With the aid of the federal government, the UMW had established collective bargaining in Harlan County during the First World War, but the union was wiped out during the 1920's. A senate investigating committee found that unions were suppressed in the 1920's by company towns, "policed by large bodies of men, privately paid, many of them clothed with public authority as deputies. Many of them were seasoned criminals who had been released from the State penitentiary." The county acquired such a reputation that even organizers with experience in West Virginia reported Harlan to be "far worse" than anything they had ever witnessed.³²

Since "far worse" constitutes a value judgment, quotation marks were in order. Examples of company rather than union irresponsibility have been deliberately chosen since my own values say that management's superior power status made its failures of duty more seriously immoral. Professor Marshall, however, has been meticulous in countering examples of management misconduct with examples of union misconduct.

That the men who owned economic power were irresponsible is

²⁹ *Id.* at 73.

³⁰ *Id.* at 106.

³¹ *Id.* at 117.

³² *Id.* at 137.

old stuff. But why? Where did they get those values? What were the historical, social, and educational producers of such morality? Are these still operative? Why? Where? What caused communities to underwrite these values—failure of communication? American myths? Education? Propaganda? Has this failure of academia to accept responsibility for values paralleled or produced the irresponsibilities of our economic elite? Does “our duty is to the stockholders” arise from early consistent training in “our duty is to the facts?”

Another great value issue is the Negro. Here again, Professor Marshall offers frustrating glimpses in his inimitable impartial manner:

The race problem greatly weakened unions in the south for a number of reasons. In the first place, partly because of discrimination by union and white workers, Negro leaders like Booker T. Washington actively allied themselves with employers and encouraged Negroes to act as strikebreakers. Of course, union discrimination is not a complete explanation for the use of Negro strikebreakers and the alliance between Negro leaders and employers, because Negroes also broke strikes of non-discriminatory unions like the United Mine Workers.³³

Most building trades locals, including the plumbers, electricians, sheet metal workers, elevator constructors, and iron workers, barred Negroes by control of licensing boards; control of apprenticeship training; boycotting employers who used Negroes; refusing to work with Negroes, and striking against the use of Negroes on traditionally unionized projects. . . .

Although the pattern of union discrimination against Negroes is relatively clear, we know less about the extent to which unions influenced Negro employment opportunities in these trades. Racial employment patterns are influenced by community sentiment as well as by union and employer attitudes. Moreover, unions might have inadvertently created job opportunities for Negroes by reserving certain non-union sectors for them.

Resistance to Negroes in the north was so intense that the great Negro leader Frederick Douglas advised colored workers to return to the south where the skilled crafts were still open to them.³⁴

This illustrates a third impartiality technique—a value issue rises starkly from causal facts and Professor Marshall introduces enough other causal factors to frustrate any reader’s attempt to fix responsibility and thereby reach moral condemnation. In the best examples of this technique, causes of X are converted into causes of non-X, completely aborting reader value reactions. Thus, in the above instance, union discrimination against Negroes in the crafts becomes, after several paragraphs, union creation of opportunities for Negroes in the crafts.

³³ *Id.* at 34.

³⁴ *Id.* at 48-9.

The racial composition of Alabama miners changed considerably after the 1908 strikes. Employers blacklisted white miners, and about three fourths of Alabama miners were colored in the years immediately after 1908. . . . The companies also launched elaborate welfare programs to keep Negroes out of unions; these programs were in line with the teachings of the Negro leaders who cautioned colored workers to avoid unions, white workers, and the Democratic Party and ally themselves with employers and Republicans. . . . "The Alabama coal operator has the cooperation and active support of the Negro. The Negro is primarily a free agent and hence a nonunion man. . . . We should carry our welfare work for the Negro beyond the confines of any single mining village and apply such principles to all deserving Negroes wherever found, and thus have the Negro understand that he is to have justice and opportunity."³⁵

There are no mixed locals due, first to the strength of the southern tradition of racial separation and, second, to the preference of the Negroes themselves for their own organizations.³⁶

When the IIWA was first established, Negroes and whites were in the same union, but the Negroes formed a separate organization because they wanted control of their own affairs.³⁷

So much for the Black Power issue. Apart from obvious attempts to rationalize Southern segregation (which is itself part of a respectable tradition), Professor Marshall's impartiality on the dynamic race issue cracks its mask only a few times, under what must have been superhumanoid pressures:

In order to build an image of quality, the machinists, like most other railroad shop organizations excluded Negroes.³⁸

After Brown and the employers at another firm, a syrup mill, had signed an agreement, all the Negro workers were called together and told to elect officers; their understanding of trade unionism was indicated when they elected the superintendent as vice-president!³⁹

Both the word "quality" in the first quotation, and the unprecedented exclamation mark in the second, indicate value attitudes, if not admitted value judgments. But such slips are rare.

As a third and final example of potential value issues, here are some glances at the abuses of "law":

Legal complications developed to the great embarrassment of the unions, and a federal court and federal district attorney gave moral support to the management, with the result that the railroad locked out all of the union employees.⁴⁰

As a general rule, the strikes failed because Negroes and employers had the support of government officials. In some cases, however, local law

³⁵ *Id.* at 74.

³⁶ *Id.* at 68.

³⁷ *Id.* at 200.

³⁸ *Id.* at 51.

³⁹ *Id.* at 124.

⁴⁰ *Id.* at 55.

enforcement officials did not interfere with the strikers for fear of being branded as integrationists.⁴¹

The union finally agreed to arbitrate the dispute in February 1921, with the governor as sole arbitrator; the governor decided against the union on every point, and the UMW declined to insignificance in the Alabama coal fields until the 1930's.⁴²

The Concord City Council passed an anti-picketing ordinance, which the governor of North Carolina said "was in contradiction to the laws of the state and nation. But he insisted that he had no right to insist or even persuade employers that they must contract with their employees if they did not choose to do so."⁴³

All those charged with the murder of the unionists were subsequently acquitted, though union leaders report that Williams' wife received \$4500 in damages from the company nine years later.⁴⁴

[L]ocal leaders finally saw the hopelessness of the situation and on May 25 accepted a settlement negotiated by a representative of the U. S. Department of Labor. The terms of this agreement amounted to complete defeat for the union. . . .⁴⁵

While this wrecking was in progress 250 soldiers slept peacefully within 500 feet of the racket. . . . When the last ax fell on the food store the soldiers came running—arresting the strikers who had been guarding their property unarmed and who were being held at bay by the mob.⁴⁶

During this trial the prosecution was again unable to shake the strikers' plea of self-defense, but introduced the defendants' views regarding atheism, communism and race equality, and on October 18, the defendants were found guilty. The four northern defendants were sentenced to 17 to 20 years in prison; . . .⁴⁷

In all the major strikes during 1929 not one nonunionist was sentenced for violence against union members, whereas in every strike union leaders and members were fined and/or jailed.⁴⁸

The commission observed, after another witness told of having been falsely arrested and mistreated by a raiding party which included the city judge: "If this man's statements are true, the law acts rather unlawfully in Harlan County." In another case, Mrs. Harry Appleton was arrested for criminal conspiracy for feeding some 50 children a day from her small store in Evarts; . . .⁴⁹

When the AAA program went into effect in 1933, it was on the basis of a land rental contract between landowners and the government whereby the land was taken out of production. Since tenants and sharecroppers were not landowners, they were not parties to the contracts, and the only benefit they received was a possible increase in cotton prices and half of any "parity" payments on cotton produced on land still cultivated. The planters consequently received about 90 per cent of the government payments. The government sought to prevent this by

⁴¹ *Id.* at 58.

⁴² *Id.* at 75.

⁴³ *Id.* at 84.

⁴⁴ *Id.* at 100.

⁴⁵ *Id.* at 107.

⁴⁶ *Id.* at 110.

⁴⁷ *Id.* at 114.

⁴⁸ *Id.* at 118.

⁴⁹ *Id.* at 138.

requiring provisions in contracts to protect tenants, but these were often breached by the planters or their representatives, who were usually the local administrators of the program.⁵⁰

City officials also attempted to defeat unions through racial divisions. A city ordinance was passed in July 1938, making it unlawful for "three or more persons, some of whom are white and some Negroes to hold either a public or secret meeting in which is advocated a movement looking toward destruction of the governments of the United States, the State of Alabama or the city." . . . Local CIO leaders tried to test it by publicizing mixed meetings; they were arrested but acquitted by the local authorities, making it impossible to take the case to the U. S. Supreme Court.⁵¹

These abuses of legal power (and some are so clearly "wrong" as to need no author comment even in our confused value era) are, however, impartially countered by numerous examples of what happens when "the law," however bad, ceases to rule:

During the 1922 strike against the Missouri and North Arkansas Railroad, a "citizens' committee" of 12 men led an organization of some 1000 members. In a number of communities the committee forced the resignation of civil authorities, and in others dictated the policies to be followed by local officials. One union man was lynched when he refused to permit a mob to enter his home.

Those unionists "who would not forsake allegiance to the union were ordered deported. Deportees were given clearance cards which would enable them to pass the guards on the way out. Many whole families were thus compelled to leave their homes. In numerous cases summary punishment was meted out by mob authorities in the form of whippings. . . . The situation is one of the most important and serious of its kind with which the country has been faced."⁵²

Members of a local citizens' committee, the Self-preservation and Loyalty League (SPLL), some of whom were made deputy sheriffs, intimidated union members.⁵³

On September 9, the day of the mistrial, a mob raided union headquarters and kidnapped three men. They then surrounded the Charlotte jail, threatening defense attorneys and others sympathetic with the strikers. On September 14, a mob shot into a truck load of workers killing Ella May Wiggins, twenty-nine-year-old mother of five children, whose name was flashed across the world as a martyr in the Communist cause. Seven men were tried and acquitted for the shooting of Mrs. Wiggins.⁵⁴

Lest anyone conclude that the law operated unfairly against unions and in favor of employers, Professor Marshall carefully includes contra examples:

⁵⁰ *Id.* at 158.

⁵¹ *Id.* at 190.

⁵² *Id.* at 56.

⁵³ *Id.* at 99.

⁵⁴ *Id.* at 114.

Employers in the Central Competitive Field claimed that their refusal to sign a contract with the UMW was because they were afraid of being prosecuted for conspiracy in restraint of trade. The check-off provision in the UMW contract was the basis for the conspiracy charge, which resulted in the indictment of 226 operators and all the union officials by a federal grand jury at Indianapolis in April 1922.⁵⁵

And, finally, to counter any reader value conclusion against the powerful companies, such examples as this occur:

The situation in the industry was such in 1933 that some coal operators suggested a federal coal dictator and even told the secretary of labor that they would "sell the mines to the government at any price fixed by the government. Anything so we can get out of it."⁵⁶

Freud and his disciples followed by the social scientist fact hunters have thoroughly exposed human emotions. All have had time to recover from the shock. Although society needs to accept those revealed emotions with at least as much courage as Bruno and Galileo accepted the results of their experiments; none will probably face the stake. We will need to face the ordinary vested interests, those of mind as well as those of spirit, and not the least of these will be our own super-egos; but having accepted man's emotional nature, society must learn to value and then to teach it. This involves teaching perception, sensation, intuition, emotional reaction, emotional analysis, emotional expression, and finally—emotional control, *i.e.*, to use life as a Heifitz uses a violin—to create beauty. There are few techniques for this. The humanities are, *sui generis*, capable of leading the experimental way, but it is ironic that just when that queen of the sciences—physics—is becoming artistic, the arts have become scientific.

Labor in the South is a product of one among the humanities. It tries, successfully, to be scientific, *i.e.*, objective, impartial, careful, factual, statistical, accurate. Professor Marshall is apologetic for the inevitable incursions of his personality which insidiously creep in through selection of facts, through emphases, through tone, through style. At a time when students are crying for (and rebelling against the lack of) articulated value positions, Professor Marshall tries scrupulously to avoid any intrusions of personal feeling into what should be—according to the tradition—a purely intellectual and hopefully scientific presentation of how-it-was. Dean Pound once said that the importance of history is its relevance to the present. We cannot go back and re-live—which means re-feel—what happened; we can, however, feel the significance of what we think happened. This cannot be done with any precision or subtlety since people are untrained in

⁵⁵ *Id.* at 77.

⁵⁶ *Id.* at 141.

emotional analysis, but an attempt can be made. We can strike out in other directions than the endless "volumes" of socially scientific "facts" which are always waiting for someone else to "interpret,"—i.e., to render emotionally relevant and therefore meaningful.

What I really want to know is Professor Marshall's evaluation of this great agglomeration of data. What does it all mean to him? What living, vital, real, emotional relevance does it have for him and thereby—possibly—for me? Since history is inevitably partial (historians being human beneath the mask) and since the whole scholarly apparatus is perforce a sham, a facade, for hiding the partialities of historians, let's drop the scientific method pretense, discard the facade, unmask, and adopt a naked humanistic method—introspective, intuitive, subjective, value-conscious, honest, emotional, real.

The mind has been exalted to its present heights largely because the mind was first, historically, freed from taboo and thereby was enabled to produce its myriad concrete and often useful results. But mind is neither primary nor fundamental. Mind receives and organizes perceptions and sensations. Those are primary and fundamental. Those are what we must understand, value, develop, and use if the disease of emotional scientism is to be controlled before it develops into a fatal plague. We will probably be as surprised at the concrete, materialistic, down-to-earth results of a humanistic method as we have been amazed at and confused by the results of the scientific method. After all, our crying need is not for more statistics or for more impersonal intellects capable of abstractedly producing more super weapons out of more super facts. Our need is for methods of handling emotions so that we can and will destroy weapons. A race of geniuses with the emotional know-how of cavemen has no survival value at all.

If *Labor in the South* is the gauge, clearly any of the proposed substitutions of social science courses for conventional law school courses in our law schools will substitute Tweedledum for Tweedledee. What is the emotional relevance of *Labor in the South*? Of history? Of the humanities? Of law?

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PRESIDENTIAL SEIZURE IN LABOR DISPUTES. By John L. Blackman. Cambridge: Harvard University Press, 1967. Pp. 351. \$10.00.

This scholarly study is written by a former reporter and city editor