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Intellectuals and Public Life

BETWEEN RADICALISM AND REFORM

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Cornell University Press ITHACA AND LONDON

Memorial Library
University of Wisconsin - Madison
728 State Street
Madison, WI 53706-1494

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First published 1996 by Cornell University Press.

Library of Congress Cataloging-in-Publication Data

Intellectuals and public life / edited by Leon Fink, Stephen T. Leonard, Donald M. Reid.

p. cm.

Based on the work of an interdisciplinary graduate seminar sponsored by the Program in social theory and cross-cultural studies at the University of North Carolina.

Includes bibliographical references (p.) and index.

ISBN 0-8014-2794-0 (cloth : alk. paper)

1. Intellectuals—Political activity. 2. Intellectual life.

I. Fink, Leon, 1948– . II. Leonard, Stephen T., 1954–

III. Reid, Donald M.

HM213.I5456 1995

306.4'2—dc20

95-35620

Printed in the United States of America

⊗ The paper in this book meets the minimum requirements of the American National Standard for Information Sciences—Permanence of Paper for Printed Library Materials, ANSI Z39.48-1984.

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Expert Advice: Progressive Intellectuals and the Unraveling of Labor Reform, 1912–1915

Leon Fink

President Woodrow Wilson's appointment in 1912 of a federal commission to recommend solutions to "a state of industrial war" represented an unprecedented opportunity to address the nation's most serious domestic issue. Relying as it did on several of the era's leading public intellectuals, the Commission on Industrial Relations (CIR) implicitly tested the social influence of a larger labor reform community of academics, social investigators, and political activists as well as immediate chances for a progressive policy agenda on the labor question. "If they do their work with imagination and courage," Walter Lippmann predicted, "they will do more than any other group of people in this country to shape our history."¹ Volunteering his assistance, Wisconsin's legislative librarian, Charles McCarthy, saluted the project as "the greatest work ever undertaken in America."²

Yet within two years a fight between the CIR's chairman and its research staff effectively split the commission into feuding camps. Unable to reach a consensus in a final report, the commission squandered much of its goodwill as well as its budgetary appropriation. Though its final recommendations may well have been, as some observers have said, the most radical social wisdom ever to emanate from an official federal authority in American history, the militant rhetoric fell largely on deaf ears.³ Except for a few pieces of ameliorative legislation with tangential connec-

1. Quoted in Graham Adams Jr., *Age of Industrial Violence, 1910–15: The Activities and Findings of the United States Commission on Industrial Relations* (New York, 1966), 48, 50.

2. Charles McCarthy to W. J. Lauck, January 10, 1914, in Charles McCarthy Papers, University of Wisconsin, Madison (microfilm).

3. Adams, *Age of Industrial Violence*, 219–23.

tion to the commission's mission, little came of the "twenty-two months of investigation, hundreds of hours of well-publicized hearings, and thousands of pages of testimony."⁴ The commission generally received a brush-off from Congress, and at best served organized labor as a propaganda tool rather than as a serious strategic ally.⁵ Although the coming of World War I did indeed witness a dramatic increase in state labor regulation, the moment proved less a triumph of prewar reform fervor than an emergency measure to be jettisoned for its very coercive origins.⁶ But even before outside factors such as the war came into play, the commission's internal strife had muffled its message and blunted its impact. The head of the commission's women's research division, Marie L. Obenauer, experienced the internal upheaval as "painful and disheartening beyond description." John A. Fitch, editor of *Survey*, labeled the unraveling of the commission's promise "one of the saddest spectacles of this generation." With some justification, therefore, the journal of the National Association of Manufacturers fairly crowed, "We are not disappointed with the product of the Commission's labors: nothing constructive was expected of it and nothing constructive has been produced."⁷

What went wrong with the CIR? A full answer to the question would encompass the peculiar mechanics of American politics and state reform as a whole; the issues that concern us here are the role and behavior of the labor reformers themselves. In particular, the CIR exposed competing visions of the very function of intellectual activism: What purpose did social investigation serve? In what relation to government and "the people" did investigators stand? Such queries, inextricably caught up in the contemporary conflicts of policy and personality, in the end lay bare not only obstacles to industrial democracy but key dilemmas within the social history of American intellectuals.

CONCEIVED under President Taft, chartered by Congress, and staffed by appointments of President Wilson, the CIR was a direct response to a determined campaign by a coalition of reform-minded businessmen, so-

4. Eugene M. Tobin, *Organize or Perish: America's Independent Progressives, 1913–1933* (New York, 1986), 58.

5. Samuel Gompers to Frank Walsh, September 15, 1915, in Samuel Gompers Papers, University of Maryland (microfilm).

6. Barry D. Karl, *The Uneasy State: The United States from 1915 to 1945* (Chicago, 1983), 46–49.

7. Marie L. Obenauer to McCarthy, March 3, 1915, and John A. Fitch to McCarthy, March 22, 1915, both in Charles McCarthy Papers, State Historical Society of Wisconsin, Madison; Adams, *Age of Industrial Violence*, 219–23; Valerie Jean Conner, *The National War Labor Board: Stability, Social Justice, and the Voluntary State in World War I* (Chapel Hill, 1983), 14.

cial workers, academics, and religious leaders.⁸ Conviction of the McNamara brothers for the bombing of the building that housed the *Los Angeles Times* amidst a bitter struggle over the city's open-shop policies proved a final public spur to action. In the aftermath of a presidential campaign waged in a climate of growing dissatisfaction with laissez-faire economics (in which three candidates were identified with "progressivism" and the fourth with socialism), the political climate could hardly have been more conducive to industrial reform proposals. Finally, dissatisfaction with earlier commissioned research that legislators had all but ignored persuaded the new commission from early on not merely to collect information but to "be interpretative and remedial."⁹

From the beginning, the CIR assumed a determinedly didactic posture. Structured on the model of the corporatist National Civic Federation (with its nine members equally divided among business, labor and public representatives), the commission generally followed the lead of its chairman, the Kansas City attorney Frank P. Walsh, and its most distinguished public member, Professor John R. Commons of the University of Wisconsin.¹⁰ Appointment of these two well-known labor reformers consolidated support from both organized labor and the intellectual community. Even the ever-suspicious Samuel Gompers suspended his initial criticism of "intellectuals on a sociological slumming tour."¹¹

Superficially, the alliance of Chairman Walsh's political skills with Commons's scholarly expertise offered bright prospects for the commission's

8. For surveys of the CIR's work, see Adams, *Age of Industrial Violence*; James Weinstein, *The Corporate Ideal in the Liberal State*, 172-213 (Boston, 1968); Edward A. Fitzpatrick, *McCarthy of Wisconsin* (New York, 1944), 189-206; Marion Casey, *Charles McCarthy: Librarianship and Reform* (Chicago, 1981), 102-260; Mark Perlman, *Labor Union Theories in America: Background and Development* (Evanston, Ill., 1958), 279-301. Other useful references are found in autobiographical reminiscences, including John R. Commons, *Myself* (New York, 1934), 165-81; and Mrs. J. Borden Harriman, *From Pinafores to Politics* (New York, 1923), 131-75.

9. The best survey of earlier investigations of the labor question is Clarence E. Wunderlin Jr., *Visions of a New Industrial Order: Social Science and Labor Theory in America's Progressive Era* (New York, 1992); Adams, *Age of Industrial Violence*, 73. See also William Leiserson's advice to the CIR on learning from the mistakes of the 1902 U.S. Industrial Commission; Commission on Industrial Relations (CIR), *Final Report and Testimony*, 11 vols. (Washington, D.C., 1916), 1:344-57.

10. The nine commission members included three "public" representatives: Walsh, Commons, and Florence (Daisy) Hurst (Mrs. J. Borden) Harriman, a Democratic party stalwart with ties as well to the social work community; three labor representatives: Austin B. Garretson, president of the order of Railway Conductors; James O'Connell, vice president of the AFL and director of its Metal Trades Department; and John B. Lennon, treasurer of the AFL; and three business representatives: Frederic A. Delano, railroad owner; Harris Weinstock, department store owner and real estate developer, a liberal, from California; and Thurston Ballard, a Kentucky liquor baron.

11. Quoted in Adams, *Age of Industrial Violence*, 48.

effectiveness. Both the integrity of his convictions and his energy in pursuing them recommended Frank Walsh to many people in the reform community as the perfect captain for a radical-progressive assault on the battlements of industrial privilege. The journalist George Creel, for example, lionized him as "a great lawyer, a persuasive speaker, and the most authentic liberal I have known."¹² Selected after the legal scholar Louis Brandeis declined to serve, Walsh combined extensive labor contacts with impeccable radical reform convictions. A loyal Democrat, he had organized a social-workers-for-Wilson brigade in 1912; he also enjoyed a more personal connection to the White House through Margaret Wilson, the president's daughter, who cultivated a number of Progressive reformers.¹³ The one chink in Walsh's armor was perhaps a product of his very combativeness. When, in the spring of 1915, Creel jokingly addressed the CIR chairman as "Mr. Francis Poleon Walsh" and "Dear Polean the Greatest," many of Walsh's colleagues and erstwhile admirers were no longer smiling.¹⁴

Politically, Walsh exhibited a crusading populist spirit alongside a bare-knuckled realpolitik born of his Missouri background. Born in 1864 to a poor Irish-Catholic family in St. Louis, Walsh held a succession of laboring jobs before he taught himself law in 1889 and entered the rough-and-tumble world of Kansas City machine politics. The young George Creel (who himself had climbed from déclassé southern roots into a professional career) quickly lined up with Walsh, the brains behind the local anti-Pendergast political chieftain and chief reform strategist in corruption-ridden Missouri.¹⁵

Together Walsh, Creel, and a coterie of reform-minded writers and small businessmen articulated a self-styled antimonopoly politics resting on hostility to the corporations, radical tax doctrine, and generous social welfare spending. In the courtroom and out, Walsh attacked the corruption of the political parties, the railroad's influence over legislators and judges, and the shameful plight of the urban poor. A big, athletic man, with a booming voice and commanding courtroom presence, Walsh regularly dueled against James A. Reed, a loyalist of Tom Pendergast, and future U.S. senator, in cases across the state, including the successful

12. George Creel, quoted *ibid.*, 69.

13. Boyd Fisher, director of the New York City Efficiency Society, wrote "Uncle Frank" Walsh on September 18, 1913, that he had just stayed in the president's cottage in Vermont, where he had gone "horseback riding a good deal with Miss Margaret," and had written the president supporting Walsh's appointment to the CIR: Frank Walsh Papers, New York Public Library.

14. George Creel to Walsh, May 27, 1915, *ibid.*

15. Creel, *Rebel at Large: Recollections of Fifty Crowded Years* (New York, 1947), 48.

defense of Jesse James Jr. on charges of train robbery.¹⁶ Few persons selected for federal governmental responsibility had developed a less respectful attitude toward the trappings of office or the niceties of procedure than Walsh. When legal ambiguities arose in connection with the work of the pioneering Kansas City Board of Public Welfare, for example, Walsh responded with a chuckle, "To [hell] with the law. Let us go ahead and do it and we will take care of the law later."¹⁷ Creel characterized him as "an agitator outside," not "a plodding administrator inside."¹⁸

A self-styled champion of the underdog, Walsh displayed especially friendly relations with organized labor. Receiving early endorsement as CIR chair from Samuel Gompers, President of the AFL, and continuing cooperation from the commission's three moderate labor representatives, Walsh also quickly won over such radical figures as Big Bill Haywood and Eugene V. Debs and drew warm praise from Mother Jones. Perhaps Walsh's closest contact in labor circles was the militant and politically minded chief of Chicago's Federation of Labor, John Fitzpatrick, with whom he would collaborate for years to come.¹⁹

Walsh made no pretense of neutrality on the labor question. In correspondence with the editor of the *Christian Socialist* in 1915, he called himself a political independent, and "so far as social and economic effort is concerned . . . ready to go with any person or group traveling in the direction of human justice."²⁰ Awaiting congressional confirmation of the CIR panel in the summer of 1913, he listened sympathetically when his hometown friend L. A. Halbert advised that the commission seek to "give the people power over industry and not be hindered by the ancient fetish of the rights of private property." Though such a purpose could not be openly avowed, allowed Halbert, he urged Walsh to develop the "data to establish this position so that it can become the dominant ideal for all time."²¹ During the same period Walsh wrote Creel that "we will call our little meeting of 'conspirators' in New York early this Fall for the purpose

16. Adams, *Age of Industrial Violence*, 69–72. The young James was reportedly so impressed by his counsel's performance that he himself became a lawyer and "clean-government insurgent" (70).

17. A. Theodore Brown and Lyle W. Dorsett, *K. C.: A History of Kansas City, Missouri* (Boulder, Colo., 1978), 156–57.

18. Creel, *Rebel at Large*, 48.

19. Adams, *Age of Industrial Violence*, 57, 62; Walsh's only qualm about working with labor representatives on the CIR came when he reflected that the railway conductors' leader, Austin B. Garretson, represented "the most conservative labor organization of the country." See Walsh to Creel, September 3, 1913, in Frank Walsh Papers, New York Public Library. On the Creel-Fitzpatrick connection, I am indebted to Steven Sapolsky.

20. Quoted in Weinstein, *Corporate Ideal*, 186.

21. L. A. Halbert to Walsh [June–July 1913], in Frank Walsh Papers, New York Public Library.

of finding out exactly what we want and going after it." Already, reported Walsh, "this Commission has put me in touch with a number of people around the country of genuine radical views and undoubted sincerity . . . I will try to establish a sort of a quarters for [our] own people . . . [With] writers for some genuine work such as we could get together, there is no telling where we would stop."²²

Of all Walsh's early moves to set the CIR on a solid footing, none seemed more astute than his recruitment of the University of Wisconsin scholar John R. Commons as a fellow commissioner.²³ Not that the appointment was surprising. Indeed, an investigation of industrial life without a Madison imprimatur would have been more startling. Since the 1880s, the state university had championed the rhetoric of public service and aligned itself with the social gospel critique of free-market capitalism. The happy coincidence of La Follette progressivism and the social policy orientation of the university's president, Charles R. Van Hise (who was himself considered for the CIR chair), secured Madison's reputation in the early twentieth century as a laboratory for progressive legislative measures.²⁴ For nearly two decades, intellectual research, reform political strategy, and the drafting of legislative bills commingled as never before in American society.²⁵ Toward this end, Van Hise took no more important step than his acquiescence in the recruitment of the controversial labor economist John R. Commons in 1904. In addition to a distinguished reputation for social research, Commons by 1910 had inspired pioneering state legislation for civil service extension, an industrial commission, and workers' compensation. With an encyclopedic grasp of American labor history and experience on both the U.S. Industrial Commission of 1902—the last federal survey of industrial conditions before the CIR—and the path-breaking Pittsburgh Survey of 1907–9, Commons was recognized as the nation's leading authority on the problems of industrial society by the time the CIR was created. Walsh's promise to Commons "to rely heavily on such experts as you" symbolically paid tribute to (and in turn won support from) the entire sector of contemporary social service and social science professionals.²⁶ In concrete terms, Walsh

22. Walsh to Creel, September 3, 1913, *ibid.*

23. Commons clearly shared the general enthusiasm for Walsh apparent in the progressive community. The professor's college-aged son, for example, chose to feature a portrait of Walsh for a magazine-writing class based on "what I've read and heard from Dad and others": John Alvin Commons to Frank Walsh, March 10, 1914, *ibid.*

24. Adams, *Age of Industrial Violence*, 56.

25. John P. Henderson, "Political Economy and the Service of the State: The University of Wisconsin," in *Breaking the Academic Mould: Economists and American Higher Learning in the Nineteenth Century*, ed. William J. Barber (Middletown, Conn., 1988), 318–39.

26. On the USIC see Wunderlin, *Visions of a New Industrial Order*, 27–45; see also John F. McClaymer, "The Pittsburgh Survey, 1907–1914: Forging on Ideology in the Steel

looked to Commons to organize the commission's research work, while the chairman himself concentrated on the public hearings.

Much as it was in the world of scholarship, Commons's influence on the CIR was ultimately secured through the efforts of his students, broadly defined. His direct role was limited from the outset by an obligation to return to teaching after a two-year leave to work with the Wisconsin Industrial Commission. With only his summers available for full-time focus on the project, Commons relied on a research team composed of brilliant young students, former students, and intellectual acquaintances.²⁷ The early months of investigation, however, proceeded slowly. With little coordination between hearings and research and a lack of clear goals, the thirty-four-year-old economist W. Jett Lauck struggled to coordinate work on a disparate set of topics, ranging from coercion in company towns to the legal framework for collective bargaining to working women's welfare.²⁸ Only when Charles McCarthy answered an urgent call from Commons and Walsh to assume direction of research in June 1914 did the investigatory process really snap into shape.²⁹

Charles McCarthy was already a skillful and renowned professional policy maker when he joined the CIR. Having transformed the Wisconsin Legislative Library from a mere hole in the wall into the country's first research and bill-drafting service, he had played an integral part in the progressive transformation of Wisconsin's government. Indeed, McCarthy himself popularized the state's reform legacy in *The Wisconsin Idea*—a virtual ode to the marriage of democratic idealism and administrative efficiency, commissioned by Theodore Roosevelt to aid the Progressive cause in 1912. Preoccupied with political matters in Madison, McCarthy initially fended off appeals to act in any more than a consultant role to the CIR. When he finally accepted Chairman Walsh's plea for help, however, McCarthy entered the scene with the confidence of one used to reorganizing things. Among his first communications to Walsh was a gentle chiding of the chairman for being "altogether too good-natured—you allow everybody to impose themselves upon you . . . You can't even get through your mail without interruption."³⁰

District," *Pennsylvania History* 41 (1974): 168–86. On the progressive reform community and the commission, see Adams, *Age of Industrial Violence*, 46, 52, 58.

27. Commons, *Myself*, 166–67. Besides Charles McCarthy, Wisconsin students associated with the commission included F. H. Bird, Carl Hookstadt, William L. Leiserson, Selig Perlman, David J. Saposs, Sumner Slichter, Helen Sumner, and G. L. Sprague. Clara Richards and two other librarians from the Wisconsin Legislative Reference Library would assume similar duties for the federal commission.

28. Lauck, who turned thirty in 1910, had directed industrial investigations for the U.S. Immigration Commission, 1907–10.

29. Adams, *Age of Industrial Violence*, 205–6.

30. McCarthy to Sir Horace Plunkett, February 27, 1913, and McCarthy to Walsh, March 3, 1914, both in Charles McCarthy Papers, State Historical Society of Wisconsin, Madison.

Although McCarthy, like Walsh, emerged from a poor Irish working-class background—his father was a factory worker and his mother kept a boardinghouse in Brockton, Massachusetts—his ascent traversed a different geographic and educational plane and engendered a different approach to government and politics. Accepted as a special student at Brown University after following the theater circuit as a stagehand to Providence, Rhode Island, McCarthy flourished under the tutelage of the Brahmin historian John Franklin Jameson. As physically daring as he was intellectually ambitious, the wiry young McCarthy also excelled at football; he was nominated for all-American teams and was the first Brown man to score against both Harvard and Yale. His notoriety on campus was sealed in the special friendship that developed between the shoemaker's son and John D. Rockefeller Jr., his classmate and the assistant football team manager.³¹

Even collegiate fame, however, did not separate McCarthy from the burden of his humble social roots. Unlike most of his Brown classmates, McCarthy worked his way through college; indeed, in order to graduate, he required special faculty dispensation for coursework missed while working. After graduation, McCarthy coached football at the University of Georgia for two years, supplementing his income with research on southern history for Professor Jameson. Finally, he was able to enter graduate school at the University of Wisconsin, where he was attracted by both the reputation of the history department and the reform thought of the economist Richard T. Ely. McCarthy took his Ph.D. in history, economics, and political science in 1901, writing a prize-winning thesis under Frederick Jackson Turner on the Anti-Masonic Party.³² Even with solid intellectual credentials, however, he fell short of full academic qualifications. Rough of speech, awkward in personal style and dress, and, most important, unmistakably Irish, McCarthy was apparently judged a poor social risk for a university position by both Turner and his old friend Jameson. Fortunately for McCarthy, a position as chief documents clerk for the state's Free Library Commission opened shortly after his graduation, and Turner pushed McCarthy into it with enthusiasm and relief. Professional placement coincided with personal commitment when McCarthy married his landlady's daughter, a schoolteacher of German-Protestant background.³³

McCarthy's odyssey of hard work and modest upward social mobility equipped him at once with a thirst for cultural refinement and an abiding sympathy for those who had not enjoyed his own good fortune. Once in

31. McCarthy to Plunkett, February 27, 1913, *ibid.*; Casey, *Charles McCarthy*, 10.

32. Fitzpatrick, *McCarthy of Wisconsin*, 23–25.

33. Casey, *Charles McCarthy*, 21–23.

Madison, he displayed a fierce idealism about social service and social justice. Even while doggedly pursuing his dissertation travels in various eastern cities, for example, he regularly wrote his wife, Lucile, of the hardships of the working people he saw around him: "The electric went by the docks and I could see the sailors at work, the stevedores hauling and tugging, could hear loud orders, curses and all the hum and rattle and roar of business . . . What a loafer I am! What an easy time we have compared to them!" Journeying through Pennsylvania, he contrasted the "crashing of modern machinery" to the "thousands of creatures ground down and brutalized in all this."³⁴ McCarthy would later recall his early sense of mission: "I had an idea in my head that there was somebody needed between the great mass of workers and the educated people and I tried in every way to prepare myself to be that somebody if I could."³⁵

Rather than a populist agitator like Walsh, however, the educated McCarthy emerged as a skillful technician of the machinery of government. In what one contemporary called "the accidental meeting of an opportunity and a shrewd Irish intellect," McCarthy had almost single-handedly developed the prototype for state legislative reference services. Self-consciously drawing on the examples of such earlier British reformers as Francis Place, who developed an influential private library of political tracts, and Jeremy Bentham, who insisted on a practical test for all reform ideas, the young McCarthy simultaneously answered contemporary demands for efficiency in government and growing calls for ameliorative legislation. McCarthy became a particularly valuable accomplice for activist Wisconsin governors, especially during the administrations of two progressive sons of the university, Robert La Follette (1900–1906) and Francis McGovern (1910–14). McCarthy also made a mark in national political circles, violating his declared nonpartisanship in the heady reform climate of 1912. Courted by both Wilson and Theodore Roosevelt after La Follette's candidacy suffered irreparable setback, McCarthy joined the platform committee at the Bull Moose convention and co-authored the famous antitrust plank, whose excision by conservatives from the published platform ultimately dampened Roosevelt's independent appeal.³⁶

34. *Ibid.*, 18–19.

35. Quoted in Fitzpatrick, *McCarthy of Wisconsin*, 7.

36. Casey, *Charles McCarthy*, 30, 90–95. One contemporary account estimated that more than 90 percent of Wisconsin state legislative acts from 1901 to 1921 were composed in McCarthy's "bill factory": *ibid.*, 38. The host of measures that McCarthy christened "the Wisconsin idea" encompassed direct primaries for all state offices, establishment of state railroad and civil service commissions, creation of an extension division of the university, and then, in a tide of legislation in 1911, passage of workers' compensation, an industrial commission pioneering in health and safety regulation, protective regulations for child and female workers, continuation schools for workers on the European model, and finally, creation of a state board of public affairs with a planning capacity for a continuing reform

McCarthy's "radical progressivism," two terms he comfortably applied to his own thinking, differed in one important respect from Walsh's labor populism. On top of traditional democratic egalitarianism the "Wisconsin idea" heaped a new social welfare statism. Thus, while the Wisconsin program continued to depend for its rationale on antimonopolism—"unequal conditions of contract" over the necessities of life and industry, the swamping of individual capacity and initiative by "predatory wealth"—the remedy, suggested McCarthy, was "not so simple."³⁷ The "Wisconsin idea" required less an understanding of workers and farmers under capitalism (whose universal plight was assumed) than an appreciation of the experience and insight of a remarkable group of university-based reformers. The arrival of Richard T. Ely, in particular, who had studied in Germany before finishing his graduate work at Johns Hopkins, brought the "inspiration of New Germany" back to "the German university of the German state of Wisconsin." This institutional connection, combined with the social impact of a depression, facilitated a successful transcendence of liberal individualism and classical political economy.³⁸

Though naive (if not a trifle racist) in its comparative sociology, McCarthy's Teutonic idealism served a rather shrewd set of observations about American society.³⁹ As determined reformers had discovered since the Gilded Age, neither the legislature nor the courts could be looked to as effective instruments of social welfare in the United States. Like other

agenda. See Robert S. Maxwell, *La Follette and the Rise of the Progressives in Wisconsin* (Madison, 1956), 74–86, 153–72.

37. Charles McCarthy, *The Wisconsin Idea* (New York, 1912), 1–4.

38. Ely "saw an empire being fashioned by men regarded in his own country as merely theorists; he realized that these Germans were more than mere theorists; that they were laying the foundations for a great insurance system; that they foresaw the commercial prosperity of the country built upon the happiness, education and well-being of the human units of the empire; that order, intelligence, care and thought could be exercised by the state": *ibid.*, 27–28. For a more complex explanation of the subject, see David P. Thelen, *The New Citizenship: Origins of Progressivism in Wisconsin, 1885–1900* (Columbia, Mo., 1972); on the "free translation" of German social science ideas to American shores, see Jurgen Herbst, *The German Historical School in American Scholarship: A Study in the Transfer of Culture* (Ithaca, 1965), esp. 129–59; on the discrepancies between actual developments in German academic culture and American perceptions of them, see Konrad Jarausch, "The Universities: An American View," in *Another Germany: A Reconsideration of the Imperial Era*, ed. Jack R. Dukes and Joachim Remak (Boulder, Colo., 1988), 181–206.

39. McCarthy's idolization of Prussian developments appeared to rest on a combination of Bismarck's three-pronged social legislation of the 1880s (sickness insurance, accident insurance, and old-age pensions) and the fact that such measures appeared to defer in part to the agitation of the academic *Kathedersozialisten* ("socialists of the chair") around Gustav Schmoller and the Verein für Sozialpolitik. For a more skeptical view of German social welfare legislation, see J. Tampke, "Bismarck's Social Legislation: A Genuine Breakthrough?" in *The Emergence of the Welfare State in Britain and Germany, 1850–1950*, ed. W. J. Mommsen (London, 1981), 71–83.

Progressives, McCarthy placed ultimate blame on a patronage-based political system: "Good administration is impossible unless combined with ordinary business methods and the latter are not compatible with the policy 'to the victors belong the spoils.'"⁴⁰ Nor had "nonpolitical" courts helped matters. By narrowing the constitutionality of both regulatory and welfare measures and by granting a rule by injunction in industrial relations, the judiciary had proved even more insensitive to the condition of the "man in the street."⁴¹

What was missing from the public sphere was the continuity—and flexibility—of dispassionate administrative authority. "Good laws," declared McCarthy, "are ineffective unless accompanied by good administration." In the circumstances, the "German model" heralded an alternate path to social democratic initiatives via administrative action. Lacking a reliable civil service structure, Wisconsin reformers led by John R. Commons had developed the public commission as an alternative administrative apparatus.⁴² McCarthy was not unaware of the paradox of a philosophical radical defending a system of government by appointment. "It may seem strange," he allowed, "that the system of appointive offices meets with so much approval in a state where there is such confidence in democracy and where the direct primary election is in favor."⁴³ McCarthy nevertheless expressed confidence that a vigilant public could at once take full advantage of highly trained government "experts" and at the same time hold them to democratic accountability.⁴⁴

Selectively invoking the contributions of diverse social architects—Bis-

40. McCarthy, *Wisconsin Idea*, 174. Cf. the remarkable similarity of McCarthy's reasoning with that of Ann Shola Orloff and Theda Skocpol, "Why Not Equal Protection? Explaining the Politics of Public Social Spending in Britain, 1900–1911, and the United States, 1880s–1920," *American Sociological Review* 49 (December 1984): 726–50. Cf. also Edwin Amenta et al., "The Political Origins of Unemployment Insurance in Five American States," *Studies in American Political Development* 2 (1987): 137–82.

41. McCarthy, *Wisconsin Idea*, 2–4.

42. The uniqueness of the Wisconsin idea, McCarthy emphasized, lay in the "idea of introducing experts into the administration of the law": McCarthy to Milton A. Miller, February 19, 1914, in Charles McCarthy Papers, State Historical Society of Wisconsin, Madison. In a tribute to Commons years later, David J. Saposs, who also worked on the CIR as a young graduate student, argued that Commons served government "not only as a technician. His conception of the tri-partite bodies, like the Wisconsin Industrial Commission, introduced a revolutionary means of administering laws concerned with intricate social and economic problems": "The Wisconsin Heritage and the Study of Labor: Works and Deeds of John R. Commons" (unpublished manuscript, 1960), in David J. Saposs Papers, State Historical Society of Wisconsin, Madison.

43. McCarthy, *Wisconsin Idea*, 172. Two years later, again advocating federal commissions before the CIR, McCarthy reemphasized, "I am not talking against democracy; I am talking for democracy": CIR, *Final Report and Testimony*, 1:381.

44. McCarthy, *Wisconsin Idea*, 190–93. McCarthy thus favorably compared commission regulatory authority to the jurisdiction of ordinary courts: "You can't control the ordinary

marck, the civil service, radical intellectuals, the socialists—McCarthy turned "Germany" (and occasionally other countries as well) into a veritable cafeteria for American progressive measures. "Shall we always hear the returning travellers' tale of the improvements throughout the entire world with a provincial and smug spirit and be foolish enough to believe that we can learn nothing, while right in our midst are problems which have confronted every nation at some time in its history?" Adopting the *via media* arguments of his European social democratic contemporaries, McCarthy sought to preempt an ideological rebuff: "Shall we always be deceived by the cry of 'Socialism' whenever it is necessary to use the state to a greater degree than formerly? When it comes to the attainment of any reasonable legislation for the true betterment of human beings, the only way to beat the Socialists 'is to beat them to it.'"⁴⁵

His whole educational-professional experience imbued McCarthy with an infectious enthusiasm about the possibilities of rational reform action. Called in the first batch of expert witnesses in late December 1913 to advise the CIR, McCarthy spoke with utter confidence and perhaps a touch of insolence about extending the Wisconsin experiment to the national level: "We had this situation in Wisconsin: They had that reform movement in the state, headed by Mr. La Follette. It was a question of what should be done, just the thing that you people are up against, and a question of how they could do it, and we hit upon a way of working that thing, which might be useful to you here." Essentially, McCarthy's proposed method—one that he would soon be in a position to act upon—amounted to a national commission of applied brainstorming.⁴⁶

McCarthy and his Wisconsin-trained staff exemplified what Commons had called "utilitarian idealism," a social-democratic faith that "constructive research" might lead to the "gradual reconstruction of society."⁴⁷ Dedication to the exacting standards of social investigation, they were convinced, went hand in hand with radical social change. In private communications they regularly referred to themselves as "radicals" penetrating critics of the social order, yet equally saw themselves as professionally respectable "experts."⁴⁸

courts; you can control the commission courts, you can control the appointment of its members, you can provide for a recall of the commission by a vote of Congress, you can bring them before Congress, and in general you can do a hundred things with them that you can't do with the courts": McCarthy to Joseph Davies, December 11, 1913, in Charles McCarthy Papers, State Historical Society of Wisconsin, Madison.

45. McCarthy, *Wisconsin Idea*, 298, 300. See also James T. Kloppenberg, *Uncertain Victory: Social Democracy and Progressivism in European and American Thought, 1870–1920* (New York, 1986), 145–286.

46. CIR, *Final Report and Testimony*, 1: 379–80, 382.

47. See Commons's essays "Utilitarian Idealism" (1909) and "Constructive Research" (1907), in his *Labor and Administration* (New York, 1923), 1–13.

48. See, e.g., Helen L. Sumner to Commons, January 19, 1905, and May 20, 1914, in John R. Commons Papers, State Historical Society of Wisconsin, Madison.

Tensions between the philosophic radicalism and pragmatic reform practice of this group of labor investigators were neatly registered in the views of William Morris Leiserson. Deputy director of the Wisconsin Industrial Commission and barely thirty years old when he was summoned to the CIR as assistant research director under McCarthy, Leiserson still managed to inhabit both the idealistic world of his radical socialist youth and a more technocratic province of government administration that would define his future career. A Jewish immigrant from Estonia, Leiserson arrived in Madison in 1905 as a revolutionary socialist, but quickly tempered his views under the influence of undergraduate teachers such as Commons as well as the Milwaukee municipal socialists Victor Berger and Daniel Hoan, to whom he quickly gravitated. Even after graduation, however, Leiserson and fellow Commons students such as Ira B. Cross and David J. Saposs maintained contact with the local Socialist club. As late as 1912, Leiserson was in indirect negotiation with Friedrich Sorge about the proper translation of Marx on Henry George, and as late as 1915 he was still writing articles for the Socialist Milwaukee *Leader*.⁴⁹

Something of the division in Leiserson's soul was apparent in his first contact with the CIR. Summoned as a witness before joining the staff himself, Leiserson, in good Wisconsin fashion, first urged the panel not to get bogged down in the general problem of unemployment but to focus on getting "something done right now." Proposing a national chain of public employment offices, Leiserson momentarily allowed that the idea "may look like dealing with palliatives that are not getting at the fundamental thing." When the labor commissioner James O'Connell pursued the issue, asking for the underlying remedy for unemployment, a revealing exchange took place:

Mr. Leiserson. If you want to know how to remedy that proposition, I may state, that, for example, all industries in the country ought to be owned by the Government, and everybody ought to get a month's vacation the way I do . . . That is the fundamental remedy in my opinion. If you recommended that, where would you get? You would get nowhere.

Commissioner Delano. We would get it in the neck.

Mr. Leiserson. Yes; that is why I say you have got to get down to the practical proposition of what you can do now . . .

49. J. Michael Eisner, *William Morris Leiserson: A Biography* (Madison, 1967), 9–10; Saposs to Leiserson, October 17, 1915, and Carl D. Thompson to Leiserson, December 28, 1912, both in William Morris Leiserson Papers, State Historical Society of Wisconsin, Madison.

Commissioner Lennon. If you would come in every day we would all be Socialists, the first thing you know.

Mr. Leiserson. Well, I would not object.⁵⁰

If the young Leiserson was more cavalier than most in revealing his ultimate political sympathies, his basic outlook—that is, deep-seated social democratic commitments combined with an eye for detailed and defensible policy initiatives—fitted the Wisconsin pattern. Together, McCarthy and Leiserson clearly believed they were riding a radical reform juggernaut. The adrenalin fairly flowed between them in early December 1914, for example, when McCarthy described a sleepless night from which he had profited by rereading Beatrice and Sidney Webb on the rise of British new unionism of the 1880s.⁵¹ Convinced that if they sized up their situation properly, the pace of social progress in the United States might truly match that of Europe, the CIR directors inspired a young and ill-paid staff with a spirit of happy sacrifice.

It was not long before national versions of the Wisconsin strategy—striking social initiatives veiled by their very administrative machinery—were emanating from the research wing of the commission. Perhaps McCarthy's most far-reaching proposal was one calling for a federal industrial council, a body modeled on Wisconsin's industrial commission but considerably expanded in scope. Through the industrial commission form (justified by the welfare clause of the Constitution) reformers could achieve "what we have so often talked about in the past—the expansion of the constitution." Generated in discussions with Commons, who for years had conceived of various such plans, the idea was ultimately concretized in a bill drafted by a young commission staffer, Selig Perlman, "to bring about an approximate equality in the bargaining power of labor and capital in unorganized industries." Proposing state intervention on a scale far more massive than even later New Deal reformers ever contemplated, Perlman's plan offered basic protection for labor's right to organize and strike with an extensive list of unfair labor practices. It further stipulated that an industry in any locality which remained unorganized

50. CIR, *Final Report and Testimony*, 1: 345–47.

51. McCarthy, via the Webbs, saw the role of intellectual leadership in England as follows: "Here you have the federation [Trades Union Congress] becoming somewhat exclusive; the unorganized getting disgruntled; the old program discredited; then you have the coming in of the Socialists with a new program led by [John] Burns and Tom Mann. With this new program they sweep everything before them. They even . . . organized the unorganized and the result is the great dockers' strike. It seems to be more absorbing and have a new meaning now . . . I think we will miss a great deal in our view point if we do not look to the history of the trade unionism in England": McCarthy to Leiserson, December 16, 1914, in Charles McCarthy Papers, State Historical Society of Wisconsin, Madison.

six months after passage of the act constituted "prima facie evidence that employers have prevented organization" and authorized the council to "step in and fix the conditions of employment, viz: wages, hours, etc. subject to review by the courts."⁵²

A sense of complementarity initially bound Walsh and McCarthy in harmony within the life of the commission. McCarthy enjoyed a relatively free hand on the research end of things, while the chairman viewed his role as conducting less a legislative research bureau than a trial before "the great jury of the American public." In dramatic and well-publicized forays across the country, the commissioners bore striking witness to the rawest scenes of industrial warfare—the attack on the Wobblies in Paterson, New Jersey; threats to the Protocol of Peace in the New York garment industry; the crushing of the shop crafts' federation on the Illinois Central Railroad; the routing of the Fulton Bag Mill employees in Atlanta; and, most dramatic, the Ludlow Massacre, which obliterated the coal miners' strike against the Rockefeller-owned Colorado Fuel and Iron Company. Altogether, the Walsh-led commission provided a continuous, blistering exposé of industrial tyranny in the United States.⁵³ With public advocacy his main mission, Walsh tended to look on McCarthy's research and bill-drafting responsibilities as "technical matters," a matter of "tying up" administrative ends. Still, for months he willingly deferred to the Wisconsin-led brain trust in order to surround his own convictions with the force of "scientific" legitimacy and, ultimately, added political weight. He seemed generally impressed by McCarthy's political brainstorming, such as his proposal to use the tariff laws to enforce fair labor standards on "protected" industries—"like everything else you present to me it looks good." Similarly enthusiastic about an idea to investigate the "gun men" (or private police forces) employed in industrial disputes, Walsh specified that the investigators be drawn "from among your students at Madison . . . I don't believe I would entrust it to anybody in the U.S. except yourself." His own result-oriented thinking led McCarthy, naturally, to invert the chairman's priorities; recurrently he tried to subordinate, or at least coordinate, hearings with less flashy investigations of his research staff. Yet, however peripheral he found public hearings to the concrete work of bill drafting, McCarthy also recognized their educational value, particularly under the direction of such a skillful public advo-

52. McCarthy to Walsh, "Suggestions for the Federal Industrial Relations Commission," January 1914 and February 14, 1914; McCarthy to Judson King, June 8, 1914, all *ibid.*, Selig Perlman proposal, n.d., in U. S. Department of Labor, CIR administrative file, RG 174, Box 2.

53. Adams, *Age of Industrial Violence*, offers a compelling account of the CIR's findings.

cate as Walsh, whom McCarthy respectfully described as "a Wendell Phillips type, essentially an agitator."⁵⁴

Outside pressure first drew their contrasting styles and skills into conflict. A rump group of largely southern, conservative congressmen who had sought to sabotage the investigation from the start forced Walsh to return intermittently to Congress for necessary appropriations.⁵⁵ As early as the summer of 1914, uncertainty of funding was producing occasional backbiting between the administratively lax and cavalier Walsh and the scrupulous and efficient McCarthy.⁵⁶ Walsh regularly waved off McCarthy's attempts to impose a stringent timetable on the project. "You have always worried too much about the finances of this Commission," Walsh insisted after McCarthy complained of dwindling funds in December 1914. "I feel almost as though I could do all I care to do without any financing from a public source. You stick to me . . . and we will come out all right."⁵⁷ But the resources were simply not sufficient to sustain such a liberal managerial approach. Proceeding unchecked on all fronts, the commission hit dire straits by February 1915. Finally forced to reckon with fiscal reality (and fearing denial of a last request from Congress), Walsh, at a Chicago meeting on February 28, ignored McCarthy's advice and ordered draconian cuts in the research budget, including wholesale staff layoffs. When McCarthy strenuously objected, Walsh effectively relieved his chief lieutenant of command.⁵⁸

54. Walsh to McCarthy, June 5, 1914; McCarthy to Walsh, August 11, 1914; Walsh to McCarthy, August 20 and July 13, 1914; McCarthy to John S. Murdock, January 14, 1915, all in Charles McCarthy Papers, State Historical Society of Wisconsin, Madison.

55. On the commission's financial woes, see Adams, *Age of Industrial Violence*, 206–9; Casey, *Charles McCarthy*, 112. An initial CIR appropriation for \$100,000 first became available in October 1913 for the fiscal year ending in July 1914. An additional "deficiency" appropriation of \$50,000 was secured in March 1914. With only \$200,000 appropriated for 1914–15 (\$50,000 less than McCarthy calculated as minimally necessary), by February 1915 the commission was literally running out of money. In March Congress appropriated an additional and final \$100,000. In a letter to Commons dated March 1, 1915, McCarthy recounted his experience of the budget nightmare: "When I came on last July, I could get no budget until October and then did not get a budget rightly itemized or an account of the expenditures rightly itemized. I was told repeatedly by Walsh not to worry about the money and Mr. L. K. Brown told me that Walsh did not want to let me have the budget. Finally, when I got the budget or some idea of it, I found we were going in the hole completely": Fitzpatrick, *McCarthy of Wisconsin*, 195–96.

56. Almost from the day of his arrival at the commission, McCarthy called (in vain) for suspension of the hearings on grounds of efficiency and financial exigency: "Cannot the Commissioners themselves be of more service working at some specific work than to be sitting up there all day listening to these speeches?": McCarthy to Walsh, June 22, 1914, in Charles McCarthy Papers, State Historical Society of Wisconsin, Madison.

57. Walsh to McCarthy, December 23, 1914, *ibid.*; Adams, *Age of Industrial Violence*, 208.

58. Adams, *Age of Industrial Violence*, 209; minutes of CIR Meeting, February 28, 1915, in Charles McCarthy Papers, State Historical Society of Wisconsin, Madison.

While the money question touched the raw nerve of the chairman's authority, a more insidious issue had already alienated Walsh from McCarthy before their public confrontation. A most unexpected conflict had arisen during the investigation of the Rockefeller interests in Colorado. The work of the CIR had coincided roughly with the escalation of one of the nation's most violent industrial disputes, the coal miners' strike against the Rockefeller-controlled Colorado Fuel and Iron Company (CFI) in southern Colorado. Beginning in September 1913, the strike pitted some 10,000 ethnically diverse workers' families against a virtual industrial barony. Owning the lands and homes of their laborers, controlling courts and county government, paying wages in scrip valid only in company stores, contributing to a mine death rate twice as high as that of any other state in the nation, and enforcing its rule with a heavily armed private police force, the CFI was a catalog of horrors of unregulated capitalist power. National Guard troops, initially ordered in by Governor Elias M. Ammons in late October as a strictly neutral force to quell growing skirmishes between strikers and company police, in the end only added to the company's muscle power. Billeted on company property, supplied through the company store, and freed from earlier restrictions by an intimidated governor, militia officers openly protected strikebreakers. Tragedy followed on April 20, 1914, when a machine-gun attack on the strikers' tent colony at Ludlow engulfed the entire encampment in flames. Among the fifty-three persons killed in the on-slaught were two women and eleven children, who had suffocated in a dug-out tent cellar. Widespread unrest followed the "Ludlow Massacre" until the U.S. Army intervened on April 28, ending the violence and effectively crushing the strike. Walsh's good friend George Creel, who was covering the Colorado story at the time, immediately fingered the Rockefellers as "traitors to the people" and "accessories to the murder of babes." While the CIR assembled an impromptu hearing (and the Congress established a separate mediation panel), Frank Walsh determined to go after the "system" that could produce a Ludlow.⁵⁹

For Walsh, like Creel, that system was embodied in John D. Rockefeller Jr. More than any other witness before the CIR, Rockefeller received the full force of Walsh's prosecutorial passion. Outfoxed by his subject's well-coached and evasive encounter with the commission in January 1915, Walsh pursued him again in a furious, unrelenting examination the following May.⁶⁰ His exposé of Rockefeller's complicity in the CFI's

59. Adams, *Age of Industrial Violence*, 146–61, 175; Creel, *Rebel at Large*, 128.

60. Peter and David Horowitz, *The Rockefellers: An American Dynasty* (New York, 1976), 122–23. Rockefeller, who received expert guidance from the Canadian labor reformer Mackenzie King before his initial appearance, disarmed many listeners with a declaration of good intentions: he accepted unions in principle, and allowed that "combinations of capital

elaborate and unbending antiunion campaign (utterly contradicting Rockefeller's own carefully constructed alibi of ignorance and distance from the affair) constituted for Walsh a glorious final chapter of the commission's work, dramatic proof of the populist argument that a democracy could not allow economic power to fall into too few hands.

From the beginning Walsh and the CIR staff saw the "evil" of Rockefeller power not only in its ramifications at the workplace but also in its impact on basic democratic process. For this reason, they extended considerable effort to document the direct corruption of public officials and other, more insidious forms of corporate influence-buying, including the dismissal from the state university of an outspoken anti-Rockefeller law professor.⁶¹ Rockefeller's hiring of Ivy L. Lee, former journalist and public relations pioneer, as corporate publicity director after the massacre also came in for close scrutiny. Grilled on two extended occasions, Lee seemed to arouse special ire among the commissioners (as well as the larger progressive community), in part because he so brazenly manipulated the facts, in part, perhaps, because he employed his intellectual skills on behalf of the archvillains of the reformers themselves. Upton Sinclair, for example, rechristened him "Poison Ivy"; Carl Sandburg judged him to be "below the level of the hired gunman and slugger."⁶²

are sometimes conducted in an unworthy manner, contrary to law and in disregard of the interest both of labor and the public." In short, according to Rockefeller, if things had gone wrong in Colorado, the problem lay in administration further down the corporate ladder. To the correspondent Walter Lippmann, Rockefeller thus emerged in his testimony as a "weak despot governed by a private bureaucracy which he is unable to lead . . . I should not believe that the inhumanity of Colorado is something he had conceived . . . there seemed to be nothing but a young man having a lot of trouble, very much harassed and very well-meaning": "Mr. Rockefeller on the Stand," *New Republic* 1 (January 30, 1915): 12–13. Even Mary "Mother" Jones was inclined to look kindly on Rockefeller the man after his testimony. See H. M. Gitelman, *Legacy of the Ludlow Massacre: A Chapter in American Industrial Relations* (Philadelphia, 1988), 75–77. Carl Sandburg, in contrast, offered the orthodox left-labor view of Rockefeller: "The Two Mr. Rockefellers—and Mr. Walsh," *International Socialist Review* 16 (July 1915): 18–24.

61. For the case of Professor James H. Brewster of the University of Colorado, see Walter P. Metzger, ed., *Professors on Guard: The first AAUP Investigations* (New York, 1977), 47–120. On Rockefeller money ties to the state's universities, see Collier and Horowitz, *The Rockefellers*, 125.

62. On corporate subversion of democratic government, see CIR, *Final Report and Testimony*, 1: 58, 78–79, 84. As part of the CFI's damage-control machinery, Lee had circulated a statement from Colorado's Law and Order League "to the effect that the death of the two women and eleven children had occurred because of their carelessness in overturning a stove in the tent, rather than because of the militia's gunfire." Sinclair and Sandburg are quoted in Collier and Horowitz, *The Rockefellers*, 119. For Lee's CIR testimony, see *Final Report and Testimony*, 8: 7897–916; 9: 8715–30, 8849–63. Lee transcended his temporary notoriety to build a whirlwind career, counting not only Standard Oil but American Tobacco and General Mills as clients, creating for the latter the immortal Betty Crocker persona and the "Breakfast of Champions" slogan for Wheaties. The life of this millionaire consultant

But it was the outwardly most benevolent of the Rockefeller "cultural" projects that most intrigued the commission, especially Walsh and McCarthy. W. L. Mackenzie King, the former Canadian minister of labor, had accepted a contract just after the massacre to undertake a "far-reaching study of industrial problems" for the Rockefeller Foundation. A new industrial relations department of the foundation, which had previously shied away from controversial social questions, was created for the occasion. Despite the general philosophical mandate for the project, King was rushed to Colorado to devise a grievance system (later unveiled as the famous "Colorado Plan" of company unionism) in lieu of collective bargaining. Although Rockefeller himself ultimately drew public praise (and even, indirectly, a kind of presidential pardon) for his industrial penance, King and the foundation's industrial relations department did not so easily pass muster before the CIR.⁶³

It was McCarthy himself, it appears, who first suggested to a receptive Walsh that the commission use the King investigation to open a general inquiry into the roles of private foundations in matters of education and social research.⁶⁴ As a zealous and idealistic advocate of public education, McCarthy had for some time entertained doubts about the growing role of private philanthropies in educational matters, opposing on principle, for example, even the much-celebrated Carnegie pension program for university professors. Unless philanthropists such as Carnegie and Rockefeller presented their gifts in one great bundle, no strings attached, McCarthy worried, they would come to exercise undue influence over supposedly democratic bodies. He thus coached Walsh in October 1914 that "the world will . . . and should distrust" the great foundations. As an alternative to the foundations, McCarthy endorsed an idea popular among Madison reformers—a national research body, perhaps even a "national university," as advocated by President Van Hise.⁶⁵

Frank Walsh required little encouragement to take on the foundations.

ended in infamy, however. In 1934, already afflicted with brain cancer, he was exposed before the Special House Committee on Un-American Activities for his alleged role in protecting the image of the German petrochemical firm I. G. Farben (which had entered into a cartel with Standard Oil of New Jersey) and the Third Reich. See Collier and Horowitz, *The Rockefellers*, 118, 225–26.

63. CIR, *Final Report and Testimony*, 9: 9784–85. King's recruitment to the foundation and his subsequent extended influence on John D. Jr. is particularly well documented in Gitelman, *Legacy of the Ludlow Massacre*.

64. On October 7, 1914, Walsh wrote McCarthy that he liked "your Rockefeller proposition," adding that he hoped to recommend to Congress "that the activities of this alleged Foundation be prohibited by law": Charles McCarthy Papers, State Historical Society of Wisconsin, Madison.

65. McCarthy to W. H. Allen, October 1, 1914; McCarthy to Walsh, October 8, 1914; William Leiserson to McCarthy, January 11, 1915, all *ibid*.

As early as 1913 he voiced support for the replacement of all privately funded social work by political action and public funding. If for academics such as McCarthy and Commons private money posed a *potential* problem for public institutions, for Walsh it was more like a gushing stream of pollutants. In January 1915, when the commission entered the second phase of its Colorado investigation, it thus turned an unparalleled investigatory light on the cultural counterparts of corporate power, ultimately devoting more than a thousand printed pages of testimony to the subject "The Centralization of Industrial Control and Operation of Philanthropic Foundations."⁶⁶

For Walsh the hegemonic influence of the foundation suggested the ultimate, terrifying expansion of monopoly power from the material world to thought control. In words dripping with venom, Walsh would later conclude:

Mr. Rockefeller is taking money obtained through the exploitation of thousands of poorly nourished, socially submerged men, women and children, and spending these sums, through a board of personal employees, in such fashion that his estate is in a fair way not only to exercise a dominating influence in industry, but, before many years, to exact a tribute of loyalty and subserviency to him and his interest from the whole profession of scientists, social workers and economists . . . No argument is needed to convince a sensible American of the subtle and pervasive and irresistible power that is wielded autocratically by men who control the disbursement of huge sums of money. It is a power that goes straight to our instincts, to our points of view, to the raw materials of which our opinions and judgments are made.⁶⁷

Walsh's convictions on the subject of the foundations were so strong as to provoke a split within the progressives' ranks. *Survey* magazine, the leading contemporary exponent of reform-minded social research and an early crusader for the CIR, in an October 1914 editorial welcomed the newly announced Rockefeller Foundation initiative while at the same time offering a rather critical assessment of the industrial commission's first year of work. Lauding the "disinterested" record of Mackenzie King in labor controversies, *Survey* expressed a willingness to accept the foundation's intention "at its full face value—an attempt to take up the 'most complicated and at the same time the most urgent question of modern

66. Boyd Fisher to Frank Walsh, June 20, 1913 and Walsh to Fisher, June 24, 1913, both in Frank Walsh Papers, New York Public Library; CIR, *Final Report and Testimony*, 8: 7427.

67. Frank P. Walsh, "The Great Foundation" (1915), in Frank Walsh Papers, New York Public Library.

times,' and to grapple with it 'for the well being of mankind throughout the world.'" Contrasting the administrative autonomy of the foundation with the cumbersome bureaucratic machinery that had slowed the CIR's work, *Survey's* editor, Paul U. Kellogg (who had earlier directed the Pittsburgh Survey for the Russell Sage Foundation), went so far as to suggest that "the limitations of a private inquiry, undistracted by divergent points of view, with unlimited resources and time, with no patronage assaults to stave off, are less obvious than those of such a public commission."⁶⁸

The irrepressible Walsh quickly fired back. In a series of published exchanges with Kellogg, the commission chair not only defended the CIR's work against its private competitor (and paid an especially vigorous tribute to its research director) but also attacked the editorial as "cunning and dishonest," concluding that the editors must have been "compelled to publish the same . . . by your patrons and masters, and that you are ashamed of it." Walsh's shot (and another soon fired by Creel in an article titled "How Tainted Money Taints") was a clear reference to *Survey's* endowment by the Russell Sage and Carnegie foundations.⁶⁹

Although the particular controversy was soon muted, the *Survey* altercation set an ominous example for the intellectual reformers at the commission. With his courtroom blunderbuss Walsh implicitly opened fire on an entire generation of intellectuals, targeting them as apologists for monopolists. Financial insecurity and uncertain social standing had, in fact, brought many social scientists and social investigators of the early twentieth century into reliance on the philanthropic extensions of the great corporations as well as wealthy individuals. John R. Commons's appointment at the University of Wisconsin, for example, depended on a package of philanthropic grants and gifts, including a modest subvention from the Carnegie Foundation.⁷⁰ At the time he opened up on Kellogg, Walsh could not have anticipated how deep into his own ranks the logic

68. *Survey* 33 (October 10, 1914): 54–55. Though still hopeful with regard to the work of the CIR, *Survey* complained, "It is an open secret that for ten months following the commission's appointment it floundered badly, without a clear-cut program of work, without clear-cut division of responsibility, and with great areas of the field before it practically untouched." For the Pittsburgh Survey, see John F. McClymer, "The Pittsburgh Survey, 1907–1914: Forging an Ideology in the Steel District," *Pennsylvania Magazine* 41 (1974): 168–86. For *Survey's* close coverage of the CIR, see *Survey* 27 (December 30, 1911): 1419–29; 29 (December 28, 1912): 385–86; 30 (July 5 and August 2, 1913): 452–53, 571–88; and 31 (November 8, 1913): 152–53.

69. *Survey* 33 (November 14, 1914): 177; Adams, *Age of Industrial Violence*, 26. Creel's article appeared in a March 1915 issue of *Pearson's Magazine*: Paul Kellogg to Walsh, February 5, 1915 in Frank Walsh Papers, New York Public Library.

70. Richard T. Ely to John R. Commons, December 16, 1903, reel 27, in Richard T. Ely Papers, State Historical Society of Wisconsin, Madison. The principal funders of Commons's initial research project at Wisconsin included V. Everett Macy and Stanley McCormick, according to Harold L. Miller of the State Historical Society of Wisconsin.

of his attack might extend. It is unlikely he would have altered his course in any case.

For McCarthy the CIR crusade against his old schoolmate, Rockefeller might have provoked conflict and discomfort from the beginning. Surprisingly, it did not. Indeed, for some months Charles McCarthy served Walsh as a willing and effective instrument of the campaign to confront John D. Rockefeller Jr. with his social responsibilities. When Walsh chose the investigation of foundations as the vehicle for hauling Rockefeller and other company officers before the CIR (perhaps because Rockefeller had already appeared before another congressional body focused more narrowly on Colorado strike issues), he looked to McCarthy for critical assistance. "I expect you can give us a lot of assistance in getting young Mr. Rockefeller and Mr. Greene [Jerome Greene, secretary of the Rockefeller Foundation] before the Commission," Walsh wrote in early October. Two days later, Walsh again pleaded with McCarthy to get Rockefeller "of all others" to cooperate. "Use all your good offices and ingenuity to bring this about." McCarthy seemed perfectly willing to do his part. Cheering on Walsh before his first encounter with John D. Jr., McCarthy agreed that there was "a great case to be won." As late as mid-December he agreed that the evidence gathered from Colorado "confirms all your program in relation to the Rockefeller matter. Inevitably abuses will come unless these big endowments are under some kind of public control. All the way through there is a confirmation of my idea about JDR, Jr. as the same man I knew, far away from people, good intentions personally but enmeshed and educated in a system which is entirely wrong."⁷¹

But it was precisely his direct personal contacts with Rockefeller that made things more complicated for McCarthy than for Walsh. McCarthy did not suddenly exhume an old friendship in contacting Rockefeller from his CIR position. Rather, ever since the miners' troubles broke out in Colorado, he had, in fact, conducted a frustrating private campaign to "reform" Rockefeller's thinking and behavior on industrial matters, communicating at once with the stiff and aloof Rockefeller and a small circle of old school friends and Rockefeller confidants.⁷² As part of this effort, McCarthy had tried, in vain, at least since March 1914 to expand the

71. Gitelman, *Legacy of the Ludlow Massacre*, 20–21, 58; Walsh to McCarthy, October 8 and October 10, 1914; McCarthy to Walsh, December 21 and December 14, 1914, all in Charles McCarthy Papers, State Historical Society of Wisconsin, Madison.

72. The Rockefeller-McCarthy old-school network included the attorney John S. Murdock (Brown, class of '96); Everett Colby (class of '97), the Progressive chairman of the New Jersey Commission on Old Age Insurance; and Lefferts M. Dashiell (class of '97), assistant treasurer of the Rockefeller Foundation. Colby was Rockefeller's undergraduate roommate as well as captain of the football team. McCarthy actually received his degree in 1897 but always listed his class as 1896.

foundation's interests in the areas of social and industrial welfare.⁷³ When, after the Ludlow events, Rockefeller referred vaguely in congressional testimony to contemplation of an industrial inquiry, McCarthy encouraged him further, writing in August that "*now* would be the time for it when the Commission is in being. If you could coordinate your work with that of the Commission the result would be perhaps a sane and wise program which could be brought out a year from now."⁷⁴

To be sure, the format and composition of the Mackenzie King project—tightly controlled by the foundation officers—were not what McCarthy had had in mind. As soon as the King venture was announced, McCarthy urged their mutual friend John Murdock to warn Rockefeller that "it is necessary to have a Democratic Organization. A Complete one." The money, he insisted, ought to be given outright to an industrial body with labor and business representation. "If that is done this money will be a great blessing." If not, it "may be a great curse." Yet Rockefeller and his emissaries turned a deaf ear to such entreaties, claiming that a thoroughly "scientific" investigation could not be comprised by mere public "opinion." Privately, McCarthy despaired that Rockefeller was "not in contact" with the real world and needed a public jolt to wake him up. Always trusting Rockefeller as a man of "good intentions," McCarthy determined to break through the "wooden" people around his old friend. Still hoping that in the heat of the Walsh hearings, Rockefeller would willingly surrender the King investigation to "popular control," McCarthy told his college friend John Murdock that "this great investigation may be the best thing that ever happened to John D. Rockefeller, Jr."⁷⁵

73. John D. Rockefeller Jr. to McCarthy, March 16, 1914, in Charles McCarthy Papers, State Historical Society of Wisconsin, Madison. After talking with Rockefeller only days after the Ludlow massacre, Everett Colby wrote McCarthy on April 27, 1914, "The trouble with John is he thinks that controversies of this kind can be stripped to a naked principle . . . which you know is not the case" (*ibid.*). Disappointed, McCarthy yet insisted that it was "of the utmost importance to this country that a powerful man like J.D.R. will broaden out his life and his concepts as he grows older. Somebody must get near to him and counteract the forces which are making his life stiff . . . He probably thinks I am an idealist and I would have very little influence along that line with him": McCarthy to Colby, April 29, 1914, *ibid.*

74. Still, McCarthy was not about to browbeat his old friend. "Understand," he dissimulated, "that I have nothing to do with the hearings or the findings of the commission. I am a radical, at least I am called radical, and you are naturally a conservative, but whatever comes up in this world, there shall be nothing but personal friendship between us": McCarthy to Rockefeller, August 7, 1914, *ibid.*

75. McCarthy to John Murdock, October 10, 1914, and January 14, 1915; Rockefeller to McCarthy, October 20, 1914, all *ibid.* By the end of October, McCarthy betrayed a sudden impatience with his conversion mission. "Your viewpoint and your attitude," he wrote Rockefeller, "is so absolutely different from mine that I cannot hope to explain my attitude to you in this letter . . . Your institution will not do the great work which you planned for it unless it is done upon a different basis entirely . . . The years have gone by

But the errand for Walsh complicated McCarthy's task. He now took the lead in securing Rockefeller's cooperation with the government panel. Seeking a conference in early October with Jerome Greene, for example, McCarthy masked his real doubts about the Mackenzie King project behind a screen of benign curiosity: "I think it is of tremendous importance to the country. Great foundations are going into philanthropic work and other work which has a bearing on the great question of industrial unrest . . . Such a conference will be of the greatest value to you." Similarly, in encouraging a hesitant Rockefeller to meet with the commission, McCarthy emphasized the positive public relations that might come from such an appearance: "The more you keep explaining and the more approach you make to the American People . . . the better they will understand your motives." In the end, McCarthy flattered Rockefeller, the industrial project would bring him well-deserved appreciation. "It will probably be side by side with your health work and your agricultural work in the South the greatest work your institution will be known by." When his sweet talk to the Rockefeller entourage was short-circuited by a subpoena issued independently by a commission staffer to Rockefeller in Providence, McCarthy apologized profusely, distanced himself from the maneuver, and pleaded that as research director he had "nothing to do with the hearings of this kind." The apology was largely disingenuous, however, for McCarthy himself had already worked up a set of tough questions for Rockefeller to confront on the witness stand.⁷⁶

However well intentioned, McCarthy had compromised his position with regard to the Rockefeller case. Over the course of a very few months he had acted toward the Rockefeller industrial mission alternately as promoter, tutor, and prosecutor. His own faith in his consistent effort to respect a valued friendship while at the same time serving the public interest was entirely sincere—and attested to by the deposit of all correspondence with the Rockefeller people in the CIR files. In the process, however, he opened himself (and potentially the entire commission) to the appearance of double-dealing and hypocrisy.

But who would have an interest—and the nerve—to strike at McCarthy? On January 14 McCarthy first expressed alarm that malicious rumors were circulating about him at the Rockefeller headquarters at 26 Broadway. Suspecting Jerome Greene, who he believed had never appreciated his ideas and blocked his personal access to Junior, McCarthy appealed to his old friends and Rockefeller's confidants John Murdock and Lefferts

and I never had a chance to see you or talk with you to any great extent upon the great economic question with which we have been struggling": October 29, 1914, *ibid.*

76. McCarthy to Jerome Greene, October 8, 1914, and McCarthy to John D. Rockefeller Jr., October 17, 1914, both *ibid.*

Dashiell to affirm his integrity. "I want those who knew me when I was a boy to know now that I am the same person with the same purposes, the same objects, the same standards that I had when I was in college." Dashiell responded by telegram: "Your fears are groundless. Friendship absolutely unaffected." Three months later, however, Murdock let slip that "John D. was very indignant at being summoned here in Providence and he laid it all to your door." On January 15, 1915, only ten days before the first Rockefeller hearing, McCarthy received an urgent summons from Walsh to come to New York. Walsh had just been told by Rockefeller that, according to the records of the foundation, "only one" outside person had encouraged them to begin a study of labor conditions, and his name was McCarthy. There was further insinuation, hinted at by Rockefeller and apparently magnified by others, that McCarthy's original interest in the Rockefeller project had been pecuniary; that is, he had applied to direct the inquiry himself. Rockefeller also produced for Walsh the early letters from McCarthy that documented his claim.⁷⁷

Stung by the revelations, Walsh nevertheless proceeded with the Rockefeller investigation. Faced with McCarthy's strenuous and self-righteous denial of any wrongdoing (including a refusal to dignify the charges by defending himself before a special commission meeting), Walsh temporarily pocketed the issue. The hearings went as scheduled except for one particular: while focusing on the structure and activities of the foundation, Walsh all but ignored the Mackenzie King research project, with which the government's own research director might easily be linked.⁷⁸

The proud Walsh, however, never forgave McCarthy the embarrassment his friendship with Rockefeller had caused the commission. When McCarthy dared to challenge Walsh's authority during the commission's budget crisis of February 1915, Walsh deftly turned the tables on him, making McCarthy's (rather than Walsh's) unscrupulous conduct the pivotal issue. "There is no doubt in my mind," Leiserson explained to McCarthy, "that the reason Walsh fired you was to shift the issue from the budget to you personally." Despite the protests of John R. Commons and most of the staff, Walsh won endorsement of his actions before a special CIR executive session by "foxily [trying] to show how you were treacherous to the Commission." The *Survey* editor John Fitch, who earlier had been the victim of Walsh's taunts, was outraged. "It would appear

77. McCarthy to John S. Murdock, January 14, 1915; McCarthy to Lefferts M. Dashiell, January 15, 1915; Dashiell to McCarthy, January 18, 1915 (telegram); Murdock to McCarthy, March 18, 1915; Walsh to McCarthy, January 15, 16, and 18, 1915, all *ibid.*

78. See CIR, *Final Report and Testimony*, 8:7763-97. Only a few vague questions were directed to Rockefeller about the industrial investigation, and these not by Walsh but by Commissioner James O'Connell (7892-95).

that he intends to scream Rockefeller at everybody who crosses his path."⁷⁹

For Walsh, however, the Rockefeller issue served as more than an expedient tool with which to rid himself of a bureaucratic rival. It seemed to confirm a deeper suspicion of the aims and methods of the intellectuals with whom he had been making common cause. How else explain the sense of triumph with which he reported the initial dismissal of the Wisconsin brain trust to George Creel? "The most complete cleaning out . . . that the Wisconsin idea has ever received in its long and tempestuous career," he crowed, citing other research experts (besides McCarthy) "whose heads [will] fall with a distinctly dull thud within the next two weeks . . . It was the biggest intellectual victory I ever won any place."⁸⁰

In the weeks after McCarthy's dismissal, in fact, Walsh and his friend Creel fashioned a thoroughgoing repudiation of ideas and people they had once admired. To the St. Louis publisher William Marion Reedy, for example, Walsh offered a scathing dissection of the Wisconsin idea. Its "large, constructive programs," wrote Walsh, required cooperation with the "principal despoilers" of workers' rights [i.e., the Rockefellers] and involved "interminable 'bill-drafting'" and an administrative machinery "which should throw the legal profession into spasms of delight and the proletariat into hopeless despair."⁸¹ Creel voiced even more viscerally the resentment that "independent" radicals such as he and Walsh felt for those they called the "professors." Smarting from a *New Republic* editorial critical of his earlier attack on Paul Kellogg, Creel responded with a vivid contrast between himself and his detractors:

For fifteen years I have devoted myself to a task of agitation in politics and industry, trying always to stay close to what may be termed the

79. Leiserson to McCarthy, March 4, 1915, and John Fitch to McCarthy, March 22, 1915, both in Charles McCarthy Papers, State Historical Society of Wisconsin, Madison. In vain Commons offered a counterplan to the commissioners, reinstating McCarthy and his research priorities while abandoning future hearings. McCarthy received numerous expressions of support from people who had worked with the CIR. "If you lose out we shall all resign in a body," wrote the researcher Carl Hookstadt. But McCarthy himself counseled against anything destructive to the work of the commission. Though Leiserson and "one or two others" resigned in protest (others, including Perlman, had already been terminated for budgetary reasons), most of McCarthy's friends stayed on to complete their work. Particularly after an additional congressional appropriation came through, Chairman Walsh, ironically enough—and with the exception of his famous second grilling of Rockefeller in Washington in May 1915—basically returned to the priority on research and writing that McCarthy had counseled. See Carl Hookstadt to McCarthy, March 5, 1915; Lauck to McCarthy, January 30, 1915; McCarthy to Lauck, April 3, 1915; McCarthy to R. H. Hoxie, April 10, 1915; Leiserson to McCarthy, March 12, 1915, all *ibid.*; Walsh to William Marion Reedy, April 17, 1915, in Frank Walsh Papers, New York Public Library.

80. Casey, *Charles McCarthy*, 116.

81. Walsh to Reedy, April 17, 1915, in Frank Walsh Papers, New York Public Library.

“underdog.” During this time I have seen oppression, exploitation, corruption, treachery and betrayal in all their forms, and it may well be that these experiences have made me less than judicial, overquick to suspect and denounce. You, on the other hand, are academic products who have come to be commentators by self-election, based upon self-valuation, aided, I believe, by an endowment fund that spares you the fear of existence. The antagonism between us, therefore, is as instinctive and inevitable as that of the house cat for the street dog.⁸²

McCarthy, for his part, had lost all respect for the direction of the commission. Initially he and Leiserson believed that they could outmaneuver Walsh, who they agreed was “absolutely weak when it comes to knowledge of the subject.” All they had to do, they thought, was expose his ignorance of “scientific work” before his fellow commissioners. When even the remonstrance of Commons proved futile, however, McCarthy accepted his defeat. While encouraging the young researchers who looked up to him to stay and extract “some ray of light” from the commission, McCarthy now privately judged Walsh “absolutely incompetent and untrustworthy.”⁸³ McCarthy’s role on the CIR had come to an ironic end. The man who had most idolized the state as an agent of rational and judicious social change had come face to face with the underside of bureaucratic power.

In view of such personal bad blood and recrimination within its activist core, it is not surprising that the CIR failed to reach internal consensus or effective outside support. In the end Congress shut its ears to the cacophony of the commission, manifested in three conflicting reports along with a host of individual disclaimers and supplemental opinions among the nine commissioners. The major cleavage separated Walsh and the three labor commissioners, who signed an eloquent anticapitalist and antistatist report drawn up by Basil Manly, from a loose coalition of the five other commissioners, who endorsed in principle Commons’s plodding and rather dispirited version of Wisconsin idea.⁸⁴ Still shadow-boxing with his intellectual adversaries (while also seeking allies among

his fellow commissioners), Chairman Walsh tacked in the end toward a radical version of AFL “voluntarism.” Seeking a British-style immunity to legal prosecution for labor unions (a proposal also endorsed by Commons), the Manly report was spare in its positive demands from government: stringent inheritance taxes, public ownership of utilities, and a confiscatory tax on unimproved land. Indeed, the “official” report warned explicitly against unnamed advocates of a “huge system of bureaucratic paternalism such as has been developed in Germany.” In a supplemental statement to the Manly report, Walsh dissented even from Manly’s call for a “special commission” on mediation, a much-diluted version of the Commons-Perlman plan for state and national industrial commissions with extensive administrative powers. Violating “the habits, customs, and traditions of the American people,” such a “ponderous legal machinery,” scoffed Walsh, would equally subject business and workers to “the whim or caprice of an army of officials, deputies, and Governmental employees.”⁸⁵

The commission’s chairman did not neglect a related area of concern—the unregulated power of foundations in general and the depredations of Rockefeller money in particular. In the last of several “additional findings” submitted to Congress, Walsh and two of the labor commissioners described the \$100 million Rockefeller trust as “wages” “withheld by means of economic pressure, violation of law, cunning, and violence.” Excoriating Rockefeller and Mackenzie King for failing to answer questions put to them on the stand (even recommending that they be summoned for further questioning before the House of Representatives), Walsh and company called for liquidation of the foundation and expropriation of its assets for purposes “directly beneficial to the laborers who really contributed the funds.” It was a grand, if largely futile, denouement.⁸⁶

WHILE rooted in a complicated and by no means inevitable chain of events, the internal impasse on the CIR reflected a basic, built-in-dilemma for twentieth-century radical reformers. Generally operating in the absence of (or at some remove from) popular mass movements, intellectuals

82. Letter to *New Republic* 2 (March 27, 1915): 209–10.

83. Leiserson to McCarthy, March 2, 1915; McCarthy to Leiserson, March 3, 1915; Clara Richards to McCarthy, February 2, 1916, all in Charles McCarthy Papers, State Historical Society of Wisconsin, Madison. McCarthy privately compared Walsh to Ferdinand of Naples as George Trevelyan presented him: “While you are with him he will put his arm around you and say caressing things to you . . . Go five minutes away from him and he becomes fearful and suspicious. At once vague terrors seize him and he issues an order for your destruction”: McCarthy to Lauck, April 3, 1915, *ibid.*

84. The three employer commissioners also felt compelled to offer a separate report attacking the commission staff for its “manifestly partisan” attitude and balancing the critique of management practices with a bill of particulars against union violence.

85. CIR, *Final Report and Testimony*, 1:19, 35, 38, 91, 123–24, 156–65, 265–66, 171–230, 156–157.

86. *Ibid.*, 81–8, 269. Though the Walsh-led offensive against the foundations failed in its ultimate aims, it did affect the future style of corporate support for social research. Instead of direct foundation sponsorship, “in the 1920s academic holding companies rooted in the discipline associations—for example, the American Council of Learned Societies (ACLS) and the Social Science Research Council (SSRC)—emerged to mediate the direct contact between wealth and knowledge exposed and denounced by the [CIR]”: Edward T. Silva and Sheila A. Slaughter, *Serving Power: The Making of the Academic Social Science Expert* (Westport, Conn., 1984), 263.

played prominent roles as advocates of popular welfare and democratic rights. But how could intellectuals best “represent” the people and their interests? The alternatives sharply delineated during the CIR experience almost uncannily anticipated two dominant pathways of intellectual advocacy during the following century. On the one hand, intellectuals have posed as “agitators” or “educators” of public opinion. On the other hand, “social planners” or “engineers” have sought social deliverance less in the unruly marketplace of public opinion than in a rational discourse among themselves or at best with articulate representatives of interested parties.⁸⁷

The CIR offered a forum for both intellectual roles: a vehicle for advocacy by agitators behind Walsh and a laboratory for rational policy formulation by Commons and McCarthy. In his CIR role Walsh, in fact, shared in the development of the arts of mass communication with contemporary friends and foes. Public relations experts such as the notorious Ivy Lee, who made the corporate image itself the subject of advertisement, effectively mediated the relationship between the mass producer and the mass market. By joining government investigation to the muckraking style of journalism, pro-labor radicals such as Frank Walsh and George Creel fashioned a counterbalancing form of mass advocacy.

Alongside these contending agents of popular persuasion—each reaching out in his own way to corral, cajole, or excite a distant public—stood another brand of intellectual activist: the planner or social engineer. No less political or partisan by inner conviction, planners trusted more to the forms of administrative agency than to the white heat of public opinion. Planners, like publicists, came in different political shapes. Mackenzie King thus served as an able social engineer within the post-Ludlow Rockefeller camp, recruiting Junior to a lifelong crusade for company unions (or nonunion employee representation plans), even as Charles McCarthy and John R. Commons perfected the same skills in public bodies for more liberal ends. Leiserson consoled Commons near the end of the commission’s work: “You have no sympathy with so-called learned reports, to be stored away in libraries, but on the other hand . . . you have less respect for loud protestations against well known industrial evils . . . instead of trying to get at fundamental causes and working out permanent remedies.”⁸⁸

87. One recurrence of basic CIR divisions is seen in the split that later developed on the National Labor Relations Board in 1939 between Leiserson and the leftist Edwin Smith and Joseph Madden, with their legalistic, “adversarial” approach. See Christopher L. Tomlins, *The State and the Unions: Labor Relations, Law, and the Organized Labor Movement in America, 1880–1960* (New York, 1985), 199–213.

88. Leiserson to Commons, August 14, 1915, in Leiserson Papers, State Historical Society of Wisconsin, Madison. For an excellent elaboration on Ivy Lee’s and Mackenzie King’s roles in the Rockefeller enterprise, see Gitelman, *Legacy of the Ludlow Massacre*.

But for all those intellectuals who identified themselves as democrats and self-conscious agents of radical social change (and these included both Walsh and McCarthy) the limitations of their position—either as agitator or as engineer—seem, in retrospect, all too clear. None of the CIR protagonists were able to wrest from their work the results they had wanted. Frank Walsh, as David Montgomery suggests, might well have had the makings of a great social-democratic legislator, but he needed a mass following to press home his eloquent message.⁸⁹ Failing in the end to arouse the independent wrath of the workers as an alternative to bureaucratic control of industrial relations, Walsh himself became the chief agent of governmental administrative intervention during his World War I stint as co-chair of the War Labor Board (WLB). Without apparent embarrassment, he managed a disputes adjudication machinery remarkably like the one he had earlier scoffed at when it was broached by his more “academic” CIR colleagues.⁹⁰ Walsh’s friend George Creel also entered wartime governmental service, but he did so by elaborating on the very techniques of popular persuasion that he had originally practiced as a journalist. The similarity of method between radical reform education and corporate advertising was perhaps never better exemplified than by the assimilation of both into Creel’s Committee on Public Information, the wartime propaganda machine responsible for “unifying” a doubting public around Wilson’s war aims.⁹¹ In another sense, Creel’s self-righteous moralism had simply been applied to new ends. A fellow muckraker once noted, “To Creel there are only two classes of men . . . There are skunks, and the greatest man that ever lived. The greatest man that ever lived is plural,

89. “No other figure of his time, or perhaps of any time in American history, so clearly personified the possibility and the potential character of a labor party as did Frank Walsh”: David Montgomery, *The Fall of the House of Labor: The Workplace, the State, and American Labor Activism, 1865–1925* (New York, 1987), 361.

90. Indeed, frustrated by employers’ resistance to arbitration of disputes during the war, Walsh was so drawn into the administrative orbit as to recommend that the board be reconstituted to impress the largest employers—including John D. Rockefeller Jr.—into service. See Weinstein, *Corporate Ideal*, 248. On the nature of WLB machinery and its indebtedness to CIR proposals, see Conner, *National War Labor Board*, 15, 18–34. Walsh, generally speaking, seems a man less of fine distinctions than of broad commitments. Unlike his more restrained academic colleagues on the CIR, he led with his heart, not his head. For more on his personal impetuosity and flights of passion, see Leila J. Rupp, “Feminism and the Sexual Revolution in the Early Twentieth Century: The Case of Doris Stevens,” *Feminist Studies* 15 (Summer 1989): 294.

91. In the years after World War I Creel continued to mix journalism and reform advocacy with intermittent use of the state apparatus of social control. Though his autobiography of 1947 lambastes Mexico’s president Lázaro Cárdenas for his socialist excesses, Creel’s papers show him to have been a consultant to Cárdenas in his establishment of a Mexican Ministry of Public Information and Propaganda in 1940. See Creel, *Rebel at Large*, 81–85; index of George Creel Papers, Library of Congress.

and includes everyone who is on Creel's side in whatever public issue he happens at the moment to be concerned with."⁹²

Compared to such natural agitators, the intellectual engineers kept to an outwardly more consistent but inwardly more troubled course. After his commission work, Commons fell into the most severe of his periodic depressions, collapsing before the spring exam period in 1916 and not returning to his academic post until February 1917. Many years later, Selig Perlman recalled that the conflict within the commission "made a tremendous impression upon Professor Commons, it robbed him of his sleep and peace of mind." Commons would again consult for federal and state authorities about employment and other issues, but never at his prewar pace. McCarthy, for his part, recuperated from his commission experience by throwing himself into a dollar-a-year position with the wartime Food Administration. Separated from his family and living in near-penury in Washington, D.C., when he was not visiting war-torn Europe, McCarthy seemed utterly driven to patriotic service. When he died in 1921 at age forty-eight, more than one friend lamented that he had simply "burnt himself out."⁹³

The painstaking plans for labor reform, advanced by both Commons and McCarthy proved to be political nonstarters, championed neither by the workers they might most have benefitted nor by public officials unwilling (outside of wartime exigency) to challenge the marketplace regulation of labor relations. In this sense the CIR project displayed the fateful isolation of intellectual activists and reformers from local and state-based political leverage, the common frustration of early twentieth-century state builders by the United States' peculiarly decentered political authority. Reformers, that is, could research and advocate all they wanted, but such activity did not necessarily swing votes or ensure tangible political influence.⁹⁴ With no way to mobilize an independent constituency for their ingenious governmental programs, social engineers such as McCarthy and Commons were captives of their reigning public patrons. Unfortunately for them, the United States had no Bismarck (and only the occasional La

92. Mark Sullivan quoted in John A. Thompson, *Reformers and War: American Progressive Publicists and the First World War* (Cambridge, 1987), 17. On Creel's latter-day self-righteousness, see Cletus E. Daniel's characterization of Creel as "patron-savior" and "authoritarian progressive" in his role as NRA regional administrator in the early 1930s: *Bitter Harvest: A History of California Farmworkers, 1870-1941* (Ithaca, 1981), 174-217. I am indebted to Cindy Hahamovitch for this reference.

93. Interview with Selig Perlman, April 13, 1950, State Historical Society of Wisconsin, Madison; Commons, *Myself*, 182, 185; Fitzpatrick, *McCarthy of Wisconsin*, 213-17. McCarthy even tried to organize a combat company of famous football players and other athletes, offering himself among 236 volunteers before the plan fell through.

94. Stephen Skowronek, *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920* (Cambridge, 1982), esp. 12-14, 121-76.

Follette) who was capable of turning their intellectual handicraft into political-administrative reality. A consumer democracy may thus have bestowed unprecedented attention on a growing class of academically trained, critical intellectuals without necessarily buying their vision of public policy.⁹⁵

95. The intellectuals' own consciousness of the limits of their public role was more evident after the war, in the spate of disillusioned commentary on the problem of "public opinion" in a modern democracy. As is evident in the writing of Walter Lippmann, one of the intellectuals' most articulate representatives, a prime concern was the difficulty of introducing experts and expertise into the consideration of public issues. In this sense the CIR might be considered a skirmish in intellectual disillusionment before the onset of the Great War. See Walter Lippmann, *Public Opinion* (1922) (New York, 1965), esp. 250-57. See also Thompson, *Reformers and War*, 279-86.