Charles: Minister of Relief, Harry Hopkins and the Depression

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David R. Levin, Deputy Director, Office of Right-of-Way and Location, in the United States Bureau of Public Roads, dealing with several aspects of eminent domain in the United States but centering around the basic question of what compensation should be paid for to the land owner.

There is much to be learned from a comparative study. Although there are many similarities in the English and American approaches, some basic differences in emphasis, at least, appear. For example, the British have relied mainly on administrative review of planning, the Americans mainly on judicial review. The British have a much more centralized approach to planning than Americans do. Of course, we must recognize that there are many differences among the fifty states themselves. And the British have gone much farther than any American jurisdiction in public control, at least in theory, even if it has not worked out so in practice.

As long ago as the days of Isaiah there were exhortations regarding land use— Woe unto them that join house to house, that lay field to field, till there be no place, that they may be placed alone in the midst of the earth.8 but no easy prescription for carrying them out. And despite the extensive legislation today authorizing land-use planning, we often hear that “Today we are building tomorrow’s slums.” If true, should anything be done about it? If yes, to what extent? All lawyers ought to be interested in these questions even if they will never face a legal problem involving even remotely a land-use question. Then too, despite handicaps, it is in the area of land-use planning that the central planner has had his most striking success, and it has come speedily and with little discussion. Why limit planning control to land? This book is a good place to begin; it is a good place to acquire additional knowledge; it is a good place to review; but it is not a good place to end, for it is truly thought-provoking.

ROBERT E. BECK*

8 Isaiah 5:8.

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Here, in short and understated phrases, is the story of a dramatic segment of America of the nineteen thirties. Searle F. Charles, Dean of Willimantic State College, in Connecticut, tells of the undertaking by the United States to provide employment for three million Americans during the period when industry was able to utilize barely three-fourths of the labor pool of the nation. The writer completes his report with an almost complete absence of editorial comment, and the intensity of feeling on both sides which swayed the nation a generation ago does not appear in these pages.

This clinical report is timely in the extreme today; and its timeliness exists entirely outside its own pages. There exist in the United States today conditions of unemployment more baffling than those which brought forth the fine efforts chronicled here. Harry Hopkins may yet be proved to have performed his finest service more by charting a long-term course for government, rather than for the several years of his stewardship of the Works Progress Administration. And it is in the application of the WPA philosophy as a permanent part of the
American economic picture, rather than as a small, depression period agency, that the real impact of Charles' efforts should be measured.

The vehicle through which this report is made is the administrative experience of Harry Hopkins, Works Progress Administration head for the period from its inception in 1935 until abandonment during the war year of 1943. The report is good; the tale today should be told. Charles issues this report, moreover, with admirable understatement of emphasis. The near disintegration of the American economy of the period is somewhat subdued, and the work appears to be a report on one more governmental agency. His chief concentration is properly Hopkins and the agency. Some insight into the mood and tempo of the times is attempted, but these are of subordinate interest to the over-all tenor of the report.

For Charles' efforts, his report deserves praise. He touches upon little remembered conflicts of that time. Attitudes and ideological concepts assumed by many to have flourished are shown to be non-existent. Hopkins believed firmly in the obligation of the United States to provide employment: he did not, on the other hand, subscribe to the view, championed by Harold Ickes, that increase in physical asset must result from every project. Men should, in his opinion, be given work for which they are trained. This might, and did, include translations from foreign languages, teaching assignments, and for a short and rewarding period, a WPA theatre.

Determination of projects, demands upon the states that they contribute a part of the cost, the unfortunate time lag between formulation of a project and its execution, all these necessarily slowed the actual development of the program. Thus, much of the book is devoted to economic discussion of the manner in which the program was set up, the occasional Congressional battles for appropriation, the philosophy by which the WPA program attempted to gauge the rise and fall of industry employment, and, on one hand, provide a resilient sponge for absorption of the employable unemployed and, on the other hand, maintain its rolls so that its participants were still encouraged, if not free, to re-enter the private labor pool.

For all his efforts, Charles deserves commendation. The details of financial balance between industry and WPA should be told. The personal dedication of Harry Hopkins, his aggressive defense of the program, his bristling and often abrasive relationships with Congressional critics, and, most of all, the intense personal devotion he inspired from his staff and the source of strength that President Roosevelt found in him, to the exclusion of other presidential advisers, are stories inspiring even today.

In the telling, Charles touches most effectively upon the courage and willingness of Americans like Hopkins to step ahead of stereotype conformity, and assume on behalf of government an obligation until then in the callous, faltering and inefficient hands of private industry. In 1933 government properly assumed the obligation of providing employment for Americans. The same shortcoming exists today. The present dilemma of five million unemployed is simply not faced by our country. Each chapter of the book here is a call to action by government on behalf of the millions for whom our employers offer no hope whatever.

The massive efforts of the nineteen thirties to create employment opportunities for Americans, rather than indulge in the dishonest fantasy that industry has willingness, or even the wish to meet this obligation, must be again put forth. Now, in 1964 those same conditions which brought our country to the
edge of economic stagnation again afflict us. A staggering five million working people, available for employment, are considered superfluous by our economy. In 1933, and even to the 1940 war economy, the number of idle Americans was nine million. These idle people, however, represented a cross-section of our nation. Today, the unemployed are recruited almost exclusively from particular racial groups. The Negro and Puerto Rican minorities, hemmed in by physical ghettos, are also confined by the more pervasive, subtle and destructive exclusion from the economic mainstream of our economy. Employed America hardly knows of the existence of these members, for whom idleness is part of everyday life.

It is today a wicked affront to Americans, ready for employment, available for work, and different from other Americans only by race and sometimes educational background, to pretend that private economy has place for all: in simple truth, private economy in America is unable and even unwilling to provide full employment. Private economy, functioning at an all-time peak in an all-time war economy, with one billion dollars a week being added by the military (an amount wildly beyond the total expenditures of all agencies in WPA days), has shown itself, gorged as it is, unable to make full use of the human resources of America. Instead of accepting our continuing responsibility, we have lost ground since the days of WPA activity. In place of the imaginative use of men's abilities, we see a subtle campaign to brainwash Americans, by which spokesmen of big business, eager to maintain a pool of surplus labor, constantly attack any suggestion that government, if not business, has the obligation to genuinely use these human resources. It is a sad commentary upon the intellectual thinking of our country that the same conditions which in 1933 produced bold and imaginative steps, have thus far met with a sterile concept, by which the unemployed are the target of abuse rather than the respect due to the human worth of a people.

Instead of an expanding understanding of the real value of all Americans and their integration into the American economic mainstream, we have avoided the plain value of providing jobs for the idle millions. Instead, we have added further to conditions of humiliation by adoption of an offensive program of "Public Aid."

There is needed, now, more than in 1933, a new concept of the value of an American. There is needed a return to the bold, imaginative thinking of the New Deal and the days here recounted. It should be remembered that Harry Hopkins and the WPA left as their legacy a vast improvement of the physical and intellectual face of America. Now, as then, we need desperately those secondary benefits which follow a "make work" program. This includes the self-respect which is a part of any man at work—and totally absent from any man on a dole. We are entirely too complacent when we view the total and complete disintegration of a human being attendant upon long periods of idleness. Jobs must be made so plentiful that a man need only call at the government project employment office. No prior approval whatever should be required from the man willing to work.

We must recognize a permanent condition of the American economy: that industry cannot and will not provide opportunity for the full employment of American working people. We must recognize the further truth that it is an affront to try to remold a whole group of Americans into a pattern for which there is no place. Even if every one of the five million unemployed were to be given skills tomorrow, there would still be no demand in industry for their
services. Even as these facts exist, industry continues to further restrict employment opportunity by galloping automation, with each year seeing more and more people condemned to the economic underworld of chronic unemployment.

That idealistic concept by which Hopkins and the WPA picked up the slack in unemployment to the extent of three million employable individuals and produced nine billion dollars of public works must be re-examined, and again made a part of American life.

Those practices detailed by Charles, whereby in another day, these responsibilities were met, must again be woven into American life. The mechanics outlined must be again brought into use. We must also break the shackles of today's thinking which regards men as surplus material to be stored until needed.

Without asking any question, or setting up any qualification whatever, we must plainly and simply provide a job for any who will work. Giant public projects must be initiated, in the intellectual as well as the physical areas, so that a man need not first prove that he is physically unfit, or incapacitated, in order to qualify for employment. A direct competition for labor between government and industry will be a strong incentive to an economically healthy America. Nor would we suffer were results today to parallel those of an earlier effort:

"Waste there was at times and there were wrong decisions made. But to farmers using farm-to-market roads which were first made usable the entire year by WPA labor, to children who were taught by teachers paid for out of FERA or WPA funds, for towns and cities whose streets were repaired and improved, for the people in many areas across the land who since the thirties have ceased to suffer from floods, for the blind who learned to read from materials and teachers financed by the FERA and the WPA, for the high school and college youth who received additional education as a result of the HYA, for all of these and hundreds of thousands more, the money spent for relief and work relief was not a waste of the financial resources of this nation."

Mark J. Satter*

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Contrary to the old adage that "a little knowledge is a dangerous thing," there are times when a little knowledge (little in the sense that it is confined in scope to a very small portion of the tax laws) by an articulate non-legal scholar is of benefit to the legal profession. A case in point is the book now under review. It examines an area of law which is unfamiliar to too many practitioners; and indirectly poses a challenge to the profession to rectify serious flaws in present-day tax laws.

The complexities of the tax laws are enough to confound even a Walter Mitty in his "make-believe world" of heroics. The Internal Revenue Code is a tantalizing conglomeration of thoughts and theories which attempts to satisfy all things for all men. It runs the gamut in its attempted protection of deserted mothers with infants to permitting the nonrecognition of gain in corporate changes of form. It encourages the free flow of property in one instance and, conversely, prevents it under other circumstances.