



ADVANCE SHEET– JULY 10, 2020

President's Letter

In keeping with our practice of reprinting articles that are topical, but not too topical, we publish here three documents.

The first is a transcript of a symposium on the war on drugs conducted in Baltimore in 2005, which had limited circulation at that time, but which retains its pertinence 15 years later. Even then, several architects of national drug policy had serious second thoughts. They, and Maryland's former Governor Albert Ritchie, would have found astounding current Maryland and national policy on narcotic drugs and marijuana, pursuant to which marijuana possession is defined as a serious federal felony; Congress has barred its enforcement; marijuana dealers must run cash businesses, being barred from having bank accounts in insured institutions; and the operation of the Marijuana Tax Act of 1937 has been suspended due to self-incrimination problems. Equally remarkable is Maryland policy: recreational marijuana is illegal, but relieved of serious penalties; medical marijuana is legal, but the General Assembly's main interest in drug policy is in the 'affirmative action' allocation of a limited number of distributorships; recreational marijuana distribution remains an underworld monopoly.

The second is a statement by Professor (former President and future Chief Justice) William Howard Taft, not generally thought of as a dangerous radical and 'flower child' in opposition to national alcohol prohibition.

The third is the chapter on "Labor" by a recent Bar Library speaker, Professor Neil Maher of the Federated History Department, New Jersey Institute of Technology-Rutgers University, Newark in his *Nature's New Deal* (Oxford University Press, 2008) reprinted by permission of the author and publisher. It reminds us that there was once a national administration that abolished employment opportunities for youth in the illegal alcohol trade in favor of legal opportunities in land conservation.

George W. Liebmann

New Acquisitions

The last few issues of the Advance Sheet, we have brought you up to date concerning additions that have been made to the Special Collections of the Library featuring histories and biographies on a myriad of subjects. Well, we did not want any of you to get the wrong idea that the Library was exclusively dedicating its efforts toward the acquisition of non-legal materials. Although the Library takes institutional pride and pleasure in helping all of you fill the time you used to reserve for eating out and going to movies, plays, etc. with critically acclaimed works of non-fiction, still, the law moves forward, albeit in a way that none of us have ever experienced before. Therefore, this issue we look at three significant acquisitions recently made by the Library to its general legal collections.

- 1) *Electronically Stored Information in Maryland Courts*, Michael D. Berman, editor-in-chief; Hon. Paul W. Grimm, primary editor; Alicia L. Shelton, primary editor; Diane P. Kilcoyne, contributing editor.

Both the law and the profession have raced to keep pace with technological changes that define the early 21st century. While these changes have had a profound impact on every practice area, issues inherent in the transition from hard-copy to electronically stored information (ESI) came quickly to the fore in the context of civil discovery. The ensuing chaos led to soaring litigation costs and struck terror into the hearts of attorneys traversing the previously uncharted terrain of ESI. After years of common law development, amendments to the rules of procedure, and sustained effort of practitioners, jurists, and academics to address these issues, a principled, rules-based discovery regime brought some order to the chaos. The journey, detailed in *Electronically Stored Information in Maryland Courts*, contains lessons for all.

- 2) *Supreme Court Practice, Eleventh Edition*

Supreme Court Practice offers practitioners guidance on every aspect of prosecuting and defending a case before the Supreme Court, including in-depth discussions of jurisdictional and prudential principles as well as Supreme Court precedent. It covers little-known practices and includes a table of cases, an extensive index, a table of rules and laws, and much more.

DESCRIPTION

The new **Eleventh Edition** of **Supreme Court Practice** is written with the benefit of the authors' first-hand knowledge and experience and provides comprehensive analysis of the Supreme Court. The treatise offers up-to-date guidance on every aspect of practice before the Court—from the most fundamental to the most obscure. It is a definitive resource for prosecuting or defending a case before the Court.

Supreme Court Practice, Eleventh Edition has been thoroughly updated and includes:

- In-depth discussions of the jurisdictional and prudential principles that govern practice before the Supreme Court at every stage

- Advice from some of the country's most experienced Supreme Court practitioners on time-tested techniques for making effective written and oral presentations
- A complete body of Supreme Court precedent covering all the relevant decisions in the modern era, including a wealth of historical precedent bearing on every issue of jurisdiction and procedure in each category of case on the Court's docket
- A table of cases, an extensive index, and a table of rules and laws—to make preparation easier and more thorough

Supreme Court Practice, Eleventh Edition explains:

- How to invoke the Court's certiorari, appeal, and original jurisdiction
- Insights and guidance on preparing petitions for certiorari, jurisdictional statements, briefs in opposition, and motions to dismiss or affirm
- How to seek a writ of mandamus and other extraordinary relief
- Whether to file one or more petitions in consolidated or related cases and when to file a cross petition
- How to comply with the Court's rules on the contents of petitions and briefs
- Persuasive techniques for oral argument
- How to seek a stay pending action by the Supreme Court
- Details of little-known practices like petition holds, calls for a response, calls for the views of the Solicitor General, "GVRs," and summary decisions
- How to become a member of the Supreme Court Bar and obtain seating for oral argument

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REVIEWS

"**Supreme Court Practice** is simply indispensable to me and to my colleagues. I have personal copies in my office, in a separate work room that I use, and at home. I consult it constantly. I cannot recall an issue having arisen involving the Court's procedures, practices or customs when

I have not found valuable guidance and wisdom in it. I do not see how anyone could practice before the Supreme Court without having this valuable resource readily available."

--**Theodore B. Olson**, Co-Chair, Appellate and Constitutional Law Practice Group, Gibson Dunn and former Solicitor General (on the Tenth Edition)

"In all my decades of practice, Supreme Court Practice has remained the indispensable reference."

--**Seth P. Waxman**, Chair, Appellate and Supreme Court Litigation Practice Group, WilmerHale and former Solicitor General (on the Tenth Edition)

"For Supreme Court practitioners, or anyone else who may need to file a brief at the U.S. Supreme Court, it could be the best \$495 you ever spend."

--**Tom Goldstein** and **Amy Howe**, *Book review: New edition for a classic treatise*, SCOTUSblog (on the Tenth Edition)

"**Supreme Court Practice** is a soup-to-nuts guidebook to everything lawyers need to know about petitioning, briefing and arguing before the Supreme Court, with insights into the best ways of getting favorable attention from the Court at every stage."

--**Tony Mauro**, *Legal Times* (on the Ninth Edition)

"This is the best appellate practice book ever written. Buy it."

--**Dennis Owens**, *The Appellate Practice Journal* (on the Eighth Edition)

"There is room for at least two authoritative treatments of almost every subject in the law On the subject of practice before the Supreme Court of the United States, however, there is only one"

--**The Green Bag: An Entertaining Journal of Law** (on the Eighth Edition)

3) Federal Appellate Practice, Third Edition

Federal Appellate Practice, Third Edition discusses applicable provisions of the Federal Rules of Appellate Procedure, jurisdictional and procedural statutes, practice tips and techniques, important case rulings, and unusual local circuit rules and internal operating procedures.

The **Third Edition** addresses significant amendments to both the Federal Rules of Appellate Procedure and the local rules of various circuits, as well as developments in appellate practice. Additionally, it incorporates an enormous volume of opinions since the second edition was released, addressing topics covered in virtually every chapter. It also updates the state of the law and captures many of the comments made in appellate decisions, including in unpublished

orders, reflecting the views of particular circuits or judges about what works, and what does not, in handling appeals.

This valuable resource goes deeper than purely legal treatises that only collect cases and discuss “the holding.” The treatise draws upon the experience of more than a dozen partners and counsel in Mayer Brown’s Supreme Court and Appellate Practice Group to provide commentary on the most effective ways to handle each step of the process, explaining pitfalls, techniques, and opportunities that may not be apparent from merely reading the technical rules.

Organized to reflect the various successive stages in handling a federal appeal, the **Third Edition** discusses:

- Necessary steps in the district court to preserve issues for appeal
- Problems of appealability—and solutions
- Mechanics of preparing the record and appendix
- Motion practice before the court of appeals
- Availability of extraordinary writs
- Particular strategies for opening, responsive, and reply briefs
- Role and structure of amicus curiae briefs
- Preparing and delivering oral arguments
- Seeking or opposing costs and attorney’s fees
- Seeking rehearing
- Considering Supreme Court review
- Principles and modern techniques for effective appellate brief writing

The **Third Edition** also covers special issues involving review of administrative agency decisions, criminal appeals and practice before the Federal Circuit.

SUMMARY OF CONTENTS

- Preserving Issues for Appeal
- Appellate Jurisdiction
- Motions
- Discretionary Interlocutory Appeals and Mandamus
- Review of Administrative Agency Decisions
- The Record on Appeal and the Appendix
- Effective Brief Writing
- The Opening and Response Briefs
- Reply, Supplemental, and Amicus Curiae Brief
- Oral Argument
- Rehearing
- Costs and Attorneys’ Fees
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- The Federal Circuit
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About the Editor-in-Chief

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The War on Drugs: A Reconsideration after 40 Years (Calvert Institute, May 2005)

Former Governor Gary E. Johnson (Republican – New Mexico)

Donald E. Santarelli, Associate Deputy Attorney General of the United States, 1969-1973;
Administrator, Law Enforcement Assistance Administration, 1973-1974

Dr. Robert L. Du Pont, President, Institute for Behavior and Health, Inc.; Director, National
Institute on Drug Abuse, 1973-1978; Director, White House Special Action Office for Drug
Abuse Prevention, 1973-1975

Dr. Jerome H. Jaffe, Director, White House Special Action Office for Drug Abuse Prevention,
1971-1973

Chapter III

Drug Policy

MODERATOR: I would like to introduce Alan Friedman of Governor Ehrlich's office to present some greetings on behalf of the Governor.

MR. FRIEDMAN: I think many of you know the Governor has really, in this state, been in the forefront of some very cutting edge things in terms of substance abuse policy. Last year, with the help of a bipartisan group of senators and delegates, including the legislative black caucus, the Governor proposed and the legislature enacted significant reforms in terms of diversion, allowing State's Attorneys to divert low level offenders from even going through the criminal justice system.

The legislation has become meaningful to a lot of people, very real. The legislation also provides for a better fit between the judiciary and treatment resources, that is, specifically in certain sentencing decisions for the ability for courts to get a standardized assessment so that judges in all the counties can use to determine amenability to treatment, identifying what type of treatment a offender needs, and, for the first time identifying a specific program and determining when a spot is available in that program for an offender. We're developing almost an airline reservation system where all treatment providers in the state report online realtime in this system, and we are taking that capability and hooking it to the judiciary so that they have that information available when they're making their -

sentencing decisions.

So we have diversion, we have a better linkage between judiciary and their treatment resources, and also the legislation provided a local planning structure. Each county now is required under state law to have a local drug and alcohol abuse council. The structure of that council is set in law, but the counties are free to add additional people onto that group. And that group is charged under state law with developing a program, a plan for the local jurisdiction, from the ground up, not from the state down, to say what the jurisdiction needs, what the demands are based on the data that we now have, what priorities do we want to assign to the dollars that we are receiving from the state, and this process is going on and will be finished for the first round of planning this summer, and we will begin for the first time to get a handle on local priorities.

On behalf of Governor Ehrlich, thank you for having this discussion. He always says that with respect to substance abuse, both as a public health issue and as a criminal justice issue, that his approach is very much like Nixon going to China, because people don't think that a Republican governor would be doing this type of thing. As you know, he is a lawyer, very in touch with the criminal justice system. The first lady was both a public defender and a prosecutor. These are people intimately familiar with the effects of substance abuse both in the public health field and in our criminal justice field.

GOVERNOR JOHNSON: I think it's the biggest problem facing the United States today that actually has a practical solution. Half of what we spend on law enforcement, half of what we spend on the courts, and half of what we spend on prisons is drug-related. I want to crack down on DWI; I want to make a difference on a lot of the laws that are on the books that aren't being enforced; but they're not being enforced because quite simply law enforcement is out to catch people selling small amounts of marijuana.

What should the goal be? Well, the goal should be to reduce death, disease, and crime. The goal should be to educate better. The goal should be to offer treatment to individuals that need treatment.

I have come to believe that 90 percent of the drug problem today is prohibition-related, not use-related, and that is not to discount the problems

with use, abuse, but that ought to be our focus. I think we've become absolutely anesthetized to what prohibition is. We look at the news every night and these are disputes we're looking at in the news that are played out with guns rather than in the courts. How many burglaries and deaths do we need to see that are prohibition-related, not actually use-related? Death rates, I was not shocked to find out that they estimate 450,000 die every year from their use of tobacco, 150,000 every year die from their use of alcohol, and I'm not talking about drinking and driving, I'm talking about the health consequences of drinking, and 100,000 die every year as a consequence of legal prescription drugs, and 10,000 people a year die as a result of heroin and cocaine.

There are those that argue that those deaths occur because it's illegal. Well, actually when you look at it a little bit, the quality and /quantity of these drugs is unknown by their consumers, and you can make the argument that the deaths have to do with prohibition. And if these substances were controlled and regulated you could argue that perhaps there would be even fewer deaths. And to no one's surprise there are no deaths attributed to marijuana. And yet I'm sure there are a few people who have smoked themselves to death.

So what do we need to do? I think we need to legalize marijuana. I think we need to control it. I think we need to regulate it, and I think we need to tax it. When I talk about legalizing I'm not talking about kids ever being able to legally smoke marijuana, or that it would ever be legal to sell marijuana to kids. And it's never going to be legal to smoke marijuana, become impaired, and get behind the wheel of a car, similar to drinking and driving.

I think we need to adopt harm reduction strategies for all of the other drugs. Again, legalize marijuana, but let's adopt harm reduction strategies for the other drugs. Harm reduction strategies, reducing death, disease, and crime, providing education, better education, providing treatment for these individuals that need treatment.

Zurich, Switzerland has a heroin maintenance program You've got to get a prescription from a doctor, but you can get free heroin. I talked to the chief of police from Zurich, Switzerland. You know what he said? He said Zurich is a much better place today to live. Death, disease, and crime have

plummeted. You don't have to go out and rob and steal for the product. It's free. You're not out recruiting other heroin addicts. Hepatitis and HIV, again, the needles are clean. The dose doesn't kill you.

Look at Holland's statistics. Holland has 60 percent the drug use as that of the United States, and that's among kids and adults, and that's marijuana and harder drugs, and yet they have effectively decriminalized the use of drugs. I've talked to people who live in Holland and they say it's very, very second class to be doing drugs, not like it is here in the United States, because it's got a little bit of glamor attached to it. The current laws are terribly discriminatory. There's seven times more likelihood that if you are of color and you're arrested on a drug-related charge that you'll go to jail.

I met with judges in Portland, Oregon. One of the things that they had to say that was very interesting related to methamphetamine. Methamphetamine is a very, very dangerous drug, and not that we don't know that, but it is. People ingest methamphetamine and really do nutty, crazy things. What they said was methamphetamine is a prohibition drug, that it would not exist if it weren't so cheap and easy to make. So it disproportionately falls on the poorest individuals. They said we're not advocating this at all, but if cocaine were legal, if cocaine were available as an alternative to methamphetamine, we would not have the problems that we have today.

They were not suggesting that that occur, but they just wanted to point out the consequences of what it is that we're doing in this country. Marijuana sells for more than gold today. Do you realize that? It is said that this is all about the children—what kind of message do we send if we say that we're going to legalize pot? We need to understand that another consequence of prohibition arises because of mandatory sentencing. We've got an estimate of one million kids today selling pot. And they can go to prison when they've been caught three times.

So again, what should the message be to kids? I always want to tell kids the truth, understand about these substances. I've smoked pot; I've drank alcohol. What it is when you do this stuff for the first time, for the first several times, it's really kind of an enlightenment. It's kind of a cool thing. It's like, wow, I've never felt this way before. I'm able to say things that I've never been able to say before. I feel more loving toward people than I have

before. Kids need to know that.

But then kids also need to know that it's a diminishing return thing. The more and more you use this stuff, it actually ends up having the opposite consequence. The message I want to send to my kids is that I love them; I love them. I don't want them to do drugs, but I would be naive to not think that they might fall into that 50 percent plus category of kids that try drugs. So I don't want them doing drugs and driving; I don't want them doing drugs and getting caught and getting precluded from the opportunities that this country has to provide.

Look, this is America. You know, don't do drugs. But this is America, and isn't it our right to be stupid? And I say stupid. I don't think it should be a crime to smoke marijuana in the confines of your own home doing no harm, arguably, to anyone other than yourself. And I say legalize rather than decriminalize because you've got to take care of this marketplace. The fact is the profile of the person in prison today is the person who has sold small amounts of drugs on numerous occasions and been caught.

MR. SANTARELLI: We have tended, sadly, to rely more and more on the police power to enforce all of these community norms. It's troublesome, because if you think of Mark Twain's rather crude but wonderfully descriptive phrase, if your only tool is a hammer, all your problems look like nails, and when you rely on the police power it has a very limited function.

In the Nixon administration Dr. Jaffe and subsequently Dr. Du Pont were the drug czars. They are medical men. They are scientists. They weren't cops. So whatever you may think of Mr. Nixon and Mr. Ford, you will have a lot of wrong impressions because it's the nature of our society. So what did the reactionary Nixon administration, Nixon with a swastika instead of an X, the Nixon administration do? In the model city, the District of Columbia, we had free methadone clinics. Ask Tom De Lay about methadone clinics. What has happened to this Republican party, once mine, and its preoccupation with the hammer? There are scientific and/or sociological and/or legal models for dealing with problems. There was a time when we looked at criminal justice with at least a partial eye to what we'll call treatment, the medical model; something is wrong here; this guy is wrong; he's done something wrong. Why? Let's look at why; let's look to

see what we can do about it. Alas, years of political mal-leadership, pandering politicians, and public ignorance lead us back to the hammer. We now have the enforcement model by which we deal with antisocial conduct.

Look at the federal sentencing guidelines. They are literally Draconian. And they're the result of adding it up, adding it up. I'm not going to get into esoterica about marijuana and enforcement, except to say I don't like the enforcement model. I think it's counter-productive. I think it is harmful to the sociology of a culture. I think it turns us into either/or kinds of people, and it essentially feeds hypocrisy. In the Renaissance, thinking men began to come to the confrontation of the cerebral and the physical, the confrontation with this horrible body that we drag around which deteriorates over the years and is susceptible to what Aquinas called concupiscence, the natural tendency of man to surrender to his natural appetites, whether they be of the intellect or whether they be of the lower regions. Naturally appetites go on and we need to recognize them.

How do we regulate them? With hammer and nails like stupid Americans who refuse to look at more mature societies and how they recognize the concupiscence of man. I'm troubled by the criminalization of drug use. I'm troubled by the impact that it has life-long on the person in an experimental stage. I'll try not to be too crude, but as young women and young men discover that their genitals become more influential in their lives at a certain period, there is the tendency to pay attention to them or to surrender to them. The same is true with respect to the imbibing of spirits, which is a wonderful euphoric experimental stage in life which you soon grow out of when you find it to be counter-productive to the objective that you may want to pursue, whether it be playing the piano, singing, or going to work some day. And the same is true with many experimental drug-users in that little period. The hard core drug-users almost become statistically insignificant in our larger culture and preoccupy us unnecessarily.

The real problem is that we continue to look to the law enforcement community as the model. Why? Because there are lots of people selling that which lots of people use. If we can't come to a mechanism for reducing demand other than law enforcement, then we will just continue to run the local sewage system. What comes in must go out. I commend you to an honest public debate on what is the best way for a society to discourage, as opposed to punish, these experimental tendencies in the beginning and the

habitual results thereafter, other than with the hammer. So let's go at it and hear from the guys who really understand the limits and the benefits of the medical model for antisocial conduct control.

DR. JAFFE: It may come as a surprise to some of you that I count myself among those who do not proclaim that the war on drugs has failed. I'm part of that group not because I believe that America's drug problems are solved or even that they're under good control, but because I see very little to be gained in criticizing a metaphor.

Now, some believe that our goal must be nothing less than a drug-free America. By this they usually mean no use of any of those drugs now defined as illegal. Others argue that our policy goals should be to minimize the harms associated with all drug use, and that the actual rates of drug use should be a secondary consideration. Currently the goals of our policies at the national level are aimed at rates of use, and only to a lesser extent at the harms. Further, at the federal level, the dominant policy-makers tend to look away when confronted with the costs and the harms that are caused by the means we've selected to achieve our social goals.

Let me tell you those five general principles. First, drugs that give pleasure or competitive advantage will be used by some people if they can afford them. And if they are prohibited, an illicit market will emerge. Second, greater drug availability will lead to more drug use, and except where the drugs are relatively innocuous, more health problems associated with drug use will occur. Third, it's impossible to keep drugs that are available to adults out of the hands of children and adolescents. Fourth, laws and law enforcement have effects on demand as well as supply. For a variety of reasons most people tend to obey the law. Fifth, not all people respond the same way to drug control strategies and prevention efforts.

There are a range of options available to deal with behaviors that we, as a society, think are harmful, and perhaps just wrong. For example, speeding on the highway endangers the driver and others. So we set speed limits. Drivers know that there will be penalties if they're caught exceeding those limits. Most of the time the police will issue a ticket and the offending driver must pay a fine. With repeated offenses, however, the consequences escalate and for those who refuse to pay or continue to drive without a license, there's the threat of prosecution and jail.

But every one of us at some time or another probably has driven above the speed limit. I could ask people to raise hands who've never driven above the speed limit on I-95. I don't know how many we'd count. Should we, therefore, however, count the number of law-breakers and, observing that so many have broken the law, decide that we should do away with the notion of speed limits? I think not. For those drugs which are currently illegal, the choice we have is not simply between legalizing them and treating them as ordinary commodities, because so many people use them, or continuing to prohibit them absolutely and imposing as a first response criminal penalties for possession or use.

There are a number of policy options between those extremes, each of which has its advantages and disadvantages, and has a cost to society and to the individual who chooses to use those particular drugs. Drugs differ substantially in the harms they cause to the individual and to society. Some such as alcohol and tobacco also differ in that they have become accepted elements in most of our lives. No one set of policy options is best suited to deal with the diversity. Over time we should be aiming for policies that minimize drug use, based on harms, while bearing in mind the costs of the means we choose to implement the policies.

Given the diversity of drugs, and different kinds of harms, each with their different history of social acceptance, our response must be multifaceted and tailored to the particulars of the problem. There is no one best solution, no silver bullet. But there are a variety of ways in which we can modify our current policies to make them more realistic, more efficient, more effective, and in many cases more fair. For the past 35 years many groups and individuals have focused on the marijuana policies that we now have in place, criticizing particularly the use of criminal law as the best way to reduce or eliminate marijuana use.

Some have advocated complete legalization of marijuana. Others have argued, and with good evidence, that marijuana causes health and social problems, and its use must be discouraged, but that we can do so at less cost to society by treating it as we do speeding on the highway. This has been called decriminalization. It is not the same as legalization. Possession of marijuana, or at least more than a specified amount for personal use, would still be an offense. But it would be punishable by a fine much like a driving violation. The sale of marijuana would still be criminal.

In the United States in 2001 there were three quarters of a million arrests having to do with marijuana. Many, no doubt, were arrests in connection with sales. But many, perhaps most, were probably for simple possession. Even if only a very few of those persons charged with simple possession were sentenced to jail, I believe our criminal justice resources, our police and our courts and our prisons could have been used more efficiently by allowing them to be more focused on more dangerous drugs and violent offenders. So did the bipartisan National Commission on Marijuana and Dangerous Drugs in 1973, and the Canadian LeDain Commission in 1971, and so does the government of Canada today.

All of these have called for the use of fines rather than arrests and threat of imprisonment as a way to continue to discourage marijuana use without the social and individual costs of criminal penalties. In the United Kingdom there has been a considerable degree of de facto decriminalization with no actual change in the law. The police can, at their discretion, deal with marijuana possession by confiscation or by fines. To the best of my knowledge, Canada, the UK, as well as the Netherlands, where there has also been de facto decriminalization, continue to function as vibrant, productive democracies. We might consider examining how these policy shifts have altered the patterns of use and the cost of use in those countries.

Some states have, at times in the past, also chosen this approach, and their experiences should also be studied. Even so, there are those who say that these policies that have modified and reduced legal sanctions inflict more damage on societies than does the use of cannabis. Some still argue for complete legalization which would permit the sale and taxation of cannabis. Such a shift would do much to eliminate illicit traffic in marijuana but it would also, without question, result in an increased use by both adults and adolescents. And as I previously asserted, there is no product that when made more available to adults, does not become more available to children.

Let me say again, cannabis is not a harmless drug, and its impact on the development of adolescents should not be underestimated. People do become dependent on cannabis. Cannabis dependence and cannabis-related problems are the most frequent reasons why young people are referred to treatment programs. Our policies need to discourage its use. The issue is how best to do this without harming those we are trying to protect. Our

policies represent a balancing of competing interests and values. In a secular society we presume that the goal of those policies is to minimize drug-related health and social problems at the lowest cost both monetarily and in terms of personal freedom. The impact of the use of any particular drug is difficult to predict. Sometimes the policies that are put in place misjudge the health effects by the overall cost of implementation.

Whatever policies are in place will have their supporters and their beneficiaries as well as their critics and sometimes victims. Policy revisions typically occur slowly. Consider tobacco. It's been more than 50 years since we learned about the health impact of cigarette smoking, and we've only begun in the last few years to revise our policies. Consider also alcohol. International panels have repeatedly pointed out that in developed countries, alcohol consumption is the third most detrimental factor contributing to disease, accounting for 9 percent of all burden of disease, about the same amount as for tobacco. And the harms are not limited to those who are alcoholic. They have urged that we reduce the overall consumption of alcohol. They have provided in some of the books they have produced ten major policies that would be effective in doing so. In the United States we have implemented only two of those, raising the age limit for the sale of alcohol, and at least in most states, lowering the blood alcohol levels for presumptive evidence of intoxication among drivers. Taken together, alcohol and illicit drug problems cost this country \$386 billion a year, roughly a little over a third of a trillion, if that makes it any easier to remember. Alcohol costs slightly more than drugs, but the distribution of the cost is different. Alcohol exacts more costs in terms of health care and lost productivity; drug abuse more in terms of law enforcement and criminal justice. Policies once in place are hard to change. And today's discussion I think will provide further evidence of how difficult it is to even reach consensus.

There are other countries that have followed paths significantly different from those we have followed in the United States. We should consider them as natural experiments and try to learn whether we can make our drug policies less costly and more humane.

DR. DU PONT: Baltimore has been ground zero in drug policy development for quite a long period of time. In August of 1969, with six unemployed college students in the summer of that year, we did drug tests.

Drug tests began early in the D.C. jail, and found that 44 percent of the people coming into jail were positive for heroin, and that we could graph what year they first used heroin. And it laid on absolutely perfectly with the rate of crime in the District of Columbia. Whatever else you could say, there was no question that the principal engine driving the rise in crime rate was heroin use in Washington D.C. And then the next question became what do you do about that?

In any event, what we did was start drug treatment, and that meant methadone treatment in Washington D.C. I was and am a registered Democrat. It was a disaster to me personally when the Republicans came to town in 1969. And the irony of that was, as Don said, nobody down at that White House seemed to give a damn what my political party was. The question was could I do anything to make a difference? If I could, that was fine. And if I couldn't, if I was a Republican it wouldn't have helped. It didn't make any difference to them at that time. I was pleased with that. That mattered to me and I appreciated that.

Don was one of the people I worked with and I can tell you in my career I've never worked with as many talented people as we had working on the problem in Washington at that time, just absolutely stunningly good administrators, very bright people, very dedicated to the public interest in every meaningful way, including our handler in the White House who was a 29-year-old recent law school graduate named Bud Krogh, who represented Richard Nixon in dealing with all this.

This is when we developed what's called the balance strategy. The federal government prior to that time, including administrations both Republican and Democrat had been virtually solely focused on problems with law enforcement, it was a justice function. And it was the Nixon administration that changed that balance by adding prevention, research and treatment, and major federal investments in all of those for the first time in the country's history.

I'm going to pose two polar opposite views, and let you think about what the problem is. One way to think about the problem is the amount of use of the drug and the problems that flow from the use. The measure we would take to that would be how much use is there, or some other measure of problems associated with it, automobile accidents, problems in family

life, problems in employment, whatever, the health problems, we've got a lot of ways to do it. But anyway, related to the use. And then there's another way to look at it, and that is to say, no, the problem with drugs is the social response to the problem of the use of drugs. So there the measure becomes how many people are arrested; how much is spent on prisons; how much is spent on law enforcement; how much is spent on other activities that are socially imposed and flow from the prohibition?

One of the things I want to call your attention to in lot of the debate about drug policy is that there's a kind of subtle switch as to what the problem is, and we end up talking about the problems of people in prison, or the problems of the cost of law enforcement, and we leave out the question of, well, how do we get to those problems which have to do with drug use? And I want to tell you from my point of view, the way I would measure progress and loss in the game is use. That's the game. Jerry was talking about alcohol. With alcohol policy, how do we measure it? Well, how much alcohol is used? With tobacco, how much is used? That to me is the most fundamental epidemiologic measure, and it is a radical way to think about the problem because once you move away from that, the ground is not steady under you.

Let me give you some numbers to give you an idea about this. We have, using the same standard, which is any use in the prior 30 days, the term of art in modern epidemiology is to call that current use, 50 percent of Americans 12 and older had at least one drink of alcohol in the last month, 50 percent. That's the percentage of the American population. I spoke to the editorial board of the New York Times years ago about this and asked them to guess around this luncheon where we were having sherry for lunch, asked them what percentage of the American public had as much as one drink per day most days in the course of a month, and the guesses ranged from 50 percent to 75 percent. The actual number is 7 percent. They were stunned by this because their presumption of how much drinking there is going on in the country was so different. And two things happened as a result of that. One, they stopped serving sherry at their lunches, and two they never invited me back.

To me the question about drugs, as I say, is measured in use, and the numbers for use, to give you these, 50 percent for alcohol, 30 percent of Americans smoke tobacco, and 8.2 percent use any illegal drug, of which

6.4 percent is marijuana. Those are the 2003 national numbers. I didn't make those up. What do those numbers mean? You could also look at the question of what the social costs are, what Jerry was talking about. Alcohol and tobacco produce much larger social costs to this country than do all illegal drugs put together. What do those numbers mean?

Does anybody think that any of the illegal drugs would be less attractive to the public than alcohol or tobacco were they treated in the same way? I think it's hard to make an argument that if you had less social disapproval, to use a word other than prohibition, you wouldn't have use levels on the alcohol or tobacco scale with any of these drugs, let alone all of them. And if you talk to people who have used these drugs, you get an idea of the attractiveness of the drugs.

Now, from my point of view, the fundamental problem we have is brain biology: drugs produce feelings users like. They actually do work. It's not just an idea. It's not a fad. It's biology. And they are powerful. They are very powerful. A simple experiment to show about drug use is an experiment done to laboratory animals where a white rat or a laboratory rat will not walk across a grid that's got electricity in it because the rats are very sensitive to shocks. When they're put in there, if food is on the other side, or water, they will die of starvation. They will die of dehydration rather than walking across there. But give the rat a little cocaine and show him that it's across there, and he'll walk across as if there's no problem.

This is not a white rat or a black rat. This is not a rich rat or a poor rat. This is the drug about which it has been suggested that we're going to improve our situation with methamphetamines by making it more available. The biology here is pretty serious. And what has happened is we have the modern drug epidemic in this world because we have never before in the world introduced large segments of the population to many drugs of abuse, drugs that produce great reward—that's the term of art—on a large scale. It never happened. The modern drug epidemic is as new as the computer. In the world's history it never happened before. And it's globally going on. And what we're going to do about it is going to be a big challenge.

And it's not just here. It's not just new ideas we're looking for here, but all over the world. Because at the same time that we have biology, we have a cultural and an economic process going on to expose more people to the

drugs, and to have more responsibility of individual choice for their behavior. And if you think there's a simple solution to that, you're wrong. As Jerry said, there is no simple solution. We're groping to find social responses to it that make sense. When you think about harm reduction, which is the term of art now for softening the social disapproval about illicit drug use, think about how a family approaches a family member who has a drug problem. What do you do with somebody in the family who has a drug problem? Would it be a great idea if you had a son, let's say, or a brother or sister and they had a heroin problem and you would say, what I'm going to do to help that person is give them clean needles. Does that sound like a really helpful way to deal with your brother or your child?

Do you think that it would be helpful to your son or your brother or sister who had a heroin problem to say we're going to set up a room in the house and give you heroin? I think what's needed is something entirely different. And what's needed is tough love, which has to do with clear disapproval of the drug use, the family says absolutely not, not in this house. We will not support you; we will not send you to school; we will not give you the car; we will not—the wife will say or the husband will say—I'm not staying in this house if you're drinking or you're using drugs.

Then you combine that with the secret weapon on the war on drugs, which nobody else has mentioned, and I'm going to mention it, and that is the 12-step program, Alcoholics Anonymous and Narcotics Anonymous. People really get well and stay well by going to those meetings, and that's the secret you won't hear anybody else saying, but that's the truth. Drug treatment programs work to the extent that they get people into those fellowships. And they stay clean to the extent that they stay active in those fellowships. That's the way it works.

Mandatory Minimum Sentences

DR. JAFFE: When I served in Washington I had privileges to the White House mess. When Rockefeller passed his laws over my arguments to him that they were not wise, that they would cause problems, the Republican administration at that time decided that they had to go along with them. They could not let anybody get to the right of them. I wrote a memo suggesting that this was not the right time for that, and my White House mess privileges were immediately revoked.

I haven't changed my views on it. I think that mandatory minimums take away a judge's discretion to deal with differences that inevitably emerge in the criminal justice arena, and certainly to have sentences that are longer for a drug sale than for murder, as I mentioned to Governor Rockefeller, make it very hazardous to be a witness in such a case. .

DR. DU PONT: I don't think the mandatory minimums have to do with drugs. I think this is the criminal justice system changes that went on in the 1980s, so the mandatory minimums are with respect to all criminal behavior. It passed with a combination of liberal and conservative support. It was a very bipartisan issue. The reason for that is that on the liberal side was the presumption that judges favored white defendants against black defendants, and if you just did it the same for whatever the crime was, that this would be fair and work out fine. I think mandatory minimums need to be thought about again. But I do think that there is a case to be made that crime rate reductions have to do with various stiff sentences. I'm not so quick to say it's a terrible idea. I've never been a supporter of mandatory minimums and I was not involved at all in those sentencing decisions. But it was a very much bipartisan thing that went on in the 1980s, and neither party has shown any sign of wanting to change that.

GOVERNOR JOHNSON: One of the things I was able to change as governor was actually to sign into law provisions that in New Mexico judges are given discretion with regard to numerous offenses. I'm not in support of mandatory minimums. I think judges should have discretion.

I'll just tell you the biggest horror story perhaps that I came across as governor in the state, involved a woman by the name of Marianne Gomez Velasquez. Her crime was that she wrote herself prescriptions for Tylenol 3, and she'd been doing this apparently since she was 17. She was addicted to Tylenol 3 for 20 years. She never received help for her addiction. She wrote herself hundreds of prescriptions. She got caught, and because of minimum sentencing regarding drugs and the writing of prescription drugs, on the third occasion that she was caught she was sentenced to 25 years in jail. And that's more than second degree murder in the state of New Mexico. That's almost three times the sentence for drinking, driving, and killing someone. When I got wind of this I pardoned her.

MR. SANTARELLI: This is a larger question than just a microscope

looking just at mandatory sentences. This criminal justice system of ours is a football in the great struggle that began with our constitutional system, among and between the executive branch, the legislative branch, and the judicial branch.

Mandatory sentences as part of sentencing guidelines are all a reaction, a temporary reaction to this struggle between these three branches, that the Congress and the executive branch collude to tell the courts what they can't do. We are in a phase right now where the judiciary now is under more criticism than ever before. So the sentencing guideline concept, the concept of the Congress setting out limitations and mandatory instructions upon the court is in high gear.

Honest men, including women drinking beer out of a bottle, say we can't win this battle. So they created drug courts. Drug court is nothing more than the court that used to be with the discretion to sentence people to alternatives to incarceration, such as a drug treatment program. Everybody knows in their heart, even the bad guys like De Lay, that that is a good idea, but they can't admit that it's a good idea in public because, like Clinton pulling the switch on the electric chair while he was campaigning for presidency, no one is going to be taken from the right. So all politicians declare, I can't be soft on crime. I know in my heart I'm wrong with these mandatory sentences, so let's create a drug court as an option, an escape valve from the rule that you must sentence to a term in prison. Legislation anticipating the proper punishment for a crime committed by a human being, an individual, is always and everywhere intrinsically wrong.

School Drug Testing

DR. DU PONT: This is one of the two principal areas of interest to me right now in our organization, and that is random student drug testing. I was an expert in the original case, the 1995 case in Oregon, and very much supported the Supreme Court decision in the Tulsa, Oklahoma case. I think the confusing part is what happens when students test positive?

The answer is that the parents are called in and the student is assessed for the need for any intervention or treatment. Assuming that none is, usually there isn't any, then the student is removed from extracurricular activities until the student produces a clean urine, and they go back to school and all that happens is they're followed again to ensure that they

don't go back to using drugs. It's not part of their academic record. It doesn't go to colleges. It's entirely confidential, but it does establish that they're not going to use drugs.

I think that it's the single best new idea to reduce the incidence of drug use, which occurs almost entirely in the teen-age years. What's never been litigated is testing all students in public schools. There's no barrier to testing in private schools. Remove the extracurricular activities and athletics. What would happen to public schools that tested all students? That's not been litigated in the Supreme Court. But right now the idea is it's perfectly legal, constitutional to test students for extracurricular activities and athletics, and I support that very much. The ACLU is not eager to bring that case. They were shocked by losing in Oklahoma and they did not want to set a precedent. So it may be a while before you see that go to the Supreme Court.

DR. JAFFE: It's important to know the constraints on what you do with the information you obtain from the test before I'm willing to come down one way or the other on how you would use it. If the Supreme Court says you're allowed to do it and there are no constraints on what you do with the information, and it's then put in the hands of people who think that, well, we now have evidence of your use, that's the same as internal possession, which was once the criteria in California, the punishment is a year in jail, then I guess I don't want to see it used. It's a good diagnostic tool and diagnosis in medicine is useful. It can be very valuable for prevention. But when it gets into the hands of people whose goal is a punitive one, then I'm not sure that I want to turn it loose. If you're expelled from school because you have a positive, do you get your justice only ten years later when the Supreme Court says that wasn't our intent? And that's my fear.

MR. SANTARELLI: Don't miss the point that this is a state action. This is a state action, intruding into both the privacy of a person's life on no basis except fishing, a random search. It's troublesome for those of us who think constitutionally or who think from the promise perhaps not shared by everybody of essential personal privacy, personal freedom from the state's intrusion into my underwear or my bloodstream or the contents of my lungs.

DR. JAFFE: Well, speaking of the contents of your lungs, the state has the

right, I believe, to do TB screening. And if it looks like you have a contagious disease, they can undertake activities to protect the public and treat you.

MR. SANTARELLI: That's correct. The exception to those rules are health and safety, have always been permissible for intrusion. I merely take the proposition that I start with the presumption against intrusion. I don't say that I oppose this particular practice.

DR. JAFFE: Don will recall that when we did the testing in Vietnam, the first thing we asked the President to do was to change the Code of Military Justice so that a positive on a drug test was no longer a basis for a court martial offense. And absent that, I would have not released the technology to the President, and that was an important issue.

Let's not confuse the idea of urine testing with its intrusiveness. Some day they'll have something where you just have a little laser and it will tell you, and it doesn't intrude into anything. The point is what do you do with the information? That is critical. It's critical that that be protected. If you're going to go on a fishing expedition, it has to be for somebody's benefit, for their health and not punitive.

MR. SANTARELLI: You have to remember, there is no such thing as information that is secret. This is a long-term problem that we confront as a society. Once information is developed for any purpose, it will no longer be secret. Look at the fight we were in for 30 years over the rule of law that you didn't want the CIA to talk to the police, because the CIA could conduct searches and surveillance and gather information without any control. So now we sit here in fear of the great war on terror. Because we have a constitutional rule that either you play fair or you don't play. So now you guys have the Patriot Act—don't get me wrong. You're all asleep.

DR. JAFFE: The point is we weren't asleep. Because when we made treatment available we also created confidentiality laws that were the best ever devised, that even in the case of a major offense, the police couldn't get at the records of people who were getting drug abuse treatment.

MR. SANTARELLI: That was before the world of the Internet and technology where you may transfer this information among the related

parties. This is like the King of England in the 16th century says you're a traitor; I define traitor. I now define related parties; the bank, insurance company, actuarial folks and the law enforcement guy who says let me see that.

GOVERNOR JOHNSON: I don't know if I disagree with what either of the two of you are saying. I think there's a real issue when it comes to drug testing about what you're testing for. In fact, I'm agreeing with both of you. Having had a thousand employees, we drug-tested pre-hire for cause and random drug testing. And, of course, we told people up-front, here's what we do at this company and we offered employee assistance. So we did not have zero tolerance. We wanted to help the people out that may have had drug problems, and I think we were very successful in doing that. Again, I'm scared to death over new legislation that will allow mandatory drug testing at the scene of an accident and that person then, because of a zero tolerance policy where marijuana may be present in that person's bloodstream, but that person is not impaired, will have their life adversely affected. So I think in this country we should have a choice of whether or not we want to work at McDonald's or be an astronaut. And I think NASA should perhaps drug-test. I think that the airlines should drug-test, and I don't think I'm going to find any disagreement here.

But where the drug testing issue becomes really troublesome is we're testing for presence and not impairment, and technologically speaking, I think it's interesting that Dr. Jaffe would talk about a laser that would be able to detect instant impairment, I think that day is coming, and that's going to be interesting as to how that information gets used. And again, let's draw the line here.

DR. JAFFE: I'm just trying to make it clear that there are things like hair tests things that are very non-intrusive. And they now have a little thing that will swab the gums and it's just as effective as a urine test for opiates and cocaine. The technology is changing, but it doesn't change the fact that you're getting personal information that really can't be kept secret, and it can be misused by some people in an atmosphere where not everybody thinks that you get information for therapeutic purposes. I also believe that it is beyond, at least within my grasp of the science, it's beyond our capacity to develop levels of drugs that will be solid evidence of impairment. People respond to drugs with tolerance and other things, so that where a level for

one person would be impairment, a level for some other person, even though it's even higher, will not be impairment. Science is useful, but it has its limits. So all you can detect is presence. What we have for alcohol levels is presumptive impairment. It is only presumptive. And very often there are some people who at the levels that are illegal are not impaired.

MR. LIEBMANN: Dr. Jaffe, what are the lessons of the military drug testing?

DR. JAFFE: Well, there were two phases—actually three. The first phase was we used the testing to detect drug use and offer people who are positive an opportunity to be detoxified, because we assumed that anybody who recognized that they wouldn't be able to leave a particular situation as long as they were positive, must be dependent. They quickly learned to stop using. So you could deter drug use by having a contingency other than a catastrophic bad conduct discharge or dishonorable discharge, by simply saying you'll be delayed in returning to an environment that you want to go back to. And that was positive and it was effective. They later decided not to use it. That was the third phase. I don't know why they discarded it. In the third phase they used the same testing in a much more punitive zero tolerance way after they had an all-volunteer Army, to say if you're positive, we discharge you. That was also effective because most people who joined in peacetime in the old volunteer Army wanted to keep their jobs. A diagnostic test with an adverse contingency can be effective. So the effectiveness is not questioned. I think the issue of fairness sometimes is what it is. And the question of personal privacy, I think, is something at issue. And that's the military experience.

Policy Recommendations

DR. DU PONT: I think the biggest impact on drug use in America would be to make drug testing on the highway as common as alcohol testing is. I think that it would put illegal drug users at risk for their driver's license and exactly the thing that Governor Johnson is concerned about is what I want to see happen. This happens now with commercial drivers. We have a standard for commercial drivers, and we have since 1988. And it's worked very well in that population. The public does not know that illegal drug use creates as many problems on the highway today as alcohol does. We have a national effort to deal with drunk driving. We need to deal with drugged driving. So that would be my number one suggestion.

DR. JAFFE: I think, respectfully, I'm not going to try to rank-order all the things that I think we could do to make things better. I'm very concerned that we're not doing what we can about tobacco and alcohol, and together they're bigger than the illicit problems.

GOVERNOR JOHNSON: Legalize pot. I think that overnight you would see a difference in this country. I think overnight things would be better. You wouldn't necessarily know what they were, but they would be. And part of that would have to do with the fact that the police wouldn't be arresting 700,000 people a year. They might be out enforcing litter laws, which I'd like to see. They might be out enforcing speed limit laws, which I'd like to see. They might be out enforcing the fact that my credit card has been used illicitly, and they might go out and enforce that. I think there are a whole lot of things that we would like to see happen in this country that aren't happening now because we are so preoccupied with pot. And back to pot, I actually believe that there would be less substance abuse, overall substance abuse because I think people would find pot as an alternative to alcohol, and alcohol, I think, is the real insidious culprit in our society. And for that matter pot may be too, if we establish impairment. And that needs to be established, and it needs to be enforced. Back to traffic. It's never going to be an excuse for becoming impaired, doing crime. That's criminal, and that always should be.

Social Causes

DR. DU PONT: 70 percent of illegal drug-users are employed full time.

GOVERNOR JOHNSON: Well, most drug-users, not all drug-users, are tax-paying, job-holding parents. You also pointed out something that I see as a real hypocrisy, and that is with regard to our drug policies, our current drug policies. How is it that users are any less guilty than the sellers? Because they're out on the street trying to find it and somebody is just coming in and filling the gap? I see this as really hypocritical. Sellers, these people that are going to prison, are those that are selling small amounts of drugs, small quantities of drugs, but they have been caught before on numerous occasions. And now because of mandatory sentencing this is the profile of the person behind bars. When you talk about job programs, jobs making a difference, yeah, jobs can make a difference. Can government

create jobs? I think government can create an environment that promotes job creation. But government itself, I think we're into another topic, and that's where I think I'm a Republican. Get government out of the way.

Regulation and taxation

DR. DU PONT: The idea that you would deliver a medicine by burning leaves makes no sense. Smoke is, by definition, toxic. To the extent that there's any chemical in marijuana smoke that is beneficial, treat the person with that chemical in the known dose. There is no tradition of burning leaves for medicine, absolutely none. Smoke is toxic. It's a pathologic drug delivery system. The people who want medical marijuana just want's a back door to legalize marijuana because they have no interest in the development of pharmaceutical products out of those chemicals, zero, none. And the reason is all they want is to smoke dope, and they wouldn't settle for anything less. It's very well established that smoke is not an acceptable medical delivery system for any drug to treat any illness.

GOVERNOR JOHNSON: I know Dr. Du Pont knows this. The criticism of that analysis is that in its pill form marijuana just knocks you out. I mean, it absolutely obliterates the taker of marijuana by pill form versus being able to smoke, and actually prescribe your dose by being able to take enough marijuana to actually get relief and not pass out.

Secondly, I just find it extraordinary that wherever medical marijuana has come up for vote in any state, that it has passed overwhelmingly. When legislatures have passed medical marijuana and it has been signed by the governor, for the federal government to say to states, you cannot implement laws passed by the legislature signed by the governor or you cannot implement a program that the citizens of that state have voted on is wrong.

DR. DU PONT: How many medicines do state legislatures vote on? Zero.

GOVERNOR JOHNSON: But the precedent that you're talking about is one that the federal government is going to say you states are wrong. And that is not the foundation of this country.

DR. DU PONT: It is for medicine.

GOVERNOR JOHNSON: This is really scary.

DR. DU PONT: Take it to the FDA to get approved. It's a crummy drug delivery system.

MR. SANTARELLI: There is a clear endless tension between federal regulation and state regulation of human conduct. Typically health and safety have been state-regulated events. But in modern times the federal congress can't keep its hands off of anything because there's votes in it. And on the other hand, to be even-handed, if it's possible, interstate commerce needs to be regulated by one place. We are in a phase where we are recognizing that the concept of a federal republic is a dream. In order to have a viable commerce and global commerce, macro-regulation is practically required. It is difficult for us old Jeffersonians whose image is of the library-educated, University of Virginia boy pushing a plow, to believe we just are past that. Some of us can lament it, but recognize that it's inevitable. Federal regulation will ultimately succeed in every field, will make states ever more irrelevant, except in the duplication of the regulation. And that brings us to the next stage of the game and that is double criminal liability to two different sovereigns.

MR. LIEBMANN: Let me let that lead to another question. The question about double enforcement or double sovereignty is one of peculiar interest in Maryland. It's not generally recognized, but it's true that Maryland was the only state that refused to enforce national prohibition in any way. Governor Ritchie was gravely opposed to national prohibition. And Maryland was ultimately followed in that first by New York state under Al Smith, and then by six or eight other states, which is one of the things that gave rise to the ultimate collapse of national prohibition. That leads me to the question, what policy should the state adopt in the allocation of its enforcement resources with respect to marijuana; should the state enforce the law or should it say to the federal government, if you want to prohibit possession of marijuana, you enforce it? What would you say if you were a governor or a state legislature or a policeman?

MR. SANTARELLI: In part because of my deep commitment to federalism, because I don't trust anybody with power, including the religious right, I would use every opportunity to establish the state's authority to regulate its own conduct. However chaotic that may be in a

modern world, it's the only safeguard of liberty, fractured authority.

DR. JAFFE: Well, this has much more to do with law enforcement and policy issues. We should hear from the Governor.

GOVERNOR JOHNSON: I couldn't have said it better than Don.

Health effects of decriminalization

AUDIENCE MEMBER: I have a small concern, especially with regard to legalization of marijuana, because the arguments I'm getting so far are arguments about saving money rather than really saving lives kinds of arguments. I heard Dr. Jaffe talk about the fact that implementing these kinds of laws are diverts a group of people from using marijuana itself. So I was wondering what kind of other arguments can be given in terms of legalization saving lives rather than saving money.

GOVERNOR JOHNSON: There are no known deaths due to marijuana. Again, I thought there are some, but there aren't any. That isn't to say that a person won't smoke marijuana and die as a result of their impairment because they do something stupid. But actual inhalation of marijuana and dying as a result of it, I don't think there's anything in any—

AUDIENCE MEMBER: You're going to divert the problem to the medical sector by legalizing. It's my guess it is more expensive medically than the legal system. I guess from the experience of prohibition of alcohol in the U.S., switching it to legalization, alcohol, and that the alcohol bills, medical bills got to be more expensive than the illegal drug bills in the U.S.

GOVERNOR JOHNSON: First of all, I think in a perfect world, to say that people shouldn't be able to smoke cigarettes, they shouldn't be able to drink, or they shouldn't do drugs and they shouldn't do marijuana, in a perfect world, no, let's pass laws and everybody obey those laws. Health costs are going to at least initially probably increase as a result of the legalization of marijuana. What is it to say that with education, that marijuana and drugs won't decline in use, as cigarette smoking has declined in use strictly because of education. I just think we can do a better job in the educational area. And again, I don't see the health costs outweighing the current costs, which again, back to the 1.6 million arrests, back to half of

law enforcement, half the courts, half the prisons, the fact that we made tens of millions of Americans felons. I think that cost is just such that it can't continue.

MR. SANTARELLI: Let me add one more cost, and that's the ultimate cost, the cost of liberty. I'm troubled with the proposition that we continue to use enforcement mechanisms to deal with conduct that is secondarily harmful and not primarily harmful. I come from the perspective that I would rather somehow to take the law enforcement quotient out of the picture. Because it's the law enforcement quotient that gives rise to the organized sale and distribution of drugs of all kinds, which creates an enormous false economy and an enormous black economy, and really leads to the shootings in Baltimore among the gangs over who is going to distribute the stuff. It's the production and distribution of something that people want to use. Criminalizing that diverts the law enforcement system not only away from other priorities, but also into incursions of ultimate individual liberty.

Where medical people bring the medical worry to the table, I want everybody to appreciate what it is we give up in the name of fear of harm from excessive use of different kinds of drugs that affect people differently. We treat it all as one from a law enforcement standpoint. When I was in the government and in charge of the Law Enforcement Assistance Administration, and at a time very unpopular, I took the position, let's look at the other costs we have of using the criminal system to enforce the marijuana law, especially at a time in the '70s when marijuana smoking was more a symbol of protest than it was a brain reward pleasure. It takes a while to get a brain reward just as it does to get people who start smoking cigarettes. When I tried it it was so unpleasant that I didn't try very long. I took the view that if the kid smoking dope on the sidewalk protesting the war in Vietnam looks at the policeman as his enemy, that's a bad start for entering into a social compact with a community. If the kid from the street looks at the cop as his enemy instead of his friend, the guy to go to report a crime he may have seen occur or suspicious activity or his own risks, he's going to stay away from the policeman. That dichotomy of interests that early in the stage of development is bad for society. You weigh that against the good of the policeman being a marijuana enforcer. I ask you to weigh that. When I look at that I weigh it out on one side because I'm preoccupied with liberty. You're entitled to weigh it as you

wish. But I want you to do it intelligently and not just sit there and let it happen.

MR. LIEBMANN: What would a legalized regime look like with respect to marijuana? That is to say if you wanted to tax and regulate, given the privilege against self-incrimination, you have to get rid of criminal penalties. You could probably have some kind of civil penalties.

MR. SANTARELLI: Just like they do Pennsylvania and Virginia, state liquor stores, you sell one joint at a time. There's a label on the liquor bottle that says 80 percent proof, 90 percent proof; there's a label on the cigarette says whatever proof, I don't have any idea how you regulate the quality of marijuana.

MR. LIEBMANN: Who would manufacture it and what level of government would regulate sales?

MR. SANTARELLI: The same guy who makes whiskey, with the guy from the BATF watching them pull the tap.

MR. LIEBMANN: I'm asking this question because it is not self-evident to me who the substitute industry would be, generic drug manufacturers, alcohol, tobacco, who would it be?

GOVERNOR JOHNSON: I think what you would have if you would go to implement this, what you should have is you should have in this case states implementing the laws, and that they would determine those laws, and back to this country and what it's founded on. You've got 50 laboratories of democracy. You're going to have 50 ways to get it done. But very quickly there's going to be a best practices that is going to be developed. There are going to be mistakes made along the way. Again, if you've got all states engaged in this, you will find best practices emerge.

MR. SANTARELLI: You couldn't buy a drink in Virginia when I was in school. But you could buy a bottle. If you wanted to drink you would go across the border. It's entirely okay for states to have these goofy experiments within themselves.

MR. LIEBMANN: But you can't have one as long as there's the federal

criminal prohibition, except to the extent that the Supreme Court may carve out exceptions. Then this is the second question, a political question, and that is that no one thinks that the National Organization for Reform of Marijuana Laws and Libertarian Party are going to be producing political change in this area. In the prohibition period the political change, as a practical matter, came about because of a political coalition between the former producers, brewers, distillers who still were in business making medicinal whiskey, near beer and sacramental wine. The coalition was between them and the very rich who hoped that alcoholic beverage taxation would replace what was left of the income tax. Where is the lobby going to come from to produce legislative change in this area?

DR. JAFFE: The natural producers are the tobacco companies. They are now held in ill repute, and I don't see them lobbying for this at this juncture.

MR. SANTARELLI: I don't think there is a critical mass, even in coalitions.

DR. JAFFE: You're talking about a plant product that's ground up and typically wrapped in paper. Does that sound like another product that's sold? There are people who know how to do that with great precision and great regularity, and with good quality control. They know exactly how that's done. I don't see that there are any generic drug manufacturers that have those skills and technologies. But as I said, I don't see them, you know, becoming a force for this.

MR. LIEBMANN: As far as the taxation of sin is concerned, you don't see any state governor who would like to tax this?

GOVERNOR JOHNSON: Talking about taxing the product, I think that that would be very secondary to just getting the entire industry above the line when it comes to income tax.



William Howard Taft

A Voice Against National Prohibition

“I am opposed to national prohibition. I am opposed to it because I think it is a mixing of the national Government in a matter which should be one of local settlement.

“I would be in favor of State prohibition if I thought prohibition prohibited, but I think in the long run, except in local communities where the majority of the citizens are in favor of the law, it will be violated.

“I am opposed to the presence of laws on the statute book that cannot be enforced and as such demoralize the enforcement of all laws. If I were in a local community in which I thought prohibition could be enforced, I would vote for it. If not, I would favor a high license, but I am not in favor of a national amendment...

“Let the States which wish to do so prohibit. They have every means now of enforcing prohibition. I don't drink myself at all, and I don't oppose prohibition on the ground that it limits the liberties of the people. I think that in the interest of the community, and of the man who cannot resist the temptation to drink in excess, if he has the opportunity to drink at all, other citizens in the community may be properly asked and compelled to give up drinking, although that drinking may do them no injury.

“The business of manufacturing alcohol, liquor and beer will go out of the hand of law-abiding members of the community and will be transferred to the quasi-criminal class. In the communities where the majority will not sympathize with a Federal law's restrictions large numbers of Federal officers will be needed for its enforcement.

“After the law abiding members of the business go out of the business and a complete readjustment follows, the pressure for violation and lax execution in communities where the law is not popular will be constant and increasing.

“The theory that the national Government can enforce any law will yield to the stubborn circumstance, and a Federal law will become as much a subject of contempt and ridicule in some parts of the national as laws of this kind have been in some States. I profoundly depreciate having out constitutional structure seriously amended by a feverish enthusiasm, which will abate to neglect and laxity in many States as the years go on.

“I have never concealed my views on this subject, and it is a matter in which one should speak out. An intensively active minority in favor of adopting an unwise policy may win through the failure of the members of the majority, though opposed to the policy, publicly to declare themselves and to take the trouble to give effect to their opinions by their votes. A minority like this, conceiving that it is moved by a moral issue, loses its sense of proportion and sacrifices other issues, no matter how vital to the nation.”

Fun Facts About President William Howard Taft

- Taft was the first President to throw out the first pitch of a baseball season, beginning a tradition that continues today. The game was in 1910, between the Washington Senators and the Philadelphia Athletics. The Senators won 3-0.
- Taft was the first President to own a car. He actually converted the White House stables into a garage.
- Taft was the last President to keep a cow at the White House to provide fresh milk. Her name was Pauline.
- Taft successfully argued for the construction of the United States Supreme Court Building. He felt that the Supreme Court should distance itself from Congress, since it was a separate branch of the government. Prior to this, the Supreme Court heard cases in the Capitol Building.
- Taft was a heavyweight wrestling champion at Yale. He stood about 6 feet tall and weighed 243 pounds when he graduated from college. He struggled with his weight and may have weighed more than 330 pounds as President. However, he was at his college weight at the time of his death.
- Taft was the first President to be buried in Arlington National Cemetery. John F. Kennedy is the only other President buried there.
- Taft was the only President to ever serve as Chief Justice of the Supreme Court. He considered his time as Chief Justice to be the highest point of his career. In fact, he once wrote, “I don’t remember that I ever was President.”
- Taft administered the Oath of Office to Calvin Coolidge in 1925 and Herbert Hoover in 1929.

NATURE'S NEW DEAL

The Civilian
Conservation
Corps and the
Roots of the
American
Environmental
Movement



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Enrollee Work and the Body Politic

On the very first day that CCC enrollee Pablo Diaz Albertt arrived in Camp F-44 near Libby, Montana, he began contrasting his new surroundings to those left behind in his native New York City. "The majestic Rocky Mountains, covered with shining white blankets on top" and the "melody of the brooks and the beautiful western sunset," he mused, had replaced the "depressed days of New York" and "the streets I had walked so long seeking a decent job." During the next few weeks in camp, Albertt's thoughts also drifted to the labor he now performed each day on a CCC forestry project, as well as to its impact on the surrounding landscape. "The work was hard," he admitted. "I helped saw down large trees" to thin the forest for better growth, and "buil[t] roads" to aid foresters in their fight against fire. Only then, after getting settled in his new surroundings, did this Corps enrollee contemplate how such labor performed high in the Rockies had influenced his own physical well-being. "I grew stronger, I became more solid, I changed," he explained, from "working and living a healthy life in the 'Cs'."¹

According to Albertt's fellow enrollees, the personal changes experienced while laboring long and hard outdoors on Corps conservation projects were not limited to the physical. In camp newspapers, essays reprinted in national magazines, and letters mailed home to family and friends, the more than 3 million young men who joined the CCC during the Great Depression went out of their way to describe the transformative character of their outdoor work.² "The Civilian Conservation Corps has benefited me in both body and mind," explained enrollee Frederick Katz of his labor at a CCC camp near Mount Union, Pennsylvania. "The actual work, digging, chopping, walking,"

added another enrollee, "are splendid means of bodily development and a sound body usually means a sound mind."³ Corps administrators agreed. In a 1935 article in the *New York Times Magazine*, CCC educational advisor Frank Ernest Hill argued that enrollees' labor on conservation projects was "developing their minds as well as their muscles."⁴ In this sense, Pablo Diaz Albertt's experiences were typical. As labor on Corps projects built up his body during the mid-1930s, Albert noted, "I learned things I never knew."⁵

Although working-class Americans like those enrolling in the CCC during the Great Depression are seen as central to Franklin Roosevelt's liberal New Deal coalition, labor has often been portrayed as problematic for nature.⁶ Richard White, for example, argues that environmental historians too often equate work, particularly manual work, with the destruction of nature. According to White, this belief that nature is safest when shielded from human labor is dangerous because it masks the fact that human work has always intersected with the natural world and in doing so has historically imparted knowledge about nature to laborers. By digging, planting, harvesting, cutting, dragging, and even grazing livestock, farmers, loggers, and ranchers learn through their bodies about forests, fields, and plains. "We cannot come to terms with nature," White concludes, "without coming to terms with our own work, our own bodies, our own bodily knowledge."⁷ Corps labor, however, can help us to come to terms with more than nature. Examining the impact of CCC work on enrollees' bodies and minds can also shed light on the shifting politics of both conservation and the New Deal during the Great Depression era.

From the moment Franklin Roosevelt conceived of the Corps, the concept of work was central to the mission and daily operation of the New Deal program. The president stated as much in his congressional message of March 21, 1933, in which he asked legislators to establish the CCC. "The overwhelming majority of unemployed Americans, who are now walking the streets and receiving private or public relief," Roosevelt wrote, "would infinitely prefer to work." Those enrolling in the program, he added, would "be used in simple work, not interfering with normal employment."⁸ When Congress passed the bill creating the CCC just ten days later, labor was likewise of primary importance. According to the bill, the federal government established the Corps "for the purpose of relieving the acute condition of widespread distress and unemployment now existing in the United States" and "to provide for employing citizens of the United States who are unemployed."⁹ Young men expecting their stint in the CCC to be a so-called walk in the

park would be sorely disappointed. Labor, not leisure, was at the very heart of this work relief program.

Franklin Roosevelt's caveat that enrollees would "be used in simple work, not interfering with normal employment" was an attempt to alleviate the concerns of organized labor, which in the spring of 1933 reeled under a staggering 25 percent national unemployment rate. For the most part, the president's words fell on deaf ears. During joint hearings before House and Senate committees held in late March 1933, several union representatives interrupted an otherwise steady stream of supportive testimony to bitterly attack the CCC bill. American Federation of Labor (AFL) president William Green, who one week earlier had stated in the *New York Times* that the proposed reforestation program awakened "grave apprehension in the hearts and minds of labor," testified against the bill on three fronts, arguing that the army's control of CCC camps would militarize labor, that Corps enrollees would displace free laborers, and most important that the proposed compensation of \$1 a day would depress wages for nonrelief workers. A. F. Whitney, president of the Brotherhood of Trainmen, opposed the Corps for similar reasons, stating that passage of the bill "would place Government's endorsement upon poverty at a bare subsistence level."¹⁰

Both Congress and the president went to great lengths to change the minds of organized labor. Partly in response to Green's congressional testimony against the establishment of the Corps, the Senate committee rewrote the bill to eliminate restrictive provisions concerning enrollment, discharges, and most important the highly controversial dollar-a-day wage rate, and instead simply authorized the president to organize and run the CCC "under such rules and regulations as he may prescribe."¹¹ Such changes allowed the AFL, which had been criticized by newspapers from across the political spectrum for its early opposition to the Corps, to quietly reverse itself and endorse, albeit reluctantly, the amended bill.¹² Yet even after the CCC became law, Roosevelt continued to woo union leaders. In August 1933, for instance, the president invited Green to accompany him on an inspection tour of five Corps camps in Virginia's Shenandoah National Park, where the two men lunched with an enthusiastic company of CCC enrollees on steak, mashed potatoes, green beans, and apple pie. In a letter to Roosevelt several weeks later, Green described the excursion as "one of the most pleasing experiences" of his life and admitted that, due to the president's commitment to the Corps, he "could not help but view the whole project in a most sympathetic way."¹³

Perhaps the most successful means of mollifying organized labor, however, was Roosevelt's decision to appoint Robert Fechner to the directorship of the

newly created CCC. Born in Chattanooga, Tennessee, in 1876, Fechner grew up in the South and at age sixteen became a machinist's apprentice in the Augusta shops of the Georgia Central Railroad, where he immediately joined the union. In 1901, he helped to lead an unsuccessful strike for a nine-hour day and by 1914 had won election to both the general executive board of the International Association of Machinists and the vice presidency of the AFL. During World War I, Fechner worked as a labor policy advisor in Washington, D.C., where he first met Franklin Roosevelt, who was then assistant secretary of the navy. Nearly a decade later, while campaigning for the Democratic party during the 1932 presidential election, Fechner swung the machinist union vote to Roosevelt. His appointment to head the Corps, however, was less a reward for political loyalty than a presidential strategy for dealing with labor's opposition, which Roosevelt knew could be more easily ameliorated if one of their own was in charge of the program. Fechner's choice of another machinist, James McEntee, as his assistant director, soothed unionists yet again. Because of these maneuverings, organized labor, which during the 1930s occasionally butted heads with Corps administrators on issues such as wage rates for CCC contract work, never again openly criticized the New Deal program.¹⁴ (See figure 3.1.)

Another indication that work was central to the newborn CCC was the fact that President Roosevelt assigned responsibility for recruiting enrollees to the Department of Labor. Due to time constraints as well as the desire to keep the Corps' bureaucracy to a minimum, the Department of Labor used agencies already in existence, specifically state unemployment relief bureaus, to identify, recruit, and enroll young men in the CCC. Quotas for each state were proportionate to population and enrollees were allowed to reenroll for up to four six-month periods for a total of two years in the Corps. Although decentralized, this system proved to be extremely efficient. Beginning the recruitment process on April 5, 1933, the Department of Labor had selected the CCC's first-year quota of 250,000 young men within two months. This system remained in operation throughout the Corps' nine-year life as the number of enrollees fluctuated, increasing to a peak of 520,000 in August 1935 then settling at 350,000 during the winter of 1937 before tapering off when Congress terminated the program in 1942 (see figure 3.2).¹⁵ All told, the Department of Labor put more than 3 million young men to work for the CCC during the Great Depression, a mobilization effort dwarfing that undertaken by the U.S. military for World War I.¹⁶

The law creating the CCC stipulated that the Department of Labor adhere to a strict set of guidelines regarding the recruitment of enrollees. Most



Figure 3.1 This photograph, of Franklin Roosevelt eating lunch during an August 12, 1933, inspection tour of the Big Meadows CCC camp located in Virginia's Shenandoah National Park, illustrates the complex relationship between organized labor, New Deal politics, and conservation during the Great Depression era. On the one hand, Roosevelt consciously courted the labor movement to the CCC's cause, as is illustrated here by long-time labor activist Robert Fechner, seated to Roosevelt's immediate right, who the president named as first director of the Corps. Yet Roosevelt was also wary of portraying the New Deal as overly radical. For instance, although he brought AFL president William Green on this inspection tour of the Shenandoah camp in an effort to convert him to the CCC idea, Green does not appear in this widely distributed publicity photo. (Franklin Roosevelt at CCC camp inspection, Shenandoah National Park, August 12, 1933. Seated left to right: Major General Paul B. Malone, commanding officer, Third Corps Area; Louis McHenry Howe, secretary to the president; Secretary of the Interior Harold Ickes; CCC Director Robert Fechner; President Roosevelt; Secretary of Agriculture Henry Wallace; and Under Secretary Rexford Tugwell. Photograph from Forest History Society Archive, Durham, N.C.)

obviously, enrollment was restricted to men, despite pleas from American women for admittance to the Corps and Eleanor Roosevelt's attempts to establish CCC camps for females. This decision to exclude women had less to do with the belief that they were physically unable to perform conservation work than with early twentieth-century thinking concerning public

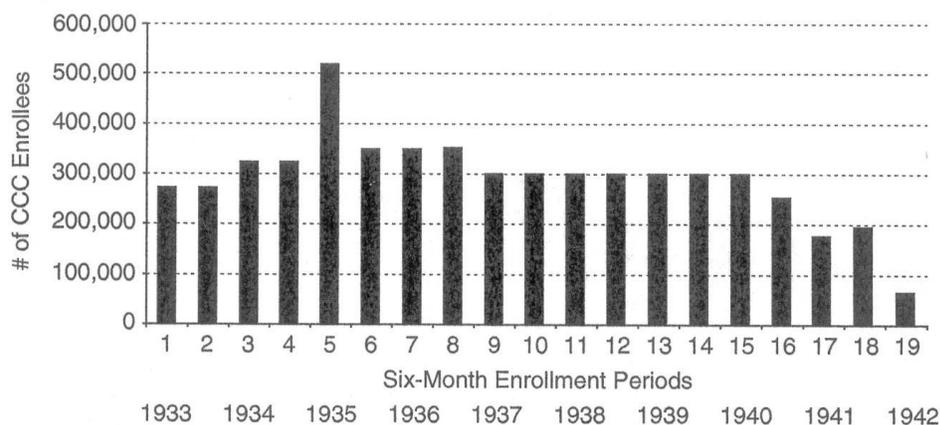


Figure 3.2 Total Number of CCC Enrollees by Enrollment Period. (Created by Author)

policy and the American female. New Dealers, like presidential administrations before and since, viewed men's labor as an inalienable right to be protected, if necessary, by federal action. Women's work was seen more as a family necessity or choice and therefore lay outside the purview of national social reform.¹⁷ Thus, while Roosevelt considered male unemployment a civic problem to be corrected through federal programs like the Corps, he saw women laborers as less-than workers and therefore not entitled to the same economic rights. In part because of such thinking, there was only one CCC-like camp for women in the country, Camp Jane Addams, located in the Bear Mountain section of the Palisades Interstate Park. Not surprisingly, Camp Jane Addams trained its female enrollees not in conservation work but rather in domestic skills that could help their families weather the Great Depression.¹⁸

Franklin Roosevelt's gendered view of labor also determined which men could enroll in the CCC. In a conscious effort not to interfere with employment opportunities for male breadwinners, who were the primary focus of most New Deal legislation, those wishing to join the Corps had to be single and eighteen to twenty-five years old, the exception being a small number of World War I veterans, Native Americans, and what the CCC called "Local Experienced Men," all of whom could be married and over twenty-five.¹⁹ As important, these youths had to be unemployed and willing to send between \$22 and \$25 of their \$30 monthly paycheck back home to their families, which had to be already receiving public assistance.²⁰ By sidestepping competition with men's work and linking enrollee labor to the family, Roosevelt figuratively placed these youths alongside American women, including those at Camp Jane

Addams, who also served the familial economy. The president thus saw both unemployed women and CCC boys as of the working class but as not-quite workers.²¹ While American women had little chance of altering their political status as laborers during the Great Depression, Roosevelt believed that the male youths joining the CCC could, through his New Deal, become full-fledged workers.

The selection criteria of the Department of Labor also ensured that while the young men joining the Corps would come from across the country, they would do so from similar economic backgrounds. Because of quotas based on state populations, CCC enrollees were a geographically diverse lot, hailing from every region of the country, the territories of Alaska and Hawaii, and Puerto Rico and the Virgin Islands. Enrollees were more homogeneous when it came to class categories, however. This is quite apparent in the Corps' own description of "the typical enrollee," a composite compiled from a census the CCC undertook in 1937. According to the data, the average young man joining the Corps had never held a full-time job, had been jobless for close to seven months prior to enrolling, and came from a family in which his father remained unemployed.²² "The men who served as enrollees in the Corps came from economically insecure homes," explained the CCC's second and last director, James McEntee. "They were drawn almost entirely from that third of the population which President Roosevelt has described as 'ill fed, ill housed and ill clothed.'"²³

Along with helping to determine the type of young men joining the CCC, the Department of Labor's selection criteria also influenced the sorts of work they performed. The Corps' own census indicated that less than one-third of the more than 350,000 enrollees in 1937 had experienced on-the-job training of any sort prior to joining the CCC, let alone training that provided them with technical know-how for conservation work.²⁴ As Robert Fechner wrote in 1938, "enrollees who come into the Corps are unskilled and untrained."²⁵ To accommodate such inexperience, the CCC planned and undertook conservation projects in forests, parks, and fields that could be completed with unskilled or semi-skilled labor. As a result, noted Corps educational advisor Frank Hill, the great majority of CCC enrollees "work with their hands."²⁶ Enrollee experiences support Hill's observations. "I have actually learned how to work with my hands," explained James Lowe in 1935 of the labor he undertook on a conservation project near Bedford, Pennsylvania.²⁷ It was precisely because of their lack of skill and training that enrollee labor was predominately physical.

The manual labor that enrollees performed determined to a great extent the daily routine of CCC camps. A typical day in the Corps began at 6 o'clock in the morning with reveille, after which enrollees dressed, made their beds, cleaned their barracks, and ate breakfast before lining up for "work call" at 7:45. If the conservation project was located near camp, enrollees walked to the work site; if it was farther away, they climbed into trucks and drove deeper into the forest, park, or farmland until they reached the workplace. Enrollees then began laboring and continued, except for a short coffee break, until noon. If the conservation project was situated far from camp, lunch was brought to the work site rather than the men returning to camp for their midday meal. After eating, digesting, and resting for an hour, the young men recommenced work until 4 o'clock in the afternoon, when they headed back to camp. After dinner, which the camp kitchen usually served at 5:30, the evening belonged to the enrollees, many of whom spent the time playing sports, journeying to nearby towns for entertainment, reading in the camp library, or taking educational courses offered by the CCC. Camp lights flashed off at 10 o'clock and taps sounded fifteen minutes later. Corps enrollees then enjoyed eight hours of sleep before beginning another day of hard manual labor.²⁸

According to this daily schedule, CCC enrollees performed an enormous amount of physical work. The Corps expected enrollees to labor eight hours a day, five days a week, for a total of forty hours per week. If inclement weather such as intense rain or severe temperatures prevented enrollees from working Monday through Friday, they made up the lost time on Saturday.²⁹ Each year, individual enrollees thus worked 2,080 hours, meaning that between August 1935 and mid-1936, when the New Deal program reached its peak strength of 520,000 enrollees, the CCC supervised more than 1 billion hours of enrollee labor. Throughout the Corps' nine-year history, the young men in the program performed approximately 4.5 billion hours of work, the overwhelming majority of it manual. Such figures do not include overtime labor undertaken during emergency activities, such as firefighting and flood control.³⁰ Robert Fechner was well aware of the central role played by such labor in determining the future of his program. "I believe that the general popularity of the Corps is due in large measure to the belief of the general public that it has not been conducted as a welfare organization but has engaged in useful worthwhile work," wrote the CCC director in 1939. "We have constantly tried to instill that spirit into the enrollees."³¹

Although Fechner understood the importance of labor to the success of his program, the young men joining the CCC were wholly unprepared for the new

workplace that awaited them. While enrollees came in nearly equal numbers from cities and agricultural areas, the Corps situated its camps, even those undertaking soil conservation on farms, in remote locations on publicly owned lands, such as national and state forests and parks. "They put these camps mostly in the wildest places," explained enrollee Harold Fraine during the mid-1930s, "for it is usually in such spots that the forest can be most improved."³² Such landscapes were unfamiliar to the young men joining the Corps. "After my company was transferred to northern Minnesota," wrote enrollee Dan Gately in December 1935, "I was put in an entirely different environment to which I had been accustomed." Kenneth Stephans described the view from his camp similarly, writing that "as far as the eye could see, stretched a vast forest of trees not familiar to me."³³ As with the surrounding flora, the young men joining the Corps were equally unacquainted with the fauna lurking around CCC worksites, leading one enrollee to pen a poem titled "Nature" that included the lines "until I started working here, just think—I'd never seen a deer!"³⁴ Because those joining the Corps often worked in foreign surroundings deep within woods and parks, explained enrollee Carl McNees in the late 1930s, the great majority "know little or nothing about good old 'Mother Nature' and her ways."³⁵

The young men joining the Corps often feared what they did not know. Living and laboring in unfamiliar settings miles from what most considered civilization, many enrollees initially expressed repugnance for their new environs. "My first thought, when I descended from the bus and surveyed the camp-site, was one of aversion," wrote Robert Ross, an enrollee stationed in the Ozarks of Arkansas. "Mountains surrounded me and hemmed me in," he continued, "bushes with thorns on them, and the clinging vines that snarled and twisted around one's feet. . . . this was all so foreign to me, I hated it at once."³⁶ In some instances, enrollees acted on such antagonisms, lashing out at the natural environment about which they knew so little. When they first arrived in New York's Bear Mountain State Park, for example, enrollees went on a rampage, destroying dozens of garter, black, and meadow snakes along with other wildlife near their work project site, under the mistaken assumption that such animals were dangerous. The CCC boys "did some unnecessary killing of wild things they encountered," explained a park spokesperson in August 1934. "These boys, most of whom lived in the cities and few of [whom] had any ideas about an animal or a bird except that they were something to shoot at, were a threat to wild life."³⁷ Upon their arrival at camp, not only were many enrollees ignorant of the ways of Mother Nature, but they often acted out against her as well.

During their first few weeks in the Corps, enrollees were as mentally uninformed about their work as they were about the natural setting of their labor. Because less than 10 percent of those joining the CCC had graduated from high school and only 3 percent had attended some form of college, they were completely ignorant of the theory and practice of natural resource conservation. Of those who had gone to college, only a tiny fraction had taken courses in fields such as forestry, agronomy, and hydrology, or pursued a graduate degree in any of what the CCC called "the land sciences."³⁸ Most enrollees were upfront about their lack of knowledge. "Before I enrolled in camp," explained enrollee Wesley Kelley in 1935, "I knew nothing about the value of our forests and why so much care should be taken of them." When Joseph Swezey joined the Corps in mid-September 1934, he too "had absolutely no knowledge or interest in the natural resources of this country and nature in general," and neither did James Cordes, an enrollee stationed in a camp near Galeton, Pennsylvania, who stated simply that "before my enrollment, I knew very little about forest conservation."³⁹

Corps administrators were well aware that the young men joining the CCC were intellectually unprepared for their new natural surroundings. "The mountains and forests of this country may seem a wilderness to those of the Civilian Conservation Corps who come from the cities and farms," explained a manual on woodsmanship published by the CCC for its enrollees. "They may feel that they are in strange surroundings and new ways of life."⁴⁰ The Corps also understood that its enrollees lacked the information required to perform much of the conservation work taking place in these wild regions. "They hadn't had any experience and were totally out of their element in the woods," stated a CCC camp supervisor from New Hampshire. "[T]he job was to teach them the various skills."⁴¹ To achieve this, the New Deal program took two approaches, both aimed at instilling in enrollee minds the knowledge necessary to perform, and the reasons behind, CCC conservation work. The first strategy entailed informal on-the-job instruction given to enrollees while they labored on Corps conservation projects. The CCC supplemented this with a more formal camp education program for enrollees after work hours.⁴² Both methods strove to replace enrollees' ignorance about their work and workplace with knowledge about the conservation of natural resources. The ultimate goal of this education, explained CCC director Robert Fechner, was to make enrollees' minds "conservation conscious."⁴³

Informal learning through labor was a central tenet of Corps administrative philosophy.⁴⁴ According to the CCC, one unfortunate side effect of the formalization of the American educational system was a growing "separation

between the content of education and the workaday world, a separation between learning and doing." The academic, the Corps warned, had been set off from the practical with the result that "work without thought and study" had become "drudgery."⁴⁵ To correct this situation, the CCC placed several conservation professionals in each Corps camp to oversee work projects, to teach enrollees the skills to undertake such projects, and to instruct enrollees in the theoretical underpinnings of their conservation practices. In camps located in national and state forests, such professionals were mostly trained foresters, while work projects situated in national and state parks also involved an experienced engineer, several trained landscape men, and perhaps wildlife technicians.⁴⁶ The on-the-job instruction these professionals gave to enrollees, argued the CCC's second director, James McEntee, represented "a new kind of education," one that he called "a scholarship in work experience!" (see figure 3.3).⁴⁷



Figure 3.3 In an effort to teach CCC enrollees about conservation, the Corps conducted on-the-job training in all of its camps. In this photograph, forester Frank S. Robinson from a camp in California's Lassen National Forest teaches two enrollees about "How a Tree Grows." Ironically, while these young men were learning about tree growth, the axes in their hands suggest that when they labored on their camp's conservation project they were in fact cutting trees down, most probably in an effort to thin the forest to ensure more efficient growth. While the knowledge these and millions of other CCC enrollees gained through similar on-the-job training converted many to the conservationist cause, the actual work they performed, in this case thinning forests, would spark a backlash against the Corps during the later 1930s that significantly altered both the conservation movement and New Deal politics. ("Teaching Civilian Conservation Corps Workers Basic Forestry Techniques, Lassen National Forest, California," U.S. Forest Service photo courtesy of the Forest History Society, Durham, N.C. Forest History Society image ID# FHS1186; U.S. Forest negative number 285389. Image taken 09/14/1933)

The result, concluded McEntee's predecessor, Robert Fechner, was that "enrollees have had an opportunity to learn first hand the necessity and the importance of conservation."⁴⁸

The Corps supplemented on-the-job training with a more formal camp educational program. This began in April 1933 when the first enrollees in the nation trekked to their camp in Virginia's George Washington National Forest with an elementary manual on forestry packed away in their duffle bags. Drafted quickly and in plain, simple language by professionals in the U.S. Forest Service, the pamphlet explained the unfamiliar setting of the woods, recommended methods for using various tools, described poisonous plants and snakes, and defined in a rudimentary manner the meaning of conservation.⁴⁹ Robert Fechner greatly expanded such learning opportunities on May 29, 1933, when he authorized the establishment of libraries in Corps camps across the country and allocated funding for them to be stocked with 45 different periodicals and approximately 150 books, many of which were "educational volumes pertaining largely to forestry and nature study."⁵⁰ The CCC director hoped that enrollees interested in obtaining additional information about the conservation work they performed during the day would return to camp at night and make use of these libraries (see figure 3.4). Robert Ross, an enrollee stationed in a camp near Crystal Springs, Arkansas, did just this. "To learn more of the mountains and the trees, I turned to the library for information," wrote Ross in the mid-1930s. "It was mentally refreshing to read of things I had been totally ignorant of—soil erosion, restoration, protection of the forests, the uses of land, the damage of forest fires."⁵¹

The Corps' formal approach to conservation education, however, did not revolve around library circulation desks or brief pamphlets on forestry. Rather, it centered on a system of voluntary night classes held at all CCC camps. The Association of State Foresters first raised this possibility at its annual meeting in October 1933, when it passed a resolution urging the CCC to institute forestry instruction in enrollee camps throughout the country.⁵² Franklin Roosevelt followed up on this in early November with a letter to Palisades Interstate Park superintendent Major William Welch regarding the possibility of an experimental after-work education program for enrollees stationed in the park's Bear Mountain section, the same section where Roosevelt in 1922 had established special campgrounds to teach Boy Scouts about forestry. "I am very anxious to try out in one or two places the idea of giving the men in the CCC camps some kind of informal instruction in forestry and the natural history of trees," wrote the president. "I wonder if you could get

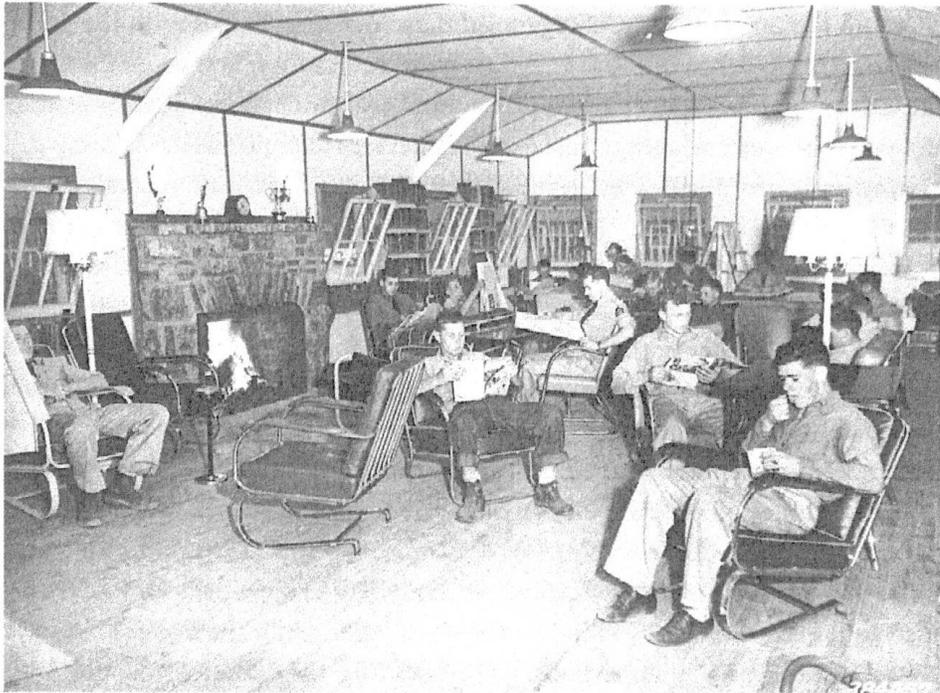


Figure 3.4 After receiving on-the-job training in conservation during the day while laboring on CCC work projects, enrollees could return to camp each night and continue their conservation education by visiting their camp library. In this photograph, of the library at Camp Mormon Creek deep within Michigan's Hiawatha National Forest, Corps administrators lined the wall to either side of the fireplace with a wide variety of books, many of which pertained to forestry and nature study. Also seen here in the hands of several Mormon Creek enrollees are a few of the approximately forty-five journals and magazines to which all CCC camps subscribed; many of these periodicals also contained educational material on the conservation of natural resources. In early 1934, the Corps implemented a more formal camp education program consisting of voluntary evening classes that included courses on conservation-related fields such as forestry, soil conservation, and wildlife management. (The library at the Mormon Creek Camp, Hiawatha National Forest, Michigan, 1939, as reprinted in Stan Cohen, *The Tree Army: A Pictorial History of the Civilian Conservation Corps, 1933-1942* [Missoula, Mont.: Pictorial Histories Publishing Company, 1980])

somebody...to conduct voluntary classes at some of the Bear Mountain Camps this winter."⁵³ After this test run proved successful, on December 7, 1933, Roosevelt approved funds for a national enrollee education program under the auspices of the Office of Education, which early in 1934 began selecting "educational advisors" for CCC camps. Three years later, the Corps had hired more than 1,800 of these advisors, or approximately one for every camp in the nation.⁵⁴

From the outset, the CCC organized these evening classes with the enrollees' daytime work in mind. During the program's early years, when the Corps lacked a comprehensive national curriculum, each educational advisor teamed up with the foresters, agronomists, or Park Service technicians in his camp and simply arranged a series of evening lectures, seminars, and workshops for enrollees. Although under this system each camp was responsible for its own course platform, the CCC administration in Washington, D.C., strongly recommended that these classes be "designed to supplement and lend background to the practical work the men do in the forests."⁵⁵ Even when, in the spring of 1935, the Corps developed an expanded national curriculum that included both literacy and vocational coursework in fields such as automotive repair, carpentry, and elementary masonry, CCC educational advisors still offered enrollees a core of conservation-oriented classes with titles including "Forestry," "Soil Conservation," and "Conservation of Natural Resources." Later that year, the CCC also formulated eight overall objectives for its evening instruction, the second of which entailed "instilling in the enrollees a deeper consciousness of the importance of conserving the nation's resources."⁵⁶ Thus, even as it matured, the CCC's formal education program never disassociated the coursework that enrollees performed at night from the fieldwork they undertook during the day.

Corps enrollees responded enthusiastically to the CCC's evening educational programs. Whereas only 35 percent of all enrollees took such classes in 1934, the first year they were offered, two years later nearly 300,000 young men, or 87 percent, participated in camp educational activities. As the Corps expanded the variety of course offerings during the mid-1930s, the percentage of enrollees taking classes after work increased, rising to nearly 92 percent by the end of the 1930s. "These figures," argued Fechner, "indicate strongly that at present the camps offer many effective educational opportunities."⁵⁷

While the enormous number of enrollees attending CCC classes suggests that those joining the Corps studied at night what they were informally taught during the workday, the popularity of specific courses further confirms that the young men in the camps wanted to learn particularly about natural resource conservation. According to a CCC study undertaken in 1937, of the ninety-seven different classes offered in Corps camps during the six-month enrollment period covering October 1, 1934, to March 31, 1935, classes in forestry ranked second in popularity among enrollees, with only a required first aid course garnering more students. Other conservation-oriented instruction popular with enrollees included landscaping and nature study courses, both of which drew more students than two-thirds of the other classes offered.⁵⁸ Further evidence

that CCC enrollees spent many of their evenings studying natural resource conservation comes from the American Tree Association, which late in 1933 donated 25,000 copies of its textbook, *The Forestry Primer*, to the CCC. According to the association, within weeks of this donation, requests for additional copies flooded in from Corps camps throughout the country. "Our Ohio boys are anxious to learn all they can and your publication is a valuable help," wrote an educational advisor from a Corps camp near Lake Arrowhead, California. The state forester of Massachusetts wrote a similar letter, explaining during the summer of 1933, "I certainly appreciate very much your kindness in sending the Forestry Primers which will be very helpful in the CCC camps of Massachusetts. We are organizing classes in forestry, geology, surveying and other subjects." In fact, so popular was *The Forestry Primer* with CCC enrollees that the American Tree Association printed an additional 100,000 copies of the textbook and distributed them to Corps camps nationwide.⁵⁹

The CCC's instruction both on the job and in the classroom succeeded in educating the young men joining the New Deal program about the conservation of natural resources. "The classes in forestry have helped me differentiate the many types of trees which we see about camp," wrote enrollee Dan Gately in 1935 from his camp near Merrifield, Minnesota.⁶⁰ While forestry was a favorite topic of enrollees, through their labor they also learned about soil conservation. "The days work in the field is not all cream," admitted Frederick Carlsen, an enrollee stationed near Marion, Iowa. Yet because of instruction by CCC professionals, "I have learned a lot about soil erosion and how to prevent it."⁶¹ Enrollee Harry Gough perhaps best summed up the overall impact of CCC education on the young men joining the Corps when he wrote from his camp near Flintstone, Maryland, "[T]hrough the Educational program I have learned a lot about . . . conservation. It has offered an opportunity for me to improve myself mentally."⁶²

Thus, as CCC enrollees learned as they labored, and then learned again while studying in courses at night, they changed their minds about conservation. Whereas before entering the New Deal program they knew little, if anything, about conserving natural resources such as timber, soil, and water, a few months later after toiling on CCC projects they had gained an understanding of conservationist philosophy and the various techniques for implementing it across the American landscape. Corps work and the education that went along with it, however, did more than alter enrollees' thinking. While changing enrollee minds, labor on conservation projects in the nation's forests, throughout its parks, and on its fields also began to transform the bodies of the millions of young men in the CCC.

The majority of Corps enrollees were in poor physical condition prior to joining the New Deal program. By their own accounts, expressed over and over again throughout the 1930s, enrollees were aware of their physical deterioration during the Great Depression. "Due to insufficient food and worry, I was run down and not at all well," wrote enrollee Thomas Scott from his camp near Zanesville, Ohio. "Previous to my enlistment," added James Weister, "I was what most people would call a bag of bones." While frequently using terms such as "scrawny," "weak," and "poorly developed" to describe their physiques before joining the Corps, the young men enrolling in the CCC were not merely underweight; they felt unhealthy as well. Enrollee Paul Stone, for instance, complained from his camp in northern California's Redwood State Park that "when I joined I was gaunt and undernourished," and James Jensen likewise explained that "when I entered camp I was a rank tenderfoot, inclined to get colds and sicknesses easily." An enrollee stationed near Rushville, Illinois, could have been describing the experiences of many young men joining the CCC when he wrote in 1934 that "upon enrollment I was almost a physical wreck."⁶³

New enrollees blamed joblessness in particular for sapping much of their corporeal strength. "Driven like a hunted dog through four years of unemployment," wrote enrollee James Kidwell of his search for work throughout the United States, Canada, and Mexico during the early 1930s, my "undernourished body [was] utterly without purpose in life."⁶⁴ Although the distances he traveled were unusually vast, Kidwell's situation was far from unique. According to data compiled by the Corps in 1937, the typical enrollee had been jobless for nearly seven months prior to joining the CCC.⁶⁵ In this respect, Charles Hiller was lucky. After graduating from high school and looking for employment to help his financially strapped family, Hiller became despondent. "In two months, I began to feel hopeless," he explained in March 1934. "Ill with worry, worn out in body, I was rapidly going to pieces." A few weeks later, Hiller enrolled his unemployed, weary body in the CCC, which assigned him to a camp in a state park near Clifton Forge, Virginia.⁶⁶

Many of the young men enrolling in the Corps also faulted the unhealthy environments in which they were forced to live while unemployed for draining them of bodily vigor. Enrollees from cities were especially apt to emphasize the deleterious effects of the urban setting on their physical health. Between unsuccessful job searches in a central Pennsylvania industrial town, Charles Billmyer spent most of his free hours "with the pool room gang," which resulted in "a condition of habitual deviation from moral rectitude" accompanied by acute physical degradation. "I soon found myself,"

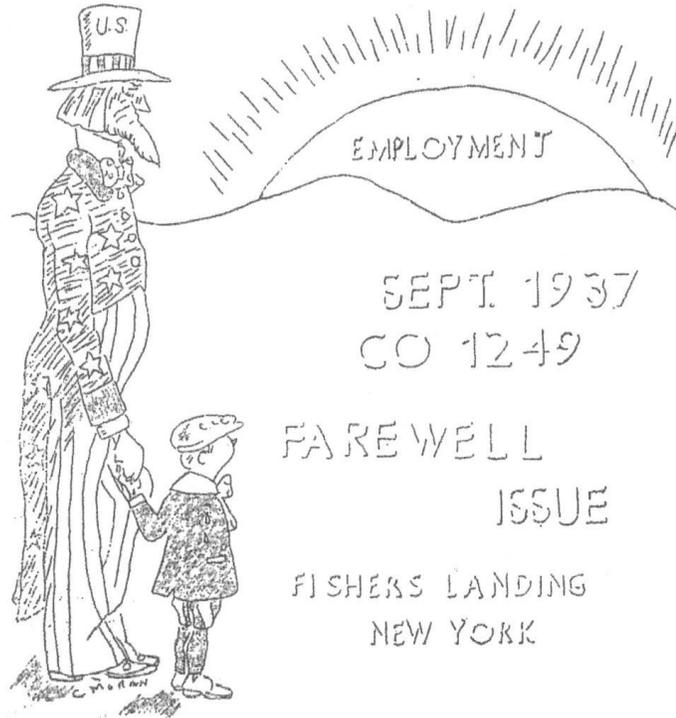
Billmyer added, "in an environment not very desirable."⁶⁷ James Danner was more forthright in deriding the urban setting, describing his fellow enrollees in 1936 as "thin, hollow-chested, sharp-faced products of our big cities' slums with the threat of tuberculosis hovering over them."⁶⁸

Enrollees' underdeveloped bodies led many of these young men to question openly their masculinity prior to joining the CCC. Enrollees expressed such insecurities in camp newspapers such as the *Thousand Islander*, published by a Corps company located in Fishers Landing, New York. On the illustrated cover of the paper's September 1937 issue stood a childlike enrollee holding Uncle Sam's hand while looking longingly at a sunset labeled "EMPLOYMENT" (see figure 3.5). Another cartoon in the same issue similarly questioned enrollees' manhood by depicting a stork delivering a blanket-full of baby-faced rookie recruits to the New York camp (see figure 3.6).⁶⁹ Those joining the CCC often stated outright what the *Thousand Islander* suggested. "I enrolled as a boy, unsteady, groping, unsure," wrote Robert Miller from his camp near Pine Grove, California. "I had doubted my right to call myself a man."⁷⁰ Physically frail and unable to put in an honest day's work, many young men felt both emasculated and infantilized before enrolling in the CCC.⁷¹

The Corps was acutely aware of the poor physical state of the young men joining the New Deal program. According to the physical examinations of 100,000 enrollees conducted during the late 1930s by the army's Office of the Surgeon General, approximately 75 percent of the young men entering the Corps fell below what the army considered an acceptable weight and were therefore more prone to, or were already suffering from, physical ills such as tuberculosis, hookworms, and nervous exhaustion. "Thousands of these 'light-weights,' " as the army called them, "possess[ed] well developed or incipient ailments which—within a few months to a few years—would have produced total permanent disability or death."⁷² As CCC director Robert Fechner explained, "thousands of under-weight, over-weight and unhealthy youths signed up last spring or early summer for the CCC camps."⁷³

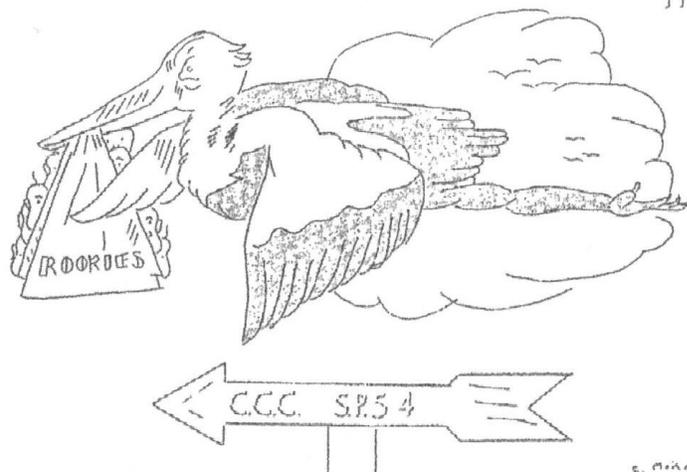
The CCC also echoed its enrollees in attributing the sickly bodies of those joining the Corps to conditions created by the Great Depression, namely, a lack of work combined with unhealthful surroundings. According to CCC directors, the young men enrolling in the program were sickly not only because "economic pressure" left them "undernourished," but also because unhealthy physical "quirks" had been "engendered by bad environments."⁷⁴ "The great bulk of CCC enrollees came from homes and from environments

Thousand Islander



which, as a result of the depression, furnished an effective bar to development, social stability, or economic opportunity," explained one CCC administrator in 1942. Not surprisingly, the CCC reserved its harshest criticism for the American city. The nation's young men, explained a promotional article on the Corps written for *Forestry News Digest*, had to be rescued "from city streets, poor food, insufficient clothing and unventilated and unsanitary living quarters."⁷⁵

Finally, the CCC shared enrollees' concerns that frail physiques, not to mention the lack of employment and unhealthful environments that caused them, threatened the masculinity of those joining the New Deal program. Director James McEntee admitted to such insecurities in his 1940 book on the Corps, which he rather wistfully titled *Now They Are Men*. After explaining that "many of the boys who make application for CCC enrollment have not had enough of the right kinds of food, and clearly not the right kinds of



Figures 3.5 (facing page) and 3.6 Corps enrollees often joined the New Deal program with undernourished and underdeveloped bodies that made them question their masculinity. While enrollees often kept such insecurities private, sometimes they were put on public display in the numerous camp newspapers that CCC enrollees wrote, published, and read on a weekly or monthly basis. These two cartoons from the *Thousand Islander*, a newspaper put out by a camp located in Fisher's Landing, New York, illustrates such insecurities by portraying Corps enrollees as young boys. Whether being guided by a paternal Uncle Sam or flown to their new camp by a stork representing motherhood, both illustrations suggest that when they joined the CCC enrollees saw themselves as young, physically frail, and in need of parental guidance. Uncle Sam suggests that many of these youths saw the federal government as one possible guide. (Uncle Sam cartoon, cover, and Stork cartoon, p. 11, *Thousand Islander*, September 1937, Official File 268: CCC, Folder: CCC Periodicals, August–December 1937, Franklin Delano Roosevelt Library, Hyde Park, N.Y.)

exercise, to build up their bodies," McEntee further questioned enrollees' masculinity on the grounds that many had not worked prior to entering the Corps. "They would never become capable men," he wrote, "if they were unemployed, at home, supported by their fathers' meager earnings or relief allowances."⁷⁶ By reconditioning the young bodies joining the Corps, the New Deal program hoped to alleviate these threats to enrollee manhood. "Our purpose is not only to rebuild forests and lands," explained Fechner, "but to build men."⁷⁷

The insecurity of Corps administrators and enrollees regarding the bodies of the young men joining the New Deal program reflected a broader cultural crisis involving gender roles during the Great Depression. The roots of this anxiety went back to the turn of the century, when many middle-class Americans began worrying that American men had become overcivilized, overly cultured, and physically soft—in a word, effeminate. Theodore Roosevelt's

call at the turn of the century for "the strenuous life" was just one response to this widespread cultural concern. With the onset of the Great Depression, as American men lost their jobs in increasing numbers, this masculinity crisis resurfaced with renewed vigor and forced many Americans to question again American manhood. A host of sociological studies conducted during the 1930s and early 1940s with titles such as "The Unemployed Man and His Family: The Effects of Unemployment upon the Status of Men" attest to this widespread concern that male joblessness threatened male social standing. As these contemporary studies indicate, and as scholars of the New Deal era have argued since, manhood during the Great Depression was inextricably bound to both the flagging economy and the sagging physiques of American men.⁷⁸

The Corps took a number of steps to rejuvenate the lackluster bodies that poured into the CCC during the 1930s and early 1940s. The program first eliminated those it felt were beyond redemption by requiring that all enrollees pass a physical entrance examination; during the Corps' nine-year history, it consistently rejected on average 10 percent of those applying. The CCC then began preparing the bodies of those passing the examination by placing new enrollees in conditioning camps for between one and three weeks, depending on the physical shape of each individual. Conducted on military bases and organized by the U.S. Army, the conditioning program consisted of immunization against diseases, light work details, good food, plenty of rest, and what Director Fechner called "a physical hardening process" that was necessary for "building up [enrollee] bodies generally for the arduous outdoor life to follow."⁷⁹ Early on, the Corps also instituted a fifteen-minute morning calisthenics regimen in camps across the country, complete with a *Physical Training Manual* containing photographs illustrating proper technique (see figure 3.7). "By means of systematic and wisely chosen exercises," explained the manual, "enrollees can bring into play many muscles which would not otherwise get a workout."⁸⁰

The CCC's most important curative for the sickly bodies flooding into the Corps, however, was work in nature. Only hard, manual labor outdoors could reverse the physical deterioration caused by the unemployment and unhealthy environments of the Great Depression, and the Corps promoted it at every opportunity. Franklin Roosevelt first emphasized the physically rejuvenative character of outdoor work in March 1933, when he asked Congress to create the CCC in order to "take a vast army of these unemployed out into healthful surroundings."⁸¹ Corps administrators followed the president's lead throughout the 1930s. In 1937, for instance, CCC educational advisor Samuel Harby described enrollee labor as "vigorous outdoor work" that "makes

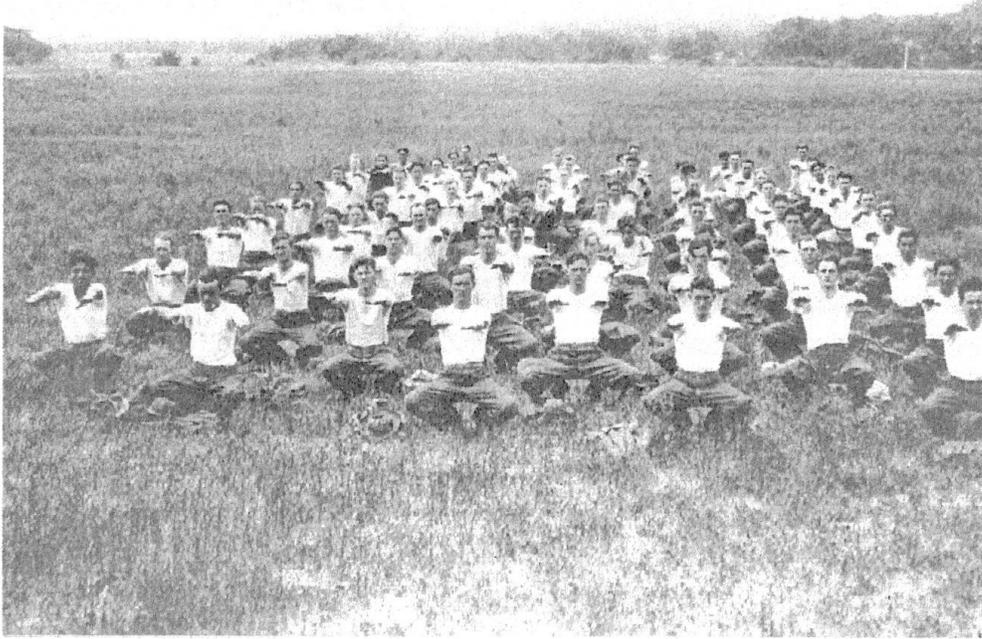


Figure 3.7 In an effort to begin rebuilding enrollees' frail bodies, in 1933 the CCC instituted a fifteen-minute calisthenics exercise program that the young men undertook each morning before heading out to work on their conservation projects. In this photograph, of a morning workout at Camp Billis near San Antonio, Texas, enrollees do deep knee bends in clean white T-shirts to strengthen their physiques. As important to Corps administrators, however, was the setting of these exercises. While Camp Billis enrollees could have undertaken their morning calisthenics in the center of camp, surrounded by barracks, mess halls, and camp libraries, they instead exercised out in nature, in this case in the center of an open field. The Corps would eventually envision enrollee labor similarly. Not just work, but work in nature, the CCC would argue in much of its publicity literature, was central to rejuvenating the degraded male bodies joining the New Deal program. ("Setting up exercises at Camp Bullis, near San Antonio, in 1933," NARA, Stan Cohen, *The Tree Army: A Pictorial History of the Civilian Conservation Corps, 1933-1942* [Missoula, Mont.: Pictorial Histories Publishing Company, 1980], 13)

muscles strong and hard," while James McEntee argued that enrollee bodies would be restored through "healthful work in the outdoors, out in the forests, parks, and soils of this country."⁸² By replacing joblessness with labor and sickly urban environments with a healthier setting in nature, the Corps hoped to rebuild enrollee physiques and in turn transform CCC boys into men.

The Corps succeeded, at least in the minds and bodies of the young men who joined the New Deal program.⁸³ The physical change first noticed by enrollees usually involved their muscles, which being underdeveloped prior to joining the Corps quickly became sore after a few days of laboring. "The first

weeks on work detail remain to me still a black void of aching muscles and the sheer misery of exhaustion," remembered enrollee James Danner in 1941 of his work building a stone wall in a state park near Euclid, Ohio. "I could barely drag myself the one-hundred yards from work truck to bed" at the end of each day. After a few weeks in camp, however, Danner's body showed signs of adjusting to both manual labor and the natural setting in which it took place. "Slowly the wall grew, and slowly strength and health imperceptibly flowed back into my body," Danner wrote. "Suddenly, the first bitterness of toil had lessened, and I began to notice the beauty of the forest."⁸⁴ Enrollees from camps across the country similarly described how "sore" and "stiff" muscles became "stronger" and more "developed" from working outside on conservation projects in forests, parks, and fields.⁸⁵ Enrollees even noticed these changes in one another. The campmates who nicknamed Danner the "Ninety-Seven Pound Weakling" when he joined the Corps, rechristened him "The Bruiser" several months later after Danner lifted an enormous rock onto the stone wall they were constructing together.⁸⁶

By developing their muscles, enrollees working outdoors for the Corps also increased their body weight. The gains experienced by the young men joining the CCC, however, had less to do with converting body fat into muscle tissue than with the enormous amount of free food the Corps fed its enrollees; the young men ate 375 pounds of meat, 228 pounds of potatoes, and 46 pounds of butter per year versus 115 pounds of meat, 163 pounds of potatoes, and 17 pounds of butter for the typical U.S. citizen. Because of this copious menu, the young men joining the Corps gained on average between eleven and fifteen pounds after spending three to four months in camp, a bodily change upon which they commented more than any other. Enrollee Joseph Weigel, for instance, proudly stated that he had gained sixty pounds during his stay in a camp near Toft, Minnesota, while James Bennett bragged of putting on twenty-five pounds by eating plentiful meals at his camp located thirty-five miles from Las Vegas, Nevada. Enrollees also grew taller while in the Corps than they would have under non-CCC conditions.⁸⁷ "Three times a day food quickly disappears from the tables in the mess hall," explained James McEntee, "as the healthy, hearty appetites of the boys are satisfied by generous helpings of body-building food."⁸⁸

As they tightened their muscles and loosened their belts, enrollees laboring outdoors in forests, parks, and fields also experienced bodily changes involving their skin. When the young men first arrived in camp, they often described themselves as "pasty-faced," "pale," and "without good color at all."⁸⁹ During the next few weeks, however, the skin tone of CCC enrollees often turned

from white to red. "Most of them are working without shirts," explained one visitor to a CCC camp located in a national forest near Riverton, Virginia, "and their skins are reddened" by the sun. Hands that had been soft and smooth before joining the Corps also changed as blisters arose on skin unused to manual labor.⁹⁰ Yet, as enrollees continued to work outside, their chameleon-like skin changed colors yet again, and blistered hands likewise became calloused. "I'd strip right down to a pair of pants and shoes and I'd get all tan after a while," explained Robert Buchanan, an enrollee stationed in a New Hampshire camp. Others proudly described themselves as "burned a deep brown," "brown as a berry," and "as brown as Indians."⁹¹

Outdoor work even altered the posture of many Corps enrollees. Prior to joining the CCC, the skeletal carriage of the young men suffered from both physical and mental deterioration. "It seemed to me I had never seen such an array of ragged, slouchy poor white trash," wrote Harold Buckles of his fellow enrollees, who like himself had just arrived at a Corps camp in Wyoming's Medicine Bow National Forest. "They didn't walk across the area; they sham-bled . . . stoop-shouldered." Two months after working outdoors eight hours a day, forty hours a week, Buckles noticed a significant change in the gait of these same young men. "When they move across the area today they don't walk; they stride," he explained. "Their shoulders are erect; they swing easily in their walk the way woodsmen do."⁹² Harry Maynor, a camp advisor from Illinois, described a similar transformation when he wrote to his CCC superior in 1934 that "every boy is sturdier and stronger and walks straighter than he did before entering camp."⁹³ Even residents of enrollees' hometowns remarked on the improved manner in which the young men returning from a stint in the Corps carried their bodies. "In this community," wrote a resident of Romeo, Colorado, during the mid-1930s, "it is easy to identify the boys who have been in camps in the past, by their erect carriage."⁹⁴

Finally, in causing many of these physical transformations, manual labor in nature bettered the overall bodily health of the young men joining the CCC. This was the conclusion of the army's 1937 study of 100,000 enrollees. While 75 percent of those joining the Corps had been so underweight and malnourished as to be either highly prone to disease or already afflicted, upon discharge the picture was quite different. After working outdoors and eating three square meals a day in the Corps for several months, the percentage of "light-weights" tumbled from 75 to 40 percent, and incidents of tuberculosis among CCC enrollees dropped to about one-fifth that of similarly aged young men in the general population. The army's survey also found that as a result of the physical, outdoor labor performed on Corps conservation projects,

enrollees were more physically fit than the citizenry at large.⁹⁵ Enrollee statements supported such findings. Lawrence Lescisco, stationed in a camp near Landisburg, Pennsylvania, described the experiences of many enrollees when he wrote during the mid-1930s that by working in nature he "gained weight, good firm flesh, and a more healthy, vigorous feeling."⁹⁶

The bodily transformations experienced by CCC enrollees—from changes in muscle and skin tone to weight gain and improved overall health—altered these young men's relationship to the nature in which they labored.⁹⁷ This process began when Corps enrollees associated their renewed bodily health with the elimination of their unemployment. "The work is healthful," claimed enrollee John Goodspeed in 1934 from his camp near Kanosh, Utah. "The little aches and pains you experienced," added Herbert Junep, an enrollee stationed in California's Sequoia National Park, "were but in part payment for that magnificent physique and health which your work with this same gang has brought you."⁹⁸ To fully rebuild their bodies, however, many understood that such labor also had to take place in healthful environments. "Not an artificial mechanical world like that of the modern city, but a world alive with beauty more lovely than I had ever known," wrote enrollee Paul Stone in the mid-1930s of the natural setting in which he worked. "It was in this country that my health was renewed." Enrollee Virgil McClanahan agreed, stating simply that enrollees felt healthier because "the average CCC boy is in an environment that keeps him in contact with nature."⁹⁹

By rehabilitating their bodies through outdoor labor, many Corps enrollees also believed that they had regained their masculinity. Over and over again, those in the Corps declared that their renewed physical strength had remade them into men. "I noticed my splendid physical growth and increases in weight," explained enrollee John McAdams after working for six months in the forests of central Pennsylvania. "I was a different boy, in fact I was really becoming a man."¹⁰⁰ Enrollees from a camp located near New Ulm, Minnesota, depicted this transition from boyhood to manhood quite literally in their camp newspaper, the *Cottonwood*, which in its July 7, 1939, edition included a before-and-after cartoon titled "But Wilbur Joined the CCC—and After a Year" (see figure 3.8). In the before frame, a thin, shoeless boy named Wilbur timidly asks his mother for permission to enroll in the Corps, while his father declares that the boy should not join the CCC because "He's pretty young and he's not so strong." The second frame shows a very different Wilbur returning home after spending a year in the CCC. Much to his parents' surprise, their son has gained weight, strides confidently into the room, and wears the trappings of an adult, including a suit, tie, and shoes.¹⁰¹ Enrollees reading



Figure 3.8 Just as enrollees used cartoons in camp newspapers to portray their physical insecurities when first enrolling in the Corps, so too did they depict their newfound manhood after laboring long and hard outdoors on CCC conservation projects. In this illustration, which appeared in *The Cottonwood*, a newspaper published by a camp located in New Ulm, Minnesota, an enrollee cartoonist shows the transformation of a young boy named Wilbur into an adult after a year laboring in the Corps. While other enrollee newspapers also portrayed the CCC's outdoor conservation work as helping to convert boys into men, equally important in this cartoon is the indecisiveness and disbelief of Wilbur's parents. Here again, enrollees are implying that young Americans should rely less on their biological parents to help them through the Great Depression and more on federal programs like the CCC. (Anonymous, "But Wilbur Joined the CCC—and After a Year," *Cottonwood* [New Ulm, Minn.], July 7, 1939, Official File 268: CCC, Folder: CCC Periodicals, 1938–1939, Franklin Delano Roosevelt Library, Hyde Park, N.Y.)

the camp newspaper undoubtedly understood the juxtaposition; CCC work in nature transformed thin, shy boys into healthier, more self-assured men.

As they labored on CCC conservation projects, Corps enrollees thus experienced changes in their bodies to go along with those taking place in their minds. Yet these mental and physical transformations did more than teach broken-down boys about conservation while building them up into well-muscled men. The beefed-up brains and bodies of CCC enrollees also influenced national politics. In particular, by restoring their bodies and minds through outdoor work and classroom study, the young men in the Corps continued to transform both the composition and concerns of the conservation movement. On a more general level, these same intellectual and physical changes also altered New Deal political constituencies in ways that aided Franklin Roosevelt, especially during his more turbulent second term in office. Examining such changes is thus central to understanding conservation's evolving role in the rise of the modern welfare state.

Learning about conservation on the job and in camp classes converted many enrollees to the conservationist cause. Whereas before joining the Corps these young men had little or no knowledge of natural resource conservation, they soon began lauding such practices after spending several months in the CCC. "Our work is very interesting," explained enrollee James Brandon in 1935. "Being out in the open most of the time, we learn more about nature and the natural resources we are striving to conserve."¹⁰² Enrollees across the country agreed.¹⁰³ "The work we do in the Great North woods gives us a greater understanding of what the word 'Conservation' really means," wrote enrollee Fred Harrison in the mid-1930s. Sounding more like Gifford Pinchot than a young man spending his first few weeks in the woods, Harrison added, "I am now a firm believer that conservation is necessary for the preservation of our forests."¹⁰⁴ By learning about topics such as forestry and soil erosion, millions of Corps enrollees like Harrison had indeed become conservation conscious.

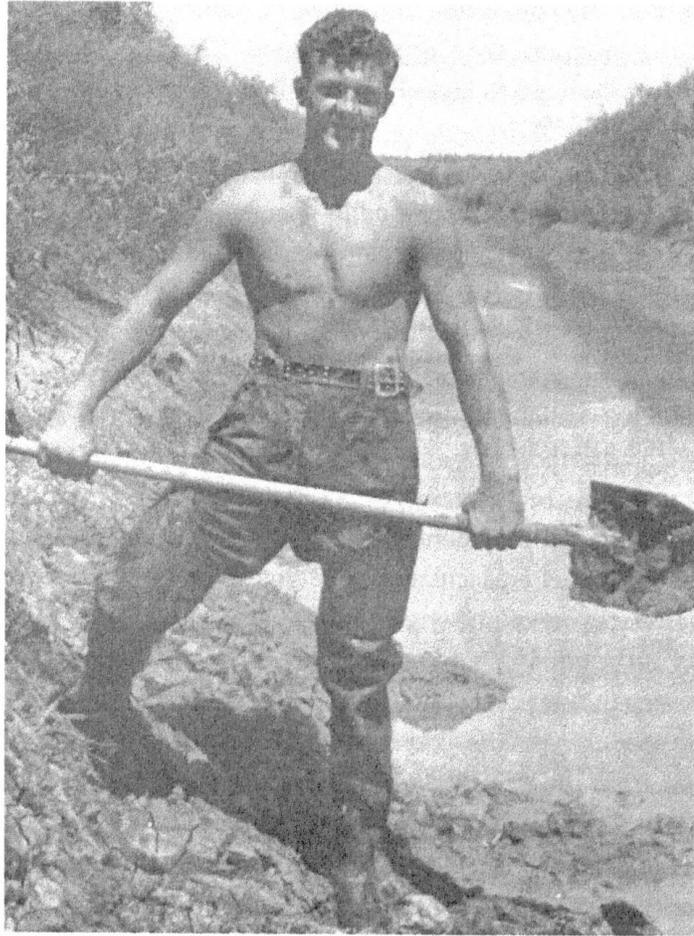
This new consciousness represented an expansion not just of enrollees' minds but also of the conservation movement's political base. During the Progressive Era, conservationists were primarily urban, educated elites working in government or scientific circles and, to a lesser extent, rural landowners, ranchers, and hunters who also embraced conservation but often contested its implementation on the local level by wealthy nonlocals. The movement at the turn of the century, in other words, was divided between urban professionals and rural lay practitioners, between a more scientific form of conservation and a more popular counterpart.¹⁰⁵ The Corps added something new to this mix. No longer would elite city dwellers and rural amateurs serve as the sole guides

of the movement. By converting into conservationists many of the city youths flocking to the program, the Corps broadened the movement's composition during the New Deal era to include for the first time in American history the urban working class.¹⁰⁶

While the intellectual transformation of Corps enrollees helped to broaden conservation's political base, the bodily changes experienced by these same young men began altering the philosophy behind the movement as well. Similar to their Progressive Era counterparts, Corps administrators were openly alarmed at the wasteful use of natural resources, and even went so far as to blame such waste for causing the Great Depression. Yet, unlike Progressive conservationists, the CCC extended its concern about degraded resources such as timber, soil, and water to the bodies of the young men in the New Deal program. In other words, Corps administrators often expressed their anxiety that unemployment and unhealthy environments had weakened male bodies, and thus emasculated male youths, by directly comparing the physical deterioration of the young men joining the CCC to the material degradation of the country's natural resources.

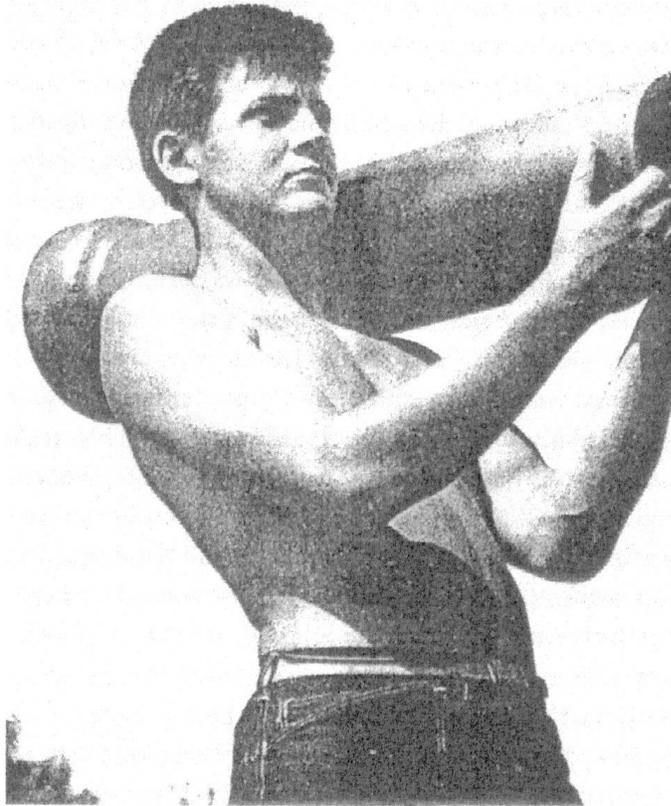
The first step in this process was equating enrollees with natural resources. "The young men come to the Corps," explained Robert Fechner in 1939, "as a raw material from the cities."¹⁰⁷ Yet rather than simply comparing enrollee bodies to timber or soil, the Corps pushed this analogy even further by likening the sickly, undeveloped physiques of these youths specifically to degraded natural resources. The CCC's portrayal of enrollee Stanley Watson is a case in point. According to the Corps, after tramping for months across the Great Plains states, Watson's body became "sick and weak" from lack of food and shelter. The young man's trials and tribulations, the CCC concluded, were an all too common form of what it called "human erosion."¹⁰⁸ The New Deal program thus saw the atrophied bodies of those joining the Corps much as it viewed cutover forests and eroded soils: as a degraded natural resource in dire need of conservation.

Corps enrollees further redefined Progressive conservationist ideology by equating their own physical rehabilitation with the restoration of once-degraded natural resources. Whereas upon joining the CCC, enrollees had compared their sickly bodies to cutover forests and eroded fields, as Corps administrators had done, the young men working in CCC camps for several months soon began associating their manly physiques with restored trees and soils. "I am sure that the word 'conservation' means more than the conserving of forests," explained Robert Ross after laboring for several months on a CCC work project near Crystal Springs, Arkansas. "It means the saving of the young



manhood of America!"¹⁰⁹ Enrollee Carl Stark likewise noted this alternative form of conservation in his essay titled "Conservation of Men in the CCC from My Own Experiences." "First of all, we are engaged in useful conservation work which will accrue to the benefit of both the present and future generations," Stark explained in 1941 of his camp's forestry project. "But secondly and far more important is the conservation of the individual." The CCC, he concluded, "was truly an organization that works for the conservation of the man as well as our natural resources."¹¹⁰ Corps administrators agreed and continually portrayed healthy enrollee bodies and restored natural resources as two sides of the same conservationist coin. The physical rebuilding of these young men, the Corps concluded, was a prime example of what it began calling "human conservation"¹¹¹ (see figures 3.9 and 3.10).

Conserving people was a radically new idea for conservationists during the 1930s and early 1940s.¹¹² Although urban reformers such as Frederick Law



Figures 3.9 (facing page) and 3.10 These two publicity photos, published in a 1941 book titled *The CCC at Work: A Story of 2,500,000 Young Men*, show how Corps administrators intentionally publicized the program's projects as a means of conserving more than natural resources. In the first image, of a shirtless enrollee working on what appears to be a drainage canal, the Corps portrays the young man's body, tanned and muscled from laboring outside, directly alongside the natural resource he is helping to conserve. The second image is even more blatant; here the male body takes center stage, with the outdoor environment as mere backdrop. In both cases, however, the Corps' message to the American public was similar: through hard work in nature, the CCC was conserving not only natural resources but human resources as well. This notion of "human conservation" would later influence both conservation and New Deal politics. (Both images reprinted from Civilian Conservation Corps, *The CCC at Work: A Story of 2,500,000 Young Men* [Washington, D.C.: U.S. Government Printing Office, 1941], 33 and 43)

Olmsted embraced a similar philosophy, which promoted parks and playgrounds as a means of restoring enervated city dwellers, during the Progressive Era concern for human resources was separate from the conservation movement's interest in trees, soil, and water. The two movements, in other words, had remained distinct. The Corps began integrating these concerns when Franklin Roosevelt created the CCC with the Boy Scouts in mind, and

continued this process when the Corps expanded its work projects into the nation's parks in an effort to rejuvenate the American public through outdoor recreation. Flexing enrollee muscles through labor in nature fused such concerns once again. Thus while the intellectual changes experienced by enrollees broadened the movement's composition by bringing urban workers into the conservationist fold, the bodily alterations encountered by these same young men helped to expand the movement's agenda from a narrow concern for natural resources to an interest in conserving human resources as well. The result not only marked a new chapter for the American conservation movement, but would also signify new politics for the New Deal.

The bodies and minds that joined the Corps during the 1930s and early 1940s were incredibly diverse. While Department of Labor restrictions ensured that all Corps enrollees hailed from the working class, an amendment to the bill creating the CCC forbade the program from discriminating "on account of race, color, or creed."¹¹³ Thus even though the Corps placed African Americans in segregated camps, and established separate camps for Native Americans on Indian reservations, those joining the New Deal program came from a variety of ethnic and religious backgrounds. Corps personnel commented frequently on this heterogeneity, as did the enrollees themselves. For instance, on June 7, 1933, an army officer in charge of establishing a CCC camp in Beaverhead National Forest near Butte, Montana, met his company of new recruits as they disembarked at a nearby railroad station. "What a mob got off the train," he explained in a letter to his military superior, "they were large and small, Italians, Jews, and every other nationality."¹¹⁴ Kenneth Stephans, an enrollee stationed in Two Harbors, Minnesota, described his fellow campmates in similar terms, writing in 1941 that he "worked and played side by side with young men from all walks of life, boys different in creeds and descent."¹¹⁵ Corps enrollees thus joined the New Deal program not only with weakened bodies, but also with physical characteristics that suggested their various ethnic and religious identities.

Working-class immigrants such as those joining the CCC were not foreign to the New Deal; in fact they were central to the president's politics from the very start. Partly because the immigrant restrictions of the 1920s had successfully quieted nativist alarms, the Roosevelt administration welcomed immigrants to the nation and encouraged them in word and deed to become full-fledged Americans. "We gave them freedom," Roosevelt claimed of the country's foreign-born in a 1936 speech commemorating the fiftieth anniversary of the Statue of Liberty. "I am proud—America is proud—of what they have given us." "They bettered the American nation while becoming fully American,

he declared, and they have come to "appreciate our free institutions and our free opportunity."¹¹⁶ Understandably, Roosevelt also hoped to welcome these same immigrants, who had recently become a powerful voting bloc across the industrialized North, into the Democratic party through participation in many of his New Deal programs.

Recent immigrants and their subsequent Americanization became even more politically controversial during the late 1930s, when congressional conservatives began attacking the New Deal for its radicalism. One of the most vociferous opponents of both the foreign-born and the Roosevelt administration during this period was the House Special Committee on Un-American Activities. Established by Congress in 1938, the committee was chaired by Texas representative Martin Dies, whose suspicion of all things "un-American" had begun in 1931, when he introduced a bill calling for a five-year suspension of immigration into the United States, and continued unabated into the mid-1930s, when he publicly blamed immigrants for the Great Depression. "If we had refused admission to the 16,500,000 foreign born who are living in this country today," Dies argued, "we would have no unemployment problem."¹¹⁷ The House Special Committee on Un-American Activities was thus the perfect vehicle for Dies to extend his suspicions concerning immigrants to Franklin Roosevelt's New Deal. The chair wasted little time, immediately criticizing as un-American several New Deal agencies, including the Federal Theatre Project, the Works Progress Administration, and the National Labor Relations Board, and raising similar questions about a host of high-profile New Dealers, such as Department of Labor secretary Frances Perkins, Department of the Interior secretary Harold Ickes, and even First Lady Eleanor Roosevelt. Because the committee depended on the national media to publicize its proceedings, suspicions regarding the so-called subversive activities of both immigrants and the New Deal programs created to help them were front-page news for much of the late 1930s.¹¹⁸

The CCC was not immune to such partisan politics. In fact, criticism of the Corps as un-American began during congressional debates over the creation of the New Deal program, and continued throughout the 1930s and early 1940s. Such attacks emanated from both ends of the political spectrum. Concerned about the military's role in overseeing the daily operation of CCC camps, as well as the increasing popularity in Germany of Adolf Hitler, the American Left accused the Corps of fomenting fascism. "[Corps] work camps fit into the psychology of a fascist . . . state," warned Socialist party spokesperson Norman Thomas.¹¹⁹ Father Charles Coughlin, the famed "radio priest," agreed, adding that the continuance of federal programs like the CCC was "a certain step

towards fascism.¹²⁰ The right wing, on the other hand, branded the Corps a Bolshevik threat to the American political system. In June 1937, for instance, a special commission reported to the Massachusetts State Legislature that "communists were creating dissatisfaction, unrest and class consciousness among the young men in the [CCC] camps," a contention reiterated by Jersey City mayor Frank L. Hague.¹²¹ Several conservative newspapers throughout the country were also quick to label CCC camps "hotbeds of radicalism," and to report on the few instances in which Corps enrollees expressed communist beliefs. As one such critic complained, the CCC "was hardly conducive to the development of qualities and attitudes needed for life in a democratic society."¹²²

Partly in response to such criticism, the Roosevelt administration promoted many of its New Deal programs as having an Americanizing influence on the general public, particularly on recent immigrants. Since the CCC was one of the president's most popular projects, the program quickly rose to the forefront of this publicity campaign. Not surprisingly, the Corps put forth enrollee labor, enrollee bodies, and American nature as central to assimilating ethnic enrollees. "The [CCC] camps are civic melting pots in which youths from widely varying backgrounds . . . are taught the old-fashioned virtues of hard work," argued Robert Fechner in his annual report of 1939.¹²³ As important as enrollee labor were the corporeal transformations experienced by the youths in the New Deal program. Because of their newfound bodily knowledge, explained James McEntee, "those men knew within themselves that this is a great nation, a good nation, worth working for."¹²⁴

Yet labor and the physical changes it caused did not on their own Americanize Corps enrollees. According to the CCC, it was specifically the natural environment in which such work took place that served as the catalyst in this assimilation process. As McEntee concluded in 1942, it was precisely because enrollees "helped to build America, reforest its barren spots, [and] keep its soil from washing away" by laboring outdoors that "Americanism, democracy, and a real love of country are not simply phrases or catch words to men who have served in the CCC."¹²⁵ The Corps, therefore, did more than make unhealthy boys into virile men. More particularly, and in direct opposition to the protestations of the Dies committee, the CCC promoted manual labor in nature, and the bodily changes such work engendered, as a means of transforming Italian, Polish, and Jewish boys into American men (see figures 3.11 and 3.12).

Corps enrollees often stated outright what CCC administrators suggested: the rejuvenation of their own bodies through work in nature strengthened their

sense of citizenship. Central to this process was the belief that manual labor in American nature made enrollees more American. "Above all, I know what the word 'Americanism' means," wrote enrollee Kenneth Stephans in June 1941 of his experiences in the Corps. "This spirit is instilled in a person by work and toil such as we do in our protection and reproduction of our National Forests."¹²⁶ Other enrollees were more forthright in linking their own physical transformation while in the Corps to their assimilation. After explaining that he and his fellow campmates had gained weight and become recognizably stronger while working outdoors in the CCC, enrollee James Danner argued, "[I]t is not only physically that the CCC has been benefiting the youth of the nation." According to Danner, in strengthening their bodies through labor in nature, "second generation Poles, Slovaks, Italians, Hungarians, all are . . . finding a new pride in saying, 'We are Americans!'"¹²⁷ Enrollee Joseph Jurasek perhaps put this newfound patriotism most succinctly when he wrote from his camp in Coram, Montana: "I just love to work in the sun, getting a fine tan, building up one's body and yet doing a service to our country."¹²⁸ Enrollees thus not only felt healthier as they labored outside in parks, in forests, and on farms across the country, they felt more American as well.

As shirtless enrollees worked outside on their tans, there is ample evidence that through labor in nature they were in fact becoming more "white," at least if the past experience of American immigrants is any indication.¹²⁹ Long before working-class immigrants began joining the CCC in the 1930s, their forebears faced not only ethnic discrimination but racial prejudice as well. When Irish emigrants settled in the United States during the first half of the nineteenth century, for instance, it was by no means clear that native-born Americans viewed these newcomers as fully white. One means of becoming whiter was for these Irish workers to differentiate themselves from African Americans through labor, particularly free labor.¹³⁰ The same held true for a host of ethnic and religious immigrant groups during the postbellum years; through physical labor, they became more white while simultaneously becoming more American.¹³¹ These links among manhood, whiteness, and nationalism remained a powerful historic force well into the twentieth century.¹³² Ironically, then, as less-than-white Irish, Polish, Italian, and Jewish boys made their skin as "brown as Indians" through outdoor labor in the CCC, they were making themselves more native American as well.¹³³

African Americans who joined the CCC during the Great Depression had a very different experience than did ethnic enrollees. Despite the amendment in its original charter stipulating that the Corps could not discriminate on account of race, African Americans found their opportunities in this and other New



Deal programs severely circumscribed. Due to racism both within the CCC and without, black enrollees had a more difficult time than whites getting into the Corps, found their segregated camps situated even farther away from nearby communities because of local protests in every region of the country, including the North, and were rarely allowed to take on administrative responsibilities in their own African-American camps.¹³⁴ Such difficulties for blacks indicate that while the Roosevelt administration used the Corps to lessen ethnic and religious tensions during the Great Depression, it was less concerned with using manly outdoor labor to heal the nation's racial problems.¹³⁵ Unable to become whiter by working in nature, African-American enrollees, like white and black women, remained outside the New Deal body politic.¹³⁶

As the Corps promoted its role in Americanizing white enrollees, and as the young men joining the New Deal program in turn embraced this patriotic identity, the national media began publicizing the idea that CCC work in



Figures 3.11 (facing page) and 3.12 During the Great Depression, the CCC continually linked the outdoor labor performed on its conservation projects to an increased sense of national pride. This desire to build nationalism through nature is prominently displayed in these two CCC promotional images. In the first, a shirtless Corps enrollee labors literally in the nation's soil, beneath a horizon draped in the American flag. The second image is more subtle. Published during the early 1940s, this drawing of three Corps enrollees marching intently in unison across a field labeled "Spirit of the CCC" uses the country's imminent entry into World War II to link conservation to nationalism. The various tools used to conserve the pine bough in the upper right corner of the image, especially the fire-fighting water pump held by the enrollee farthest to the left, also suggest the weapons that will be employed by American soldiers in the impending war. (Civilian Conservation Corps, *The CCC at Work: A Story of 2,500,000 Young Men* [Washington, D.C.: U.S. Government Printing Office, 1941], cover; and *Spirit of CCC*, Civilian Conservation Corps, *Spirit of CCC*, Vertical File, Franklin Delano Roosevelt Library, Hyde Park, N.Y., n.d.)

nature created not only better bodies but better Americans. Much like the publicity garnered by Martin Dies's Special Committee on Un-American Activities, the coverage of the Corps' role in assimilating immigrant enrollees was extensive. For instance, in a *New York Times* article titled "The Forestry Army That Lives by Work," reporter Dorothy Bromley described both the physical labor performed by CCC enrollees in the nation's forests as well as its effect on their bodies. "The work that they are doing . . . whether it is chopping trees, digging out rocks, or building trails, looks hard, almost backbreaking," she explained. The bodily changes shared by these young men while working together outdoors, Bromley then went on to suggest, helped them to overcome many of their ethnic and religious differences. "They are one-hundred percent American," she concluded.¹³⁷

This popular belief that the Corps helped to assimilate immigrant enrollees raised widespread political support for Franklin Roosevelt and his New Deal state. On the political Left, such backing was especially pronounced among working-class city dwellers, who saw in the CCC an invitation by the president to join the nation's civic family. One working-class mother from Baltimore, for instance, whose son joined the Corps in 1933, thanked God for the president and the CCC and pledged that "from now there will be nobody to tell me how to vote. I'll know."¹³⁸ The majority of working-class immigrants agreed with such sentiments. During the 1936 election, of the 6 million Americans who went to the polls for the first time, 5 million voted for Roosevelt. During the same election, the incumbent also received 80 percent of the vote of the poorest Americans and did especially well among ethnic minorities, most of whom lived in cities.¹³⁹

The Corps' Americanizing influence on immigrants played equally well with the political Right. Newspapers historically opposed to Franklin Roosevelt during the Great Depression responded favorably to the Corps' assimilation campaign, helping in effect to muffle criticism like that from the House Special Committee on Un-American Activities. "Of all the New Deal agencies, the CCC has probably attracted the most attention," admitted the *Houston Post*, a conservative newspaper from Martin Dies's home state. "Democrats and Republicans, Socialists and Share-the-Wealthers," the paper went on to explain, "have joined in praising its objectives and accomplishments."¹⁴⁰ It seems that by transforming young, urban immigrants into full-blooded American men, the CCC raised popular support for Roosevelt's welfare state from across the political spectrum.

Enrollee Pablo Diaz Albertt was thus only partially correct when he described his transformation at a CCC camp in Libby, Montana. The

"hard work" he performed "sawing down large trees" high up in the "majestic Rocky Mountains" did make him "stronger," as he put it, and most probably heavier, healthier, and more tanned, if the experiences of many Corps enrollees is any indication. The classes offered by Camp F-44 each night after work must also have taught Albertt a thing or two about the conservation of trees in the surrounding forest. The great majority of the more than 3 million young men who joined the CCC experienced similar changes while enrolled in the New Deal program. Long labor outdoors and serious study in camp classes had indeed benefited these enrollees "in both body and mind."¹⁴¹

Yet Albertt was less aware of the larger political implications of his physical and intellectual transformation. The youth from New York City failed to understand that while his newfound "conservation consciousness" helped to expand the composition of the conservation movement to include for the first time urban workers, the changes taking place in his body had similarly broadened conservation's agenda by incorporating concern for human resources into the movement. He was equally ignorant of the impact such changes had on New Deal politics. Outdoor labor in American nature made Albertt not only less of a boy and more of a man, but also less Hispanic and more American. Working outdoors in the forests near Libby, he explained, "rounded" him "into manhood" while at the same time making him "a better citizen."¹⁴² The Americanization of millions of immigrant enrollees like Albertt helped Roosevelt to maintain a broad-based constituency that included those on the Left, such as socialist Norman Thomas, along with right-wingers such as the readers of the *Houston Post*. It similarly diffused criticism of the New Deal from conservatives like Martin Dies, who feared all things un-American. Thus although Albertt may not have realized it, by altering his body and mind, the Corps had transformed the politics of both conservation and the New Deal.

Pablo Diaz Albertt was also unaware of the impact that his conservation work had on his neighbors in Libby, Montana. Like residents of thousands of towns and villages across the country, those living in Libby quickly realized that having a Corps camp move in next door meant changes not just to the surrounding countryside but to their own community as well. Examining such community change is central to understanding how the transformations experienced by enrollees spread beyond the participants in this particular New Deal program and began to influence the wider American public.

CHAPTER 3

1. Pablo Diaz Albertt, "How the CCC Has Helped Me Improve Myself," RG 35: CCC, Entry 99: Benefit Letters, 1934-1942, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, National Archives and Records Administration (hereafter NARA).

2. Determining the total number of men who joined the Corps between 1933 and 1942 depends on whether one accounts for the reenrollment of individual enrollees as well as the small number of World War I veterans and Native Americans who were permitted to join the Corps. Here I have decided to follow the lead of the CCC's second director, James McEntee, who in his final report noted that 3,240,393 men joined the CCC during its nine years of operation. This number includes camp personnel, World War I veterans, and Native Americans, and does not double- or triple-count men who reenrolled in the Corps two or three times. See James McEntee, Federal Security Agency, *Final Report of the Director of the Civilian Conservation Corps, April 1933 through June 30, 1942*, RG 35: CCC, Entry 3: Annual, Special, and Final Reports, NARA, 109. On 5 percent of the country's total male population joining the Corps, see John Paige, *The Civilian Conservation Corps and the National Park Service: An Administrative History* (Washington, D.C.: National Park Service, 1985), 126. McEntee states that 15 percent of young men aged eighteen to twenty-five joined the Corps in his *Final Report*, 50.

3. Frederick Katz, "How the Civilian Conservation Corps Has Benefited Me," Record Group 35: CCC, Entry 99: Benefit Letters, 1934-1942, Folder: Misc. Benefit Letters, NARA; Anonymous, "Beneficial Environment in the C.C.C.," Record Group 35: CCC, Entry 99: Benefit Letters, 1934-1942, Folder: Letters from CCC Enrollees re: Benefits Received While in the Corps, NARA.

4. Frank Ernest Hill, "Salvaging Youth in Distress: The CCC, Having Achieved Notable Results in Upbuilding Thousands, Widens Its Field and Recruits New Forces to Carry On the Task of Conservation," *New York Times Magazine*, 21 April 1935, 22.

5. Albertt, "How the CCC Has Helped Me Improve Myself." For additional statements by enrollees regarding the effect of CCC work on both their bodies and minds, see 2nd Corps Area, "Enrollees' Estimates of Benefits Received and Needs Met in CCC Camps Abstracted from 200 Letters on 'What the CCC Has Done for Me,'" RG 35: CCC, Entry 99: Benefit Letters, 1934-1942, Folder: Misc. Benefit Letters, NARA. Throughout the program's nine-year existence, CCC administrators sporadically asked enrollees to

write "benefit letters" and send them to Washington, D.C., and although it is difficult to determine if, or to what degree, camp officers influenced the contents of these letters, the variety of responses by enrollees suggests that such influence was minimal.

6. On the importance of the working class for New Deal liberalism, see especially Alan Brinkley, *The End of Reform: New Deal Liberalism in Recession and War* (New York: Vintage, 1995), especially chap. 9, "The New Unionism and the New Liberalism"; Steve Fraser and Gary Gerstle, eds., *The Rise and Fall of the New Deal Order, 1930-1980* (Princeton, N.J.: Princeton University Press, 1989), especially chap. 3, Steve Fraser's "The Labor Question"; and David Brody, *Workers in Industrial America: Essays on the Twentieth Century Struggle* (New York: Oxford University Press, 1981), especially chap. 3, "The Emergence of Mass Production Unionism," and chap. 4, "The New Deal and the Labor Movement."

7. Richard White, "'Are You an Environmentalist or Do You Work for a Living?': Nature and Work," in *Uncommon Ground: Rethinking the Human Place in Nature*, ed. William Cronon (New York: Norton, 1996), 171-185. On the historical importance of workers' bodies, see Christopher Sellers, *Hazards of the Job: From Industrial Disease to Environmental Health Science* (Chapel Hill: University of North Carolina Press, 1997); and Robert Gottlieb, *Forcing the Spring: The Transformation of the American Environmental Movement* (Washington, D.C.: Island, 1993), especially chap. 2, "Urban and Industrial Roots." Interestingly, Gottlieb's discussion skips the Great Depression era.

8. Franklin Roosevelt to Congress, 21 March 1933, as reprinted in Edgar Nixon, comp. and ed., *Franklin D. Roosevelt and Conservation, 1911-1945* (Hyde Park, N.Y.: FDRL, 1957), 1:143.

9. U.S. Congress, "An Act for the Relief of Unemployment through the Performance of Useful Public Work, and for Other Purposes" (approved 31 March 1933), as reprinted in Nixon, *FDR and Conservation*, 1:146.

10. On labor's "grave apprehension" regarding the CCC bill, see *New York Times*, 22 March 1933, and A. F. Whitney, *New York Times*, 24 March 1933, as quoted in John Salmond, *The Civilian Conservation Corps, 1933-1942: A New Deal Case Study* (Durham, N.C.: Duke University Press, 1967), 14.

11. Two amendments were added to the Senate bill before passage: an antidiscriminatory provision and another repealing the restriction (added by the Senate) on the president's authority to acquire property through the CCC. For a brief discussion of the CCC bill's passage, see Nixon, *FDR and Conservation*, 1:149.

12. For criticism of Green's opposition to the CCC, see *Chicago Tribune*, 27 March 1933; *New York Herald Tribune*, 23 March 1933; and the *St. Louis Post-Dispatch*, 25 March 1933, all as cited in Salmond, *The CCC*, 19.

13. For a description of this inspection tour, including the lunch menu, see *New York Times*, 15 August 1933. On Green's reaction to the trip, see Green to Roosevelt, 18 September 1933, Roosevelt Papers, Official File 142, as quoted in Salmond, *The CCC*, 47. See also Nixon, *FDR and Conservation*, 1:197.

14. On Fechner's early life and career, see "Death Claims F. A. Silcox and Robert Fechner," *American Forests* 46, no. 2 (February 1940): 72-73; "Conservation: Poor Young Men," *Time*, 6 February 1939, 12; "Roosevelt's Tree Army: I," *New Republic*, 29 May 1935, 64; and Salmond, *The CCC*, 27, 76.

15. The totals for each enrollment period are taken from the CCC's annual director's reports, which can be found at RG 35: CCC, Entry 3: Annual, Special, and Final Reports,

NARA. Because the total number of enrollees within each enrollment period fluctuated due to continual discharges and replacements, I have used the average enrollment figures for each period.

16. On the Department of Labor's selection bureaucracy and first-year figures, see Robert Fechner, *First Report of the Director of Emergency Conservation Work: For the Period April 5, 1933, to September 30, 1933*, RG 35: CCC, Entry 3: Annual, Special, and Final Reports, NARA. For the Department of Labor's overall selection of enrollees 1933–1942, see McEntee, *Final Report*, 11, 23–24. On comparisons to World War I, see James McEntee, *Now They Are Men: The Story of the CCC* (Washington, D.C.: National Home Library Foundation, 1940), 15; and Salmond, *The CCC*, 45.

17. Alice Kessler-Harris argues persuasively that this "gendered imagination" of the state resulted in women being excluded from what she calls "economic citizenship." See Alice Kessler-Harris, *In Pursuit of Equity: Women, Men, and the Quest for Economic Citizenship in 20th-Century America* (New York: Oxford University Press, 2001).

18. On Eleanor Roosevelt's attempt to establish CCC camps for women, see "Women's Forest Work Camps May Be Set Up if Enough Ask Them, Says Mrs. Roosevelt," *New York Times*, 24 May 1933, p. 1; and Lillian Sire, "Camps for Women," letter to the editor, *New York Times*, 24 May 1933, p. 5. On Camp Jane Addams (also known as Camp Tera) in Bear Mountain State Park, see "Forest Camp for Women Opens in New York," *American Forests* 39, no. 7 (July 1933): 321; Susan Ware, *Beyond Suffrage: Women in the New Deal* (Cambridge, Mass.: Harvard University Press, 1981), 111; and Barrett Potter, "The Civilian Conservation Corps in New York State: Its Social and Political Impact" (Ph.D. diss., State University of New York, Buffalo, 1973), 75. For information on women's clubs, including the Women's Club of Birmingham in Alabama and the Women's National Democratic Club, that supported a female auxiliary CCC, see Potter, "The Civilian Conservation Corps in New York State," 74; and Alison Otis, *The Forest Service and the Civilian Conservation Corps, 1933–1942* (Washington, D.C.: Department of Agriculture, U.S. Forest Service, 1986), 8. On the Works Progress Administration's brief establishment of ninety camps for approximately 5,000 women, none of whom performed conservation work, see John Krygier, "Visualization, Geography, and Landscape: Visual Methods and the Study of Landscape Dereliction as a Process" (Ph.D. diss., Pennsylvania State University, 1995), 221.

19. Acting by executive order, President Roosevelt relaxed the admittance criteria for these groups in the following order: on 22 April 1933 the quota for local experienced men was set at 35,250 men; on 7 June 1933 the quota for World War I veterans was set at 25,000 men; and on 23 June 1933 the quota for Native Americans was set at 11,618 and raised in August 1933 to 12,702. See Fechner, *First Report*, 2. In 1935, the CCC expanded its age restrictions to allow men aged seventeen to twenty-eight to enroll. See Robert Fechner, *Summary Report of Director, Fiscal Year 1936* (Washington: U.S. Government Printing Office, 1936), 22–23, located at RG 35: CCC, Entry 3: Annual, Special, and Final Reports, NARA.

20. From 1933 to 1935, enrollees from families on relief rolls were given priority for enrollment in the Corps. After 1935, only young men from families on public relief were permitted to join the CCC. See Fechner, *Summary Report of Director, Fiscal Year 1936*, 22.

21. My ideas linking boys and labor have been especially influenced by Ava Baron, "An 'Other' Side of Gender Antagonism at Work: Men, Boys, and the Remasculinization

of Printers' Work, 1830-1920," in *Work Engendered: Toward a New History of American Labor*, ed. Ava Baron (Ithaca, N.Y.: Cornell University Press, 1991).

22. The CCC undertook a census of its enrollees during the week of 18-23 January 1937. See Robert Fechner, *Annual Report of the Director of Emergency Conservation Work, Fiscal Year Ending June 30, 1937* (Washington, D.C.: U.S. Government Printing Office, 1937), located at RG 35: CCC, Entry 3: Annual, Special, and Final Reports, NARA, 5. On the "typical enrollee," see Michael Sherraden, "The Civilian Conservation Corps: Effectiveness of the Camps" (Ph.D. diss., University of Michigan, 1979), 191.

23. McEntee, *Final Report*, 50.

24. The CCC presented its enrollee census material in Fechner, *Annual Report 1937*, 45, 5.

25. Robert Fechner, *Annual Report of the Director of the Civilian Conservation Corps, Fiscal Year Ended June 30, 1938* (Washington, D.C.: U.S. Government Printing Office, 1938), located at RG 35: CCC, Entry 3: Annual, Special, and Final Reports, NARA. On the unskilled nature of Corps enrollees, see Sherraden, "The Civilian Conservation Corps," 192.

26. Frank Ernest Hill, *School in the Camps: The Educational Program of the Civilian Conservation Corps* (New York: American Association for Adult Education, 1935), 71. The CCC also undertook projects involving unskilled labor in an effort to slow the pace of Corps work, ensuring a steady supply of work projects well into the future.

27. James Lowe, "What the Civilian Conservation Corps Has Meant to Me," 15 December 1935, RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Letters of Commendation from CCC Boys, NARA.

28. The CCC was fond of publicizing "the typical CCC day" and did so often. See especially McEntee, *Now They Are Men*, 37; Fechner, *Annual Report 1937*, 3; and Salmond, *The CCC*, 137-141.

29. On enrollee work per day and week, see Robert Fechner, *Second Report of the Director of Emergency Conservation Work: For the Periods April 5, 1933, to September 30, 1933, and October 1, 1933, to March 31, 1933*, RG 33: CCC, Entry 3: Annual, Special, and Final Reports, NARA, 4.

30. I calculated this by multiplying the total number of enrollees in the Corps over its nine-year life span (3 million) by the average number of weeks each enrollee remained in the CCC (thirty-nine weeks) and then again by forty hours of work per week. For the average number of weeks that enrollees remained in the Corps, see Fechner, *Annual Report 1937*, 5; and Salmond, *The CCC*, 135. In his 1937 annual report (p. 3), Fechner also states that enrollees were permitted to perform overtime work in emergency situations only.

31. Robert Fechner to Franklin Roosevelt, 14 April 1939, as reprinted in Nixon, *FDR and Conservation*, 2:321.

32. Harold Fraire, "The Spirit of the CCC," as reprinted in Ovid Butler, *Youth Rebuilds: Stories from the CCC* (Washington, D.C.: American Forestry Association, 1934), 174. On the urban versus agricultural backgrounds of Corps enrollees, see "They Came From," Division of Research and Statistics, Civilian Conservation Corps, 4 November 1941, RG 35: CCC, Entry 12: "Organization Charts, 1941-1942," NARA.

33. Dan Gately, "To Whom It May Concern," 12 December 1935, RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Letters from CCC Enrollees re: Benefits Received while in the Corps, NARA; Kenneth Stephans, "My Personal Opinion of the CCC," RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.

34. Anonymous, "Nature," as reprinted in the National Association of Civilian Conservation Corps Alumni, *Chapter Chatter and Comment* (newsletter of the NACCCA Mile High Chapter, Denver, Colorado) 10, no. 10 (October 1995): 5. Enrollees from cities stationed in New Hampshire camps were also surprised, and often frightened, by unfamiliar fauna, in this case foxes. See Robert Woodward as interviewed by David Draves, *Builder of Men: Life in the CCC Camps of New Hampshire* (Portsmouth, N.H.: Randall, 1992), 28.
35. Carl McNees, "Material Aids of a CCC Camp," RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.
36. Robert Ross, "The Revelation," as quoted in Butler, *Youth Rebuilds*, 45.
37. Commissioners of the Palisades Interstate Park, "Conservation Teaching for Interstate Park CCC Camps," press release 8 August 1934, in vertical file located at Bear Mountain State Park Archives, Bear Mountain, New York.
38. On the education level of CCC enrollees, see Hill, *School in the Camps*, 71; and Fechner, *Summary Report of Director, Fiscal Year 1936*, 24. On the use of the term "land sciences," see "President Considering Educational Program for the CCC," *American Forests* 39, no. 12 (December 1933): 561.
39. Wesley Kelley to Educational Advisor, 325th Company, CCC, 30 November 1935, RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Letters of Commendation from CCC Boys, NARA; Joseph Swezey, "Benefits Derived from the Civilian Conservation Corps," RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA, 2; James Cordes, "Material Aids of a CCC Camp," RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.
40. CCC, *Woodsmanship for the Civilian Conservation Corps* (Washington, D.C.: U.S. Government Printing Office, 1939), 3.
41. As quoted in Draves, *Builder of Men*, 122.
42. The CCC itself makes this distinction between informal and formal enrollee education in McEntee, Federal Security Agency, *Final Report of the Director of the Civilian Conservation Corps, April 1933 through June 30, 1942*, RG 35: CCC, Entry 99: Annual, Special, and Final Reports, NARA, 52.
43. Robert Fechner, "The Educational Contribution of the Civilian Conservation Corps," *Phi Delta Kappan: A Journal for the Promotion of Research, Service and Leadership in Education*, Special Number: Education in the Civilian Conservation Corps (June 1937): 307.
44. In one publicity pamphlet, subtitled "Learning by Doing," the Corps stated that "since the beginning of the CCC program, the value of training on the job has been recognized as a vital part of the Corps." See CCC, *Forest Improvements by the CCC* (Washington, D.C.: U.S. Government Printing Office, 1938), 11.
45. U.S. Commissioner of Education John Studebaker, "Editorial Comment," *Phi Delta Kappan: A Journal for the Promotion of Research, Service and Leadership in Education*, Special Number: Education in the Civilian Conservation Corps (June 1937): 298.
46. Salmond, *The CCC*, 87.
47. McEntee, *Now They Are Men*, 47.
48. Robert Fechner, address before the Star Radio Forum, 24 October 1934, Printed Material Collection, Civilian Conservation Corps, Press Releases, FDRL.
49. For a description of this manual, see Thomas Clark, *The Greening of the South: The Recovery of Land and Forest* (Louisville: University Press of Kentucky, 1984), 75.

50. On CCC camp libraries, see Robert Fechner, "Study Hour in the CCC," *New York Times*, 1 October 1933, sec. ix, p. 11; and Salmond, *The CCC*, 139–140. See also Leslie Lacy, *The Soil Soldiers: The Civilian Conservation Corps in the Great Depression* (Radnor, Pa.: Chilton 1976), 70. A total of a half million books circulated throughout the CCC library system.
51. Robert Ross, "The Revelation," as reprinted in Butler, *Youth Rebuilds*, 47.
52. Salmond, *The CCC*, 49.
53. Franklin Roosevelt to Major William Welch, 8 November 1933, Official File 973: Palisades Interstate Park, N.J., FDRL.
54. Director of CCC Camp Education Howard Oxley, "Educational Activities in CCC Camps: Fiscal Year 1936–1937," RG 35: CCC, Entry 107: Division of Research and Statistics, Educational Reports, 1935–42, NARA.
55. On early CCC educational classes and their correlation to Corps conservation work, see Robert Fechner, "Study Hour in the CCC," *New York Times*, 1 October 1933, sec. ix, p. 11; Fechner, *Second Report*; Otis, *The Forest Service and the CCC*, 11; and Samuel Harby, *A Study of Education in the Civilian Conservation Corps Camps of the Second Corps Area: April 1933–March 1937* (Ann Arbor, Mich.: Edwards., 1938), 16.
56. On the variety of courses offered by the CCC in 1935, see Emergency Conservation Work (CCC), "Memorandum for the Press," 13, September 1935, Printed Materials Collection, Civilian Conservation Corps, Press Releases, FDRL. On the CCC's educational goals, see "New Educational Program for Civilian Conservation Corps," *American Forests* 41, no. 11 (November 1935): 648.
57. Fechner, *Annual Report 1937*, 7. On percentages of enrollee participation in the CCC educational program, see *ibid.*; and Calvin Gower, "The Civilian Conservation Corps and American Education: Threat to Local Control?" *History of Education Quarterly* 7, no.1 (Spring 1967): 62.
58. Harby, *Education in CCC Camps*, 143. While this study examined camps in what the CCC called "the Second Corps Area," which covered the states of Washington, Oregon, Idaho, New Mexico, Utah, Nevada, California, and parts of Wyoming, it is a useful benchmark for the country at large since by this time the CCC's educational program was centralized from Washington, D.C.
59. American Tree Association, "Pack Dedicates 100,000 New Primers to Forest Camps," *Forestry News Digest* (August 1933): 8, clipping from Vertical File, Civilian Conservation Corps, Folder 2, FDRL.
60. Dan Gately, "To Whom It May Concern," 12 December 1935, RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Letters from CCC Enrollees re: Benefits Received while in the Corps, NARA.
61. Frederick Carlsen, "What the Three C's Mean to Me," RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.
62. Harry Gough, as quoted in "How Enrollees Have Benefited by the CCC," RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.
63. Enrollees Thomas Scott and Paul Stone are quoted in Lacy, *Soil Soldiers*, 130, 126; James Weister, "How the CCC Has Benefited Me," RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Letters of Commendation from CCC Boys, NARA; James Jensen, "What Am I Getting Out of the CCC?" RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Misc. Benefit Letters. The enrollee stationed in Rushville, Illinois, is

James Kidwell, "A Task, a Plan and Freedom," *American Forests* 40, no. 1 (January 1934): 23. For examples of CCC enrollees using the terms "scrawny," "weak," and "poorly developed," see the following: James Danner, "What the CCC Taught Me," *Rotarian* (September 1941), clipping in Official File 268 (CCC), Folder: Misc 1941, FDRL; Gerald Street, "Wisdom from the Trees," *American Forests* 40, no. 1 (January 1934): 24; and Morelee Frazier, "CCC Camp S-56-Pa.," RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Benefit Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.

64. James Kidwell, "What the CCC Has Done for Me," *American Forests* 40, no. 1 (January 1934): 23.

65. Fechner, *Annual Report 1937*, 5.

66. Charles Hiller, "It Taught Me One Way to Be Happy," *American Forests* 40, no. 3 (March 1934): 121.

67. Both Billmyer quotes come from Charles Billmyer, "What the CCC Has Done for Me," RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.

68. James Danner to President Roosevelt, 21 September 1936, Official File 268 (CCC), Folder: Misc. July-September 1936, NARA, 2.

69. Illustrations by C. Moran, *Thousand Islander* (Fishers Landing, N.Y.), September 1937, 1 and 11, Official File 268 (CCC), Folder: CCC Periodicals, August-December 1937.

70. Robert Miller, "It's a Great Life," RG 35: CCC, Division of Planning and Public Relations, "Success Stories, 1936-1941," Box 2, NARA.

71. There were a number of sociological studies conducted during the Great Depression on the links among unemployment, physical deterioration, and the loss of male authority. See especially Mirra Komarovsky, *The Unemployed Man and His Family: The Effects of Unemployment upon the Status of the Men in Fifty-Nine New York Families* (New York: Dryden, 1940), 92-101.

72. On the army's health survey, see McEntee, *Final Report*, 55; and McEntee, *Now They Are Men*, 57-58.

73. Fechner, *First Report*, 5. The CCC's second director made a nearly identical statement in 1940; see McEntee, *Now They Are Men*, 58.

74. On enrollee undernourishment, see Robert Fechner, "Statement before the U.S. Senate Special Committee to Investigate Unemployment," 15 March 1938, Official File 268 (CCC), Folder: January-March 1938, 2. For the statement on "bad environments," see McEntee, *Final Report*, 109.

75. *Forestry News Digest* (July 1933), Folder: American Forestry Association Publications, Vertical Files, FDRL.

76. McEntee, *Now They Are Men*, 57-58.

77. Robert Fechner, "Fechner Clarifies Civilian Status of CCC," *American Forests* 45, no. 10 (October 1939): 511.

78. On this masculinity crisis, see Barbara Melosh, *Engendering Culture: Manhood and Womanhood in New Deal Public Art and Theater* (Washington, D.C.: Smithsonian Institution Press, 1991); Anthony Rotundo, *American Manhood: Transformations in Masculinity from the Revolution to the Modern Era* (New York: Basic, 1993); Gail Bederman, *Manliness and Civilization: A Cultural History of Gender and Race in the United States, 1880-1917* (Chicago: University of Chicago Press, 1995); and George Chauncey, *Gay New York: Gender, Urban Culture and the Making of the Gay Male World, 1890-1940* (New York: Basic, 1994). The Theodore Roosevelt quote comes from *The Strenuous Life: Essays and*

Addresses (New York: The Century Company, 1905), 7–8, as quoted in David Shi, *The Simple Life: Plain Living and High Thinking in American Culture* (New York: Oxford University Press, 1985), 201. For Depression era examples of sociological studies linking unemployment, physical deterioration, and the loss of male authority, see Komarovsky, *The Unemployed Man and His Family*, 92–101; Roger Angell, *The Family Encounters the Depression* (New York: Scribner's, 1936); and Ruth Shonle Cavan and Katherine Howland Ranck, *The Family and the Depression* (Freeport, N.Y.: Books for Libraries Press, 1938).

79. On CCC conditioning camps, see Fechner, *First Report*, 3; and Fechner, *Annual Report 1937*, 2. Fechner discussed the physical examination's rejection rate in *First Report*, 5.

80. Civilian Conservation Corps, *Physical Training Manual* (Washington, D.C.: National Publishers, n.d.), 4.

81. Franklin Roosevelt to Congress, 21 March 1933, as quoted in Nixon, *FDR and Conservation*, 1:143. Also see Darel McConkey, "The Health of John Peavey: An Average Boy, Back from the CCC Camp, Provides His Neighbors an Education on the Youth Movement in America's Forests," *American Forests* 40, no. 11 (November 1934): 511.

82. Harby, *Education in CCC Camps*; and McEntee, *Final Report*, 42.

83. While much of the evidence for this corporeal rejuvenation comes from statements written by enrollees at the behest of the CCC, additional material from newspaper reports, personal letters, reminiscences, and medical data on the health of these young men supports the notion that work in nature dramatically transformed enrollees' bodies.

84. James Danner, "What CCC Taught Me," *Rotarian* (ca. September 1941), clipping in Official File 268 (CCC), Folder: Misc. 1941, FDRL.

85. Enrollees used such language in the many letters sent home and to the federal government. For "sore" and "stiff" muscles, see Battell Loomis, "With the Green Guard: Beginning a Tenderfoot Forester's Impressions of Life in the CCC Camps," *Liberty Magazine*, 14 April 1934, 53. On becoming "stronger," see Arthur Dilgado to Whom It May Concern, 17 December 1935, RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Letters of Commendation from CCC Boys, NARA. And on developing physically, see Jacob Paslawsky, "What the CCC Has Done for Me," RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Letters from CCC Enrollee[s] re: Benefits Received from the Corps, NARA.

86. Danner, "What CCC Taught Me," n.p.

87. On the average weight and height gain of CCC enrollees, see McEntee, *Final Report*, 55. See also Joseph Weigel, "Material Value of the CCC," RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Letters from CCC Enrollees re: Benefits Received while in the Corps, NARA; and James Bennett, as quoted in "Looking and Listening with Vann Kincannon," clipping from *Tupelo Journal* (n.d.), RG 35: CCC, Division of Planning and Public Relations, "Success Stories, 1936–1941," Box 1: Alabama–Wyoming, NARA.

88. McEntee, *Now They Are Men*, 31. The few overweight young men who joined the Corps often lost weight during their time in camp. See especially Myer Schaffner, as quoted in Edwin Hill, *In the Shadow of the Mountain: The Spirit of the CCC* (Pullman: Washington State University Press, 1990), 159.

89. On "pasty-faced" new enrollees, see Walter Woehlke, "Mutiny in a 3-C Camp! A Lively Chronicle of Ups and Downs among 300,000 Young Americans Who Are Learning to Be Men," *Liberty Magazine*, 21 April 1934, clipping from Official File 268 (CCC), Folder: March–July 1934, 52. On "pale" enrollees, see Editorial, "Evolution of an Enrollee," *Trumpeter* (enrollee newspaper from Moormans River, Va.), 2. And on

enrollees having no "good color at all," see James Newton as quoted in Merrill, *Roosevelt's Forest Army*, 102.

90. On enrollee sunburn, see William Carson to Franklin Roosevelt, 20 May 1933, Official File 268 (CCC), Folder: Miscellaneous, March–May 1933, FDRL; and Dorothy Bromley, "The Forestry Army That Lives by Work," *New York Times*, 23 July 1933, sec. viii, p. 2. On enrollee blisters, see anonymous enrollee, "How I Have Benefited," RG 35: CCC, Entry 99: Benefit Letters 1934–1942, Folder: Misc. Benefit Letters, NARA; and Paul Briggs, "My Opportunity in the CCC," RG 35: CCC, Entry 99: Benefit Letters 1934–1942, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.

91. Robert Buchanan, as quoted in David Draves, *Builder of Men: Life in the CCC Camps of New Hampshire* (Portsmouth, N.H.: Randall, 1992), 125. For descriptions of enrollees' brown skin, see Freeman Bishop, "'Remembered Men': The Civilian Conservation Corps—Who and What They Are as Told by One of Them," *American Forests* 39, no. 8 (August 1933): 380; and John Guthrie, "With the Texas Forest Army," *American Forests* 39, no. 12 (December 1933): 576.

92. Harold Buckles, "I Have Learned to Know the Human Race," *American Forests* 40, no. 5 (May 1934): 218.

93. Harry Maynor to James Ellis, Director of Emergency Conservation, 7 June 1934, RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Letters of Commendation from CCC Boys, NARA.

94. Lee Wilson, as quoted in CCC, "Memorandum for the Press: Colorado" (n.d.), RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Social Benefits of CCC to Enrollees (Alphabetical by State—Not All States), NARA.

95. On the army's health survey, see McEntee, *Final Report*, 55; and McEntee, *Now They Are Men*, 57–58.

96. Lawrence Lescisco, "My Life in the CCC's," RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.

97. A number of environmental historians have raised concerns regarding the usefulness of such terms, claiming that "nature" is socially constructed. See especially Donald Worster, "The Ecology of Order and Chaos," in his *The Wealth of Nature* (New York: Oxford University Press, 1993), 156–170; Donald Worster, *Nature's Economy: A History of Ecological Ideas*, 1st ed. (Cambridge: Cambridge University Press, 1977), 205–212; and Mart Stewart, *What Nature Suffers to Groe: Life, Labor, and Landscape on the Georgia Coast, 1680–1920* (Athens: University of Georgia Press, 1996), 8–11.

98. John Goodspeed to M. H. Welling, 31 October 1934, Official File 268 (CCC), Folder: Misc. October–December, 1934, FDRL; Herbert Junep, "Farewell to the CCC," as quoted in Butler, *Youth Rebuilds*, 168.

99. Paul Stone, as quoted in Lacy, *Soil Soldiers*, 126. Also see Virgil McClanahan, "The Advantages of the CCC," RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Letters from CCC Enrollees re: Benefits Received while in the Corps, NARA. Many enrollees used identical language in describing the influence of a more natural environment on their health. See especially Robert Burns to Franklin Roosevelt, 31 August 1935, Official File 268 (CCC), Folder: Misc. July–October 1935, FDRL; and Valentine Bilovsky, "CCC Life," RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.

100. John McAdams, "Experiences in a CCC Camp," RG 35: CCC, Entry 99: Benefit Letters, 1934–42, Folder: Letters from CCC Enrollees re: Benefits Received from the

Corps, NARA. There are dozens of similar letters from enrollees linking their new physiques and working outdoors to manhood. See especially Pablo Albertt, "How the CCC Has Helped Me Improve Myself," RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA; Bob Eddy, "What I Have Gained from CCC Life," RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Letters from CCC Enrollees re: Benefits Received while in the Corps, NARA; and Farran Zerbe II, "What the Greeks Meant," and Robert Ross, "The Revelation," both as quoted in Butler, *Youth Rebuilds*, 122, 48.

101. Anonymous, "But Wilbur Joined the CCC—and After a Year," *Cottonwood* (New Ulm, Minn.), 7 July 1939, Official File 268 (CCC), Folder: CCC Periodicals, 1938-1939, FDRL.

102. James Brandon, "To the Fourth Corps Area," 7 December 1935, RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.

103. For other examples of CCC enrollees linking their work to a newfound appreciation of conservation, see Rossiter Jones, "Benefits Derived from the CCC," RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Misc. Benefit Letters, NARA; and James Kidwell, "A CCC Fighter," RG 35: CCC, Entry 101: Success Stories, 1936-1941, Folder: Misc. Prize Winning Stories, Box 2, NARA.

104. Fred Harrison, "What the CCC Has Done for Me," RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.

105. On the elite character of Progressive conservationism, see Samuel Hays, *Conservation and the Gospel of Efficiency: The Progressive Conservation Movement, 1890-1920* (Cambridge, Mass.: Harvard University Press, 1959). On the rural, non-elite wing of Progressive conservationism, see Louis Warren, *The Hunter's Game: Poachers and Conservationists in Twentieth-Century America* (New Haven, Conn.: Yale University Press, 1997), especially 49; Karl Jacoby, *Crimes against Nature: Squatters, Poachers, Thieves, and the Hidden History of American Conservation* (Berkeley: University of California Press, 2003); and Richard Judd, *Common Lands, Common People: The Origins of Conservation in Northern New England* (Cambridge, Mass.: Harvard University Press, 2000).

106. The notion of an amateur wing within the conservation movement comes from Stephen Fox, *The American Conservation Movement: John Muir and His Legacy* (Madison: University of Wisconsin Press, 1981).

107. Robert Fechner, "Fechner Clarifies Civilian Status of CCC," *American Forests* 45, no. 10 (October 1939): 511.

108. McEntee, *Now They Are Men*, 6. The CCC used this language frequently. Fechner warned that unemployment leads to "moral erosion" in youth in Fechner, "Fechner Clarifies Civilian Status of CCC," 511. For similar language, see also CCC educational advisor Scott Leavitt, "The Social and Economic Implications of Conservation," *Phi Delta Kappan: A Journal for the Promotion of Research, Service and Leadership in Education*, Special Number: Education in the Civilian Conservation Corps (June 1937): 326.

109. Robert Ross, "The Revelation," as quoted in Butler, *Youth Rebuilds*, 48.

110. Carl Stark, "Conservation of Men in the CCC from My Own Experiences," 3 June 1941, RG 35: CCC, Entry 99: Benefit Letters, 1934-42, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.

111. There are numerous examples of the CCC administration using this phrase and similar language. See especially Robert Fechner, *Two Years of Emergency Conservation*

Work, April 5, 1933–March 31, 1935; Robert Fechner, *Annual Report of the Director of the Civilian Conservation Corps, Fiscal Year Ended June 30, 1939* (Washington, D.C.: U.S. Government Printing Office, 1939); James McEntee, Federal Security Agency, *Annual Report of the Director of the Civilian Conservation Corps, Fiscal Year Ended June 30, 1942*; and McEntee, *Final Report*, all located at RG 35: CCC, Entry 99: Annual, Special, and Final Reports, NARA.

112. This point is made most explicitly by Gregg Mitman in his essay "Hay Fever Holiday: Health, Leisure, and Place in Gilded-Age America," *Bulletin of the History of Medicine* 77 (2003): 634–635. According to Mitman, "the historiography of environmentalism in America has been largely silent on the role that health has played in changing environmental attitudes prior to the Second World War." The history of the CCC helps to fill this historiographical gap.

113. For a thorough examination of this amendment, see John Salmond, "The Civilian Conservation Corps and the Negro," *Journal of American History* 52 (1965): 76; Olen Cole, "African-American Youth in the Program of the Civilian Conservation Corps in California, 1933–1942," *Forest and Conservation History* 35 (July 1991): 121; Calvin Gower, "The Struggle of Blacks for Leadership Positions in the Civilian Conservation Corps: 1933–1942," *Journal of Negro History* 61, no. 2 (April 1976): 123.

114. Colonel Duncan Major to Colonel Louis Howe, 14 August 1933, Official File: 268 (CCC), Folder: Misc., June–Aug 1933, FDRL.

115. Kenneth Stephans, "My Personal Opinion of the CCC," RG 35: CCC, Entry 99: Benefit Letters, 1934–1942, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.

116. Franklin Roosevelt, "Address at Roosevelt Park," New York City, 18 October 1936, in *Public Papers*, 5:544–555, as quoted in Gary Gerstle, *American Crucible: Race and Nation in the Twentieth Century* (Princeton, N.J.: Princeton University Press, 2001), 138. On 1920s immigration restrictions and the New Deal's subsequent embrace of recent immigrants, see Gerstle, *American Crucible*, 129, 138–139, 150, 154.

117. The quote by Congressman Martin Dies can be found in the *Congressional Record*, 10 May 1935, 7319–7320, as quoted in Gerstle, *American Crucible*, 160.

118. For background information on the House Special Committee on Un-American Activities, see Gerstle, *American Crucible*, 158–160; and William Leuchtenburg, *Franklin D. Roosevelt and the New Deal, 1932–1940* (New York: Harper Torchbooks, 1963), 280–281.

119. Norman Thomas, *Literary Digest* 115 (15 April 1933): 6, as quoted in Salmond, *The CCC*, 14.

120. "Coughlan Say NRA Is Only Beginning," *New York Times*, 5 February 1934, pp. 2 and 4.

121. Massachusetts State Legislature special commission and Mayor Hague as quoted in Salmond, *The CCC*, 192.

122. On conservative newspapers reporting on CCC enrollees' communist activity, see Elmo Richardson, "Was There Politics in the Civilian Conservation Corps?" *Forest History* 16, no. 2 (July 1972): 13. On the CCC not being conducive to a "democratic society," see "Appraising the Civilian Conservation Corps," *School Review* 42 (September 1935): 488, as quoted in Robert Dubay, "The Civilian Conservation Corps: A Study in Opposition, 1933–1935," *Southern Quarterly* 6, no. 3:357.

123. Fechner, *Annual Report 1939*, 8. Although Bryant Simon does an excellent job linking physical changes in Corps enrollees to their Americanization, he refrains from

examining the central role of the natural environment in this Americanization process. See Bryant Simon, " 'New Men in Body and Soul': The Civilian Conservation Corps and the Transformation of Male Bodies and the Body Politic," in *Seeing Nature through Gender*, ed. Virginia Scharff (Lawrence: University Press of Kansas), 137–138.

124. James McEntee, Federal Security Agency, *Final Report of the Director of the Civilian Conservation Corps, April 1930 through June 1942*, RG 35: CCC, Entry 3: Annual, Special, and Final Reports, NARA, 63.

125. James McEntee, Federal Security Agency, *Final Report of the Director of the Civilian Conservation Corps, April 1930 through June 30, 1942*, RG 35: CCC, Entry 3: Annual, Special, and Final Reports, NARA, 63.

126. Kenneth Stephans, "My Personal Opinion of the CCC," RG 35: CCC, Entry 99: Benefit Letters, 1934–1942, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA.

127. James Danner to President Franklin Roosevelt, 21 September 1936, Official File, 268 (CCC), Folder: Misc., July–Sept 1936, FDRL, 2.

128. Joseph Paul Jurasek, "The Joy of Living," in Butler, *Youth Rebuilds*, 67.

129. For an example of how Italian Americans developed a "white consciousness" during the New Deal era, see Stefano Luconi, "A Troubled Political Partnership: Italian Americans and African Americans in the New Deal Democratic Coalition," *Proceedings of the American Italian Historical Association* 30 (1999): 133–149. For Irish support for Roosevelt during the 1930s, see Patrick Kennedy, "Chicago's Irish Americans and the Candidacies of Franklin Roosevelt, 1932–1944," *Illinois Historical Journal* 88, no. 4 (1995): 263–278.

130. The classic works on this subject are David Roediger's *The Wages of Whiteness: Race and the Making of the American Working Class* (New York: Verso, 1991); and Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge, Mass.: Harvard University Press, 1998).

131. For an informative historiographical review of the literature in whiteness studies, see Peter Kolchin, "Whiteness Studies: The New History of Race in America," *Journal of American History* 89, no. 1 (June 2002): 154–173. Environmental historians have begun to examine the role played by the environment in creating whiteness. See especially Annie Coleman, "The Unbearable Whiteness of Skiing," *Pacific Historical Review* 65, no. 4 (November 1996): 583–614; and Sylvia Washington, *Packing Them In: An Archeology of Environmental Racism, 1865–1954* (Lanham, Md.: Lexington, 2004).

132. For a wonderful analysis of the connections among gender, race, and nationalism during the early twentieth century, see Gail Bederman, *Manliness & Civilization: A Cultural History of Gender and Race in the United States, 1880–1917* (Chicago: University of Chicago Press, 1996), especially chap. 5, "Theodore Roosevelt: Manhood, Nation, and 'Civilization.'"

133. There is a long history in the United States of white men achieving manhood by becoming more Indian-like. See especially Richard Slotkin, *Regeneration through Violence: The Mythology of the American Frontier, 1600–1860* (Middletown, Conn.: Wesleyan University Press, 1973); and Richard Slotkin, *The Fatal Environment: The Myth of the Frontier in the Age of Industrialization, 1800–1890* (New York: Atheneum, 1985). For an example of this process during the twentieth century, see Marguerite Shaffer, *See America First: Tourism and National Identity, 1880–1940* (Washington, D.C.: Smithsonian Books, 2001), 230.

134. These discriminatory practices in the CCC are examined in detail in Olen Cole, Jr., *The African-American Experience in the Civilian Conservation Corps* (Gainesville: University of Florida Press, 1999).

135. For further evidence that New Deal programs failed to address racial discrimination, see Sarah Phillips, "Acres Fit and Unfit: Conservation and Rural Rehabilitation in the New Deal Era" (Ph.D. diss., Boston University, 2004), 272; and Jason Scott Smith, "Building New Deal Liberalism: The Political Economy of Public Works, 1933-1956" (Ph.D. diss., University of California, Berkeley, 2001), 19. On the failure of the Corps in particular to address racism, see Cole, *The African-American Experience in the Civilian Conservation Corps*; Allen Kifer, "The Negro under the New Deal" (Ph.D. diss., University of Wisconsin, 1961); George Rawick, "The New Deal and Youth: The Civilian Conservation Corps, the National Youth Administration, and the American Youth Congress" (Ph.D. diss., University of Wisconsin, 1957); John Salmond, "The Civilian Conservation Corps and the Negro," *Journal of American History* 52, no. 1 (June 1965): 75-88; Charles Johnson, "The Army, the Negro and the Civilian Conservation Corps: 1933-1942," *Military Affairs* 36 (October 1972): 82-88; and Calvin Gower, "The Struggle for Black Leadership Positions in the Civilian Conservation Corps: 1933-1942," *Journal of Negro History* 61, no. 2 (1976): 123-135.

136. For a discussion of limits on African Americans' ability to "become white," see Peter Kolchin, "Whiteness Studies: The New History of Race in America," *Journal of American History* 89, no. 1 (2002): 37. This notion that discrimination within the CCC placed African Americans outside the body politic is suggested by Simon, "New Men in Body and Soul," 85.

137. Dorothy Bromley, "The Forestry Army That Lives by Work," *New York Times*, 23 July 1933, sec. viii, p. 2.

138. Mrs. Frank Kelsey to Roosevelt, 18 May 1933, Roosevelt Papers, PPF 522, as quoted in Salmond, *The CCC*, 111.

139. Gerstle discusses Roosevelt's success in the election of 1936 in *American Crucible*, 150.

140. The *Houston Post* as reprinted in *Happy Days: The Official Newspaper of the Civilian Conservation Corps*, 26 December 1936, RG 35: Records of the CCC, Entry 2, General Records of the Emergency Conservation Work and Civilian Conservation Corps, 1933-42, NARA.

141. Pablo Diaz Albertt, "How the CCC Has Helped Me Improve Myself," RG 35: CCC, Entry 99: Benefit Letters, 1934-1942, Folder: Letters from CCC Enrollees re: Benefits Received from the Corps, NARA; and Frederick Katz, "How the Civilian Conservation Corps Has Benefited Me," RG 35: CCC, Entry 99: Benefit Letters, 1934-1942, Folder: Misc. Benefit Letters, NARA.

142. Albertt, "How the CCC Has Helped Me Improve Myself."

CHAPTER 4

1. Much of this material on CCC participation in the Mountain State Forest Festival comes from Jennifer Seltz, "Making the Forest Work: Constructing a National Landscape in West Virginia, 1880-1942," unpublished manuscript. On Camp North Fork's participation in the festival in 1934, see *Petersburg Builder* (camp newspaper of CCC Company 519), 1 October 1934. On visits by Secretary Dern and President Roosevelt,

Nature's New Deal by Prof. Neil M. Maher may be purchased by going to:

<https://www.amazon.com/Natures-New-Deal-Conservation-Environmental/dp/0195392418>

Recollections With Rob

Rob Ross Hendrickson is a Member of Boyd, Benson & Hendrickson, which, along with its predecessor firms, began operation in 1930. Mr. Hendrickson was admitted to the Maryland Bar in 1969 and has been a member of the Bar Library Board of Directors since 2009.

Playing Center Field – Josh Miles

“Perhaps some remember Joshua W. Miles, a wily tax lawyer who made his reputation defending watermen not too scrupulous in their accounting to the IRS. The little fireplug of a fella had only over-long arms left of what once had apparently been an athlete’s frame long before he made his way to a legal career in Baltimore. He grew up outside Princess Anne on the family farm and came from old Maryland stock just as his neighbor Sam Dennis.

It seems that in the time of Josh’s youth, professional baseball players would routinely barnstorm the Eastern Shore, play exhibition games with the local’s, town-to-town and pass the hat to pay their way. They played on rudimentary ballfields that were found or special-made in each locale, seldom with outfield fences or back stops. Josh played center field and it went to the horizon.

As he told it, he faced the likes of Jimmy Foxx and “Homerun” Baker, the latter being the subject of this tale. The ball field in question not only had no fences, but oddly for the Eastern Shore, fell-off about five feet or so beyond a slight rise maybe 250 feet from home plate. Josh positioned himself on this hillock and waited.

A close game, Baker at the bat, strokes a colossal shot to center and Josh in an instant makes a beeline over that rise and disappears out of sight. Baker, sure of a home-run majestically rounds the bases, enjoying the adulation. Next thing anyone knew, a ball came back over the hill, was relayed by the second-baseman to the catcher and Baker was tagged-out at home plate, surprised and uncontrollably outraged. A brawl ensued. Josh just took his good time to reappear, breathless, maintaining his innocence. A rudimentary search for a second ball (game results often figured in wagers even among the Methodists) was made without success.

Josh allowed to me that that ball was hit so far, it was probably at the bottom of the Manokin River somewhere and he made it his practice to always carry an extra against need for a replacement were the game ball ever to get lost. ‘Never hurts to have that second ball,’ he chuckled.”

Rob Ross Hendrickson

For The Love Of The Game

Soon, there will be baseball. That is if after the opening of camps things do not go too badly, but, it seems that the opening of just about everything has not gone very well. I do not believe that I can remember having gone to a game over the past several years, even with the dwindling crowds at Camden Yards, and not seen a member of the bench or bar. Perhaps it is something about the competitive nature of the law that makes so many members of the profession lovers of just about every type of game. Baseball is undoubtedly attractive to labor lawyers who can watch the game and discuss the latest dispute between management and workers, or as it is referred to in baseball terms as the billionaires versus the millionaires.

Perhaps the lowest point in baseball labor relations came in 1994 where a player strike led to the cancellation of the World Series. Since 1905 there had been a World Series. There had been one which has lived in infamy (1919), "Say It Ain't So, Joe" and three that were perfect: 1966, 1970 and 1983. They had been played during a great depression and several world wars, albeit, in 1942 through 1944 in a greatly "watered down" fashion.

With the strike finally settled, and the 1995 season approaching, an interviewer asked Presidential Medal of Freedom winner John Jordan "Buck" O'Neil Jr., the famous Negro League player and manager, as well as first African-American coach in Major League Baseball, the following:

Q: What is the difference between players from your era who played for the love of the game and today's players who play only for a price?

Mr. O'Neil provided an answer free of any illusions that the game had ever been played for any reason other than money, while at the same time proving an analysis of the present day game that could not have been overly pleasing for the players of that day to hear.

O'Neil: "Listen, I don't know where you get this from. Ever since baseball players first played, they have wanted more money. Guys wanted to play with the Yankees because they could win and maybe get in the World Series. You played because you loved the game but you loved that salary, too. You love playing baseball but it's always been money. This is the United States. This is a capitalistic society.

See, the only difference is that in my era, in both white and black baseball, the best athletes in the world played baseball. They were the best because during that era, football was a college sport and basketball was a college sport. You couldn't make a good living then in either. You made a better living in baseball. That's why the best athletes played baseball. But right now, the best athletes just might not be playing baseball. That's your big difference between then and now.

At one time, there were sixteen major league clubs with the best athletes in the world playing on them, but now you've got twenty-eight teams (now 30) and the best athletes might not be playing on them. Do you know what caused expansion? Money. We don't have the talent we used to have, so baseball isn't as it was thirty years ago. You've got people in major league baseball now that couldn't have played major league baseball then because so many of the best athletes today are going into football and basketball. Look at the talent. Look at the best athletes in the world. You start looking at them, and you can count those that play baseball on your two hands.”

Well, even though LeBron James will not be at first base or Lamar Jackson in center field, it will soon be back, or at least we hope that it will, so “Play ball.”

Joe Bennett