

### **13. SCAL; An ill-advised strike**

**David:** Here we are again. What is it, November 17<sup>th</sup>? Wow, how time flies...and we're off.

**Henry:** The last time, I had just experienced the most painful night of my life, before or since. I took a mighty vow that I wouldn't let it defeat me, so I went right back to being the director of research for AWOC on the very next day. I continued to keep busy. As a matter of fact, surprisingly enough, I found myself being busier than I ever had been before. Just a combination of circumstances, I suppose. There were a number of public hearings. Federal agencies seemed to become interested in the fact that there was a problem in farm labor and somebody had to testify at these hearings. Sometimes I would prepare testimony and sometimes I would write testimony for Norman Smith, who would appear but who didn't pay any attention to the script itself. There were other times in which the PR director for AWOC, Lou Krainock, would testify. He would pay pretty close attention to what he had in front of him. That was one of my activities.

**David:** Were the hearings about the bracero program in particular?

**Henry:** No, these were hearings about things like whether farmworkers should have a minimum wage and whether they might be covered under unemployment insurance - looking forward to the fact that the bracero program wouldn't last forever. I'm talking now about a period of about 6 months, during the last half of 1960. The following year, there were once again hearings on the subject of renewing the bracero program. I'm talking about the six months immediately following that horrible evening of June 30<sup>th</sup>, 1960.

Another one of the developments was that I, because of the force of circumstances, found myself needing to make more common trips to Berkeley than I had in some time. I had been rather out of touch since I had come to a parting of the ways with the School of Public Health. I had rather lost touch with developments in the student body at UC Berkeley and I was going to Berkeley more frequently than I had in quite a while because of the fact that that was where my 3 kids were now located. They began by spending some time in San Jose with their grandparents but they were living in an apartment, I think, on Milvia Street. It was very close to Whittier School, which was the school for bright kids in the Berkeley system.

I got back in touch with an old associate of mine, named Fritjof Thygeson (I think I've mentioned him in the past) because he's the fellow who was very active in the world government movement and who introduced me to Pamela Enderton in the first place. He was now very active in Berkeley student politics. Off campus, he was also very active in the Socialist Party. He had the charm to lure a bird out of a bush, as we used to say in Texas. He recruited me into joining the Socialist Party. I also helped with the organization of an on-campus group called Students' Committee for Agricultural Labor, with the acronym "SCAL." I would sometimes speak at their meetings and on other occasions I would recruit bonafide farmworkers to speak to them. Sometimes we would have work parties in Stockton and they would come out on weekends and see how life was really lived in the lower classes.

I would also point out that the year 1960 was another presidential election year and it was of more than normal interest because the Democratic nominee was a young senator named John

F Kennedy and the Republican nominee was the sitting Vice President of the country, named Richard Nixon. I had been following his career for a long time because he had his start in politics as a congressman from the district from which Pomona College was located. He was the congressman right after the war, when I was returning to Pomona (having served, if that's the right word, in the Army for a little while). He (Nixon) won his first term in Congress with a telephone campaign in which he would call democrats to ask them if they knew that their candidate was a communist. They didn't know any such things because, of course, there wasn't a word of truth in it. He was actually very active in the coop movement - that was his claim to fame. He was a good man. Anyway, needless to say, I was not for Nixon but neither could I bring myself to be in favor of JFK because he had a bad record when it came to the issue in which I was most interested, namely equal rights for farmworkers. He had a bad record on that. His principle advisor in agricultural matters was a southern Dixicrat from Florida.

(Gene enters, gets water, and apparently David exits)

I was talking about the period that followed the night of June 30, 1960, when I came home from my job with AWOC to find the house dark and vacant, and how I promised myself not to let my personal problems with my wife (at that time) and mother of my 3 children defeat me. I vowed to keep going on the path on which I was trying to make myself useful to the movement for farmworker justice. I was in the middle of commenting on the presidential election of that year, in which the candidates were JFK for the Democrats and Richard Nixon for the Republicans. Nixon was a sworn enemy of the farmworker movement and JFK was no friend of the movement because he had been listening to a fellow senator, a personal friend of his from Florida, who has convinced him that the bracero movement was a necessity of life for growers.

I couldn't vote for either Nixon or Kennedy. I was all set to vote for Norman Thomas. But when I showed up to vote on Election Day in a precinct near where we had been living the precinct watcher, who was an elderly women who apparently made a career out of keeping track of where everybody was living at all times, knew (I don't know how she knew) that I was not still living at 1841 Pomona Avenue. It was for me was a haunted house and I wanted nothing to do with it. I can't remember whether it was being rented out or whether I had sold it. Whatever had been done with it, my mother had taken it over because she was very experienced with real estate matters at that time. So, I couldn't vote.

In fact, in modern parlance, I was a homeless person. I didn't have any permanent residence at that time. I was sleeping on the floor (as long as I was in Stockton) of my boss Norman Smith. There were times that I was in Berkeley, getting what visitation I was allowed to have with my children, and I didn't have a place to live there. Among other things, I couldn't afford it because I was following my mother's advice that there was hope for me to get back together with my wife if I was very generous to her financially. So, following my mother's advice, I was turning over virtually my entire AWOC paycheck to my ex-wife, because for all practical purposes I knew that there was absolutely no chance that she was ever going to change her mind about her feelings toward me. For a while I was following my mother's advice just to please her and so I couldn't have rented a place in Berkeley even if I'd wanted to. It was a matter of me having to scrounge for places I could visit with the kids. I made due with crashing with friends. I

remember one place where a friend had an attic which he wasn't using and so I would have the 3 kids up there, even though there was no way to heat it. It was very unsatisfactory.

I also managed to crank out research papers. I made speaking engagements. I remember one in particular; I think it may have been arranged for me by Father McCullough. The National Council of Catholic Women were holding their annual convention in Las Vegas, of all places. It struck me as being singularly inappropriate for a religious organization (laugh) because it is known as "Sin City" with good reason. Father McCullough wanted me to speak to the good ladies about the farmworkers and their problems and the fact that there was an organization called AWOC that was trying to deal with those problems. I conceived the idea of making a presentation based upon some of the teachings of the Catholic Church itself but not revealing the source of the quotations until the end of the talk. There were several papal encyclicals dating as far back as the year 1891 in which the Popes had spoken on the rights of working men to organize in their own best interests. The Popes had figured out that it was not only a right but an obligation as part of what they called the "natural law." I wove all this into a presentation and at the very end revealed that I wasn't quoting any modern progressive left-wingers, but I was quoting the Popes themselves. I got out of town as quickly as possible because I hated Las Vegas. I hated the whole thing. Right on the peripheries of the meeting place where they were holding this convention, there were slot machines all lined up for the ladies to waste their money as soon as they got through listening to the speakers. I thought it was very unseemly.

Anyway, time went by until January, when Norman Smith made what was probably the worst decision of his tenure. The United Packinghouse Workers Union was having a very tough time because its packinghouse operations used to process fruits and vegetables in sheds under the roof against the elements and under the ceiling of labor contracts. The federal labor relations laws covered workers under the roof of places of employment but they specifically excluded workers in the open, in the fields. With the advent of the bracero system, the growers figured out that it would be to their great advantage to shift the packing of fruits of vegetables from underneath the roof to the open air. They would pack the stuff in the fields by the braceros.

The Packinghouse Workers Union was becoming virtually defunct until, as a last gasp measure, they tried putting on a big strike in Imperial County, California. They were striking against the winter lettuce harvest and the whole operation had been converted to the fields. The Packinghouse Workers Union was going to try to take advantage of one of the clauses of the law under which the bracero system operated, mainly that they never would be used as strikebreakers when a strike was in effect. The Packinghouse Workers Union went down there and declared a strike even though by then all of their workers had left the area since their jobs no longer existed in the packing sheds (they'd all been taken over in the fields). The Packinghouse Workers Union figured that if they could prove that they had even a minor presence in the county, that they could legitimately call a strike and that the government would have to recognize it as being legitimate, and would therefore have to withdraw their permission to have braceros cutting that lettuce.

Norman Smith was more than once heard to say, to complain, "There's nothing to do around here during the winter" (talking about Stockton). There were those of us, such as myself and

Father McCullough and Dolores Huerta (as long as she was still on the scene, although during the Fall of '59 she has given up hope on AWOC and had moved down to Southern California to work for Chavez) who thought that the winter was the very best time to start organizing farmworkers in the most meaningful way, which was to start with small groups. In the winter there was nothing else for these guys to do except to meet and start talking about their mutual problems and how to deal with them. I was appalled that Smith didn't see the possibilities of making good use of the winter months.

He ordered all of the AWOC staff to move down to Imperial County, including me. I went down there just as an observer and I was not at all surprised to find that the government agencies running the bracero program were not greatly impressed by the Packinghouse Workers Union claiming that, with half a dozen members or whatever they had, they had a bonafide strike in process. One of the reasons why they thought that they might get some traction was that the presidential election had brought JFK into office and he had nominated as his Secretary of Labor the former General Counsel of the CIO (the CIO being the more liberal of the two big labor federations which had merged to make up the AFL-CIO). His name was Arthur Goldberg and there's no doubt that he was a good man in many respects. However, he was new to the problems of farm labor lobby and that lobby brought out all its big guns, and its lawyers and found all kinds of ways to argue over the definition of a labor dispute – when is it bonafide and when is it a shame. They were able to stall him off for an extended period of time to prevent him from taking any action on withdrawing braceros from the lettuce fields.

There was an element within the Packinghouse Workers Union and also to an extent within the staff of AWOC itself. These guys were convinced that you have to fight fire with fire and that you can't be a nice guy when fighting against the growers who have been known to use violence many times in the past. They began working on Smith himself and on the head of the Packinghouse Union in the area. I don't know whether those two guys ever gave their permission or whether these firebrands within their two staffs simply took it upon themselves, but one of the things they did was to buy some dynamite and hide it in some particular place, and to then let it be known via the grape vine (so to speak) that that's where it was. The authorities found it and were afraid that the Union was planning to use it and this really shook up the Mexican government. The Mexican government began moving in ways the US government didn't or couldn't or wouldn't.

To seal the deal, the Union rank and file found a couple of guys who were willing to exercise physical violence against some braceros themselves. According to my understanding, they ran through a couple of bracero barracks with broom handles and wacked some of the braceros on the back with these broom handles. That broke the camel's back as far as the Mexican government was concerned and they ordered that the braceros in the barracks be removed for their own safety. It didn't really affect the harvest because they were only 5-10%, a fraction, of the total braceros in the county.

Much more important, of course, is what it did to public opinion and what it did to the legal bills of the two unions involved. They were sued. There were arrests, imprisonments, and long and expensive trials, including a trial for the legal offense of "conspiracy." The charge of conspiracy to use that dynamite was as severe, if not more so, than if they had actually used it.

Conspiracy is really a very serious crime. Some of the guys spent a considerable amount of time in prison but the main problem for the leadership of the ALF-CIO was the amount of money fines and the cost of the lawyers that they had to hire to defend these guys. It ran into millions of dollars and went on and on.

The lettuce harvest was over probably in the latter part of February with the unions accomplishing absolutely nothing. I don't think that the US government agencies ever did use any of its powers to act in the face of a strike, so that whole issue remained unresolved during the remainder of the bracero program. This was the early part of 1961 and the program had 3 more years to run.

I went back to Stockton, wrote a couple of research papers (so called) – they were actually more propaganda than research. One was called, "Imperialism in Our Fields" (a little play on the name Imperial County) and the other one was called, "A Lot of Lettuce" (a pun on the use of the word lettuce). For reasons that I have never fully understood, it was about this time (maybe March of 1961) that I was called into Norman Smith's office and told that they had decided that I would make myself more useful with an assignment in Washington DC, as a kind of lobbyist. They were, I guess, familiar with my knowledge of the bracero programs from the research I had done for the university, and thought that I could make myself useful by going around to the offices of congressmen and senators to talk to them about the extension of Public Law 78 (the enabling legislation for the bracero program). It was going to be coming up again and they could use my persuasive powers, such as they were. All of this was totally out of the blue. At the time I had no inkling. Later on, I had a theory of what was actually going on.

I went back to Washington with little more than a suitcase. Once again, I had to rely on the kindness of friends. There was a fellow that I had known at the University of California at Berkeley who was very interested in the labor movement in general. I helped him get a job with the Department of Labor in Washington. I was able to crash with him and his wife when I first got to Washington. There came a time when I outlived my welcome and found a boardinghouse where you could get a room and two meals a day (breakfast and dinner) for \$25 a week, which was a spectacular bargain by California terms.

I learned that Washington is practically a different country (Washington DC, I mean). It's kind of like a colony run by colonials. Washington DC is affectively run by congress. Congress, at that time, was affectively run by Southern Democrats who were very conservative. They were accustomed to cheap labor back in the states where they came from and they expected and got cheap labor in Washington DC. Everything was cheap in Washington DC compared to what I was accustomed to in the Bay Area, such as this \$25 week for room and board. It was like finding money in the street as far as I was concerned. Taxis were very cheap because that's the mode of transportation that all the congressman used. They didn't have a subway system at that time. I got used to riding taxis for the first time in my life.

I come to some insight which I think is accurate and possibly I should go off the record, but I don't know how to operate that machine so I'm going to have to leave it to whoever transcribes this later. I had begun keeping company with a girl or woman in Berkeley who was from the progressive wing of organizations and politics. In fact, I found that before she came to

Berkeley (I guess when she was in high school), she had been a member of an organization called the Young Pioneers, which was on the verboten list of the Attorney General as being communist dominated. By the time I know her, I didn't know anybody who still believed that the Soviet Union was the source of any sort of liberation (quite the contrary).

The AFL-CIO was of a different mind. They were fearful of McCarthyism, which would blacken them with a tar brush if they had anything to do with anybody who at any time in the past (no matter how distant) had ever been a card-carrying member of one of these verboten organizations. The reason why Norman Smith (all of a sudden) had the idea of sending me to Washington DC is that he was told to do so by his higher ups. Through some kind of system - I don't know how - they knew that I was seeing this young lady and hoped to make it impossible for me to continue seeing her. Since I didn't know that all of this was operating in the background, I got lonely in this boardinghouse (where I didn't know anybody) and I sent for my friend. We began sharing a room. Even at \$50 a week it was still a bargain.

The underground information system - however it worked - found out about this and after a very short period of time, maybe a couple of weeks at the most, I got a telegram from Norman Smith ordering me to report back to Stockton within 72 hours (or something like that). I moved swiftly and found another guy working in the AFL-CIO headquarters who had an old clunker of a car that he wanted to sell for \$180. I bought that clunker and started driving west with my friend and our belongings (which weren't very extensive; everything fit into this one car). We made it back to Stockton within 72 hours by driving about 12 hours every day, maybe more than that. I drove a lot. I don't know how I did it.

I don't know why Norman Smith never leveled with me. I think he personally was not proud of this paranoia on the part of his superiors because, in fact, McCarthyism had been discredited. It had its heyday back in the early 1950s for a couple of years but then McCarthy himself was expelled from the US Senate. In any case, I continued living in a fool's paradise and continued associating with this woman.

Then there was another turn in the road. In June of 1961, George Meany, the head of the whole show, decided that he had had enough of Smith's misadventures and he cut off any funding for AWOC. I suppose that he thought that it would shrivel and die on the vine. Nothing was said, apparently, about the dues that Smith had been collecting for a couple of years, mostly from unfortunates on skid row, many of which I had every reason to believe he himself was paying out of his own pocket. In any case, some money was being put into a trust fund. Smith was being allowed to use that up even though he wasn't getting anything over and above that from the national organization, which is what he had been doing for a couple of years.

Smith still took a certain liking to me so he said that he would keep me on. He would keep on his personal secretary to type up his letters and answer the telephone. I guess that he would continue paying a nominal rent on the building. I don't think that I've ever mentioned the accommodations that AWOC had. They were almost palatial by comparison with the operation as a whole. It was a beautiful 3 story brick building which had been the Labor Temple of the entire county of San Joaquin. For some reason the movers and shakers of that county organization decided that they would do better with something more modern on the outskirts

of town. This wasn't in the best part of town but it was a heck of a good building. It had been sitting vacant for some extended period of time when AWOC came into existence and I think that they rented it to AWOC for some nominal sum. Of course, AWOC had to pay insurance and taxes and utilities and so forth.

All of that was allowed to continue but without any staff. No organizing staff was left, but they hadn't been doing any very meaningful organizing anyway, so it opened up what I will call "the volunteer period." I don't know whether I want to begin with that because it is quite a departure from everything that has gone on before. I think it's unfortunate that David can't be here, so if it's all the same to you, we may end a little earlier than usual tonight.

**Eugene:** That's fine.