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This month

Collective Negotiations for
Teachers

A New Approach to Juvenile
Delinquency Problems

Union County Sets the Pace

Communicating With Local
Governments

Unmet Needs

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The sub-title of our cover shot this month might be: "Union County Pulls Itself Together." The photograph features the new governmental center being built in Union County to house all county offices under one roof. The new building has a number of interesting features. See the story on page 12.



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TRENDS IN THE LAW OF COLLECTIVE NEGOTIATIONS IN EDUCATION

by Donald H. Wollett

During the decade of the sixties a number of events occurred, either in the legislatures or in the courts, which in my judgment were of major significance in influencing or establishing trends in the law of collective negotiations in education. My tests for determining significance are the following: (1) Did the development bend or fracture an institutional dogma or substantially alter the status quo ante? (2) Is it likely to survive and grow in the decade ahead?

A LOOK BACKWARD

Let me begin by setting the scene at the start of the decade just past. At the beginning of the sixties only one state (Wisconsin) had a statute mandating a negotiating relationship between school boards and organizational representatives of their teaching employees. The American Federation of Teachers was marketing collective bargaining, private-sector style, but few people were buying. The National Education Association was selling a competing product called professional negotiations which emphasized collegiality, not conflict (the "happy family" syndrome).

Real, honest-to-God, give-and-take negotiation relationships were virtually nonexistent, except in New York City, where the United Federation of Teachers won a representation election in December of 1961 and began bargaining over a first contract for the 1962-63 school year. Strikes were a generally abhorred rarity. The editorial denunciations of strike activity by the *New York Times* were widely acclaimed (the

"children should not be pawns in a naked power struggle" syndrome).

The law pertinent to collective negotiations between representatives of teachers and school boards generally was either unclear or inhospitable. School boards were insisting that they could not lawfully bargain collectively or negotiate professionally with a single organization designated by the majority of their teachers or enter into a collective agreement governing the terms and conditions of their employment without explicit statutory authorization. NEA and many of its affiliates either shared these doubts or were ambivalent about the issues.

AFT and many of its affiliates were producing some of the most polemical prose of the decade in their strident attacks on alleged "snoopervisory" domination of NEA. School boards made strange AFT bedfellows, generally supporting the exclusion of supervisors from the bargaining structure on the ground that, as agents of management, they should be free from the risk of rank-and-file domination.

Teachers, particularly those without tenure, were fired and otherwise discriminated against for engaging in organizational activities. The law, we were told ad nauseam, is clear; nontenure teachers have no rights. School boards alarms about the evils of collective negotiations were loud, repetitious, and foreboding: teachers will run the schools, pick the faculty, dictate the curriculum, and work less while taxpayers pay more.

Mediation, an iniquitous "labor" channel for dispute settlement, was equated with fact-finding, fact-

finding with arbitration, and arbitration with loss of school board sovereignty and the demise of local control.

SIGNIFICANT DEVELOPMENTS: 1960-70

Legislation

Seventeen states joined Wisconsin and enacted statutes mandating some species of collective negotiations in public education.¹ Four of these limit the obligation to meeting and conferring;² the others require bargaining or negotiations. Five other states passed laws authorizing negotiations.³ Of the eighteen mandatory statutes, ten apply to teachers only;⁴ eight include teachers, along with other public employees, in an omnibus act.⁵

Collective bargaining in education also made large gains in a number of states where local law neither requires nor expressly permits collective bargaining. Examples are Pennsylvania, Ohio, Indiana, and Illinois. While some courts expressed a contrary view,⁶ the direction of the law was toward affirming the power of a school board in a nonstatutory state to grant exclusive status to the majority organization, to negotiate with it over the terms and conditions of employment, and to enter into a written agreement.⁷

Growth of Collective Negotiations

By the end of the sixties, NEA's program of professional negotiations and AFT's program of collective bargaining were, in conception and execution, virtually indistinguishable. There are today about 2,500 school systems—most of them in the eastern, middle western, and Pacific Coast sections of the country—employing over a million teachers, with some sort of structured relationship. About half of these teachers are covered by comprehensive substantive agreements governing salaries and working conditions. The other 500,000 are working under procedural agreements which, while they do not prescribe salary levels and other employment conditions, create a formal relationship between the parties. There is little exact information about the operation of these relationships. However, the probability is that meeting and conferring, interacting, negotiating, or whatever the process is called under these arrangements is resulting in substantive agreements which, even though not memorialized by a bilaterally executed document, in

The author is a professor of law at the University of California at Davis. He delivered this address at a meeting of school board attorneys held at the Institute in February.

fact have a significant impact on school district policy-making and administration.

Strike Activity

As might have been expected, both AFT and NEA abandoned the position of opposing strikes,⁸ and at the end of the decade there was no identifiable significant difference between the strike policies of the two organizations. The number of teacher strikes rose to a record high of 130 in 1968, although most if not all of them were unlawful. Twelve of the eighteen statutes specifically prohibit strikes,⁹ and such action is probably prohibited in nonstatutory states by decisional law.¹⁰

However, there were signs, during the latter part of the decade, of cracks in the omnifarious prohibition of strikes by public employees. First, at the gubernatorial level, there was the report of Pennsylvania Governor Shafer's commission, which recommended that "where collective bargaining procedures have been exhausted and public health, safety or welfare is not in danger it is inequitable and unwise to prohibit [public employee] strikes. . . ."¹¹ While these recommendations were not accepted, the fact that they were made by a prestigious and cross-sectional group of citizens was noteworthy.

Second, at the legislative level, there was the Vermont statute, passed in 1969, which apparently means that teacher strikes are non-enjoinable and presumably lawful unless there are findings of fact supported by evidence elicited in a fair hearing that "the commencement or continuance of the action poses a clear and present danger to a sound program of school education which in the sight of all relevant circumstances it is in the best public interest to prevent."¹²

1. California, Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, North Dakota, Oregon, Rhode Island, South Dakota, Vermont, and Washington.

2. California, Minnesota, Oregon, and South Dakota.

3. Alaska, Florida, Nebraska, New Hampshire, and Texas.

4. California, Connecticut, Delaware, Maryland, Minnesota, North Dakota, Oregon, Rhode Island, Vermont, and Washington.

5. Maine, Massachusetts, Michigan, Nevada, New Jersey, New York, South Dakota, and Wisconsin.

6. E.g., *Philadelphia Teachers' Association v. LaBrum*, 415 Pa. 212, 203 A.2d 34 (1964).

7. E.g., Chicago Division, Illinois Education Association v. Board of Education, 76 Ill. App. 2d 456, 222 N.E.2d 243 (1966).

8. AFT modified its position in 1962; NEA, in 1966.

9. Connecticut, Maine, Delaware, Maryland, Massachusetts, Michigan, Nevada, New York, North Dakota, Oregon, South Dakota, and Wisconsin.

10. *In re Block*, 50 N.J. 494, 236 A.2d 589 (1967); see also *Board of Ed., Borough of Union Beach v. N.J. Ed. Ass'n*, 53 N.J. 29, 247 A.2d 867 (1968).

11. Report and Recommendations of the Governor's Commission to Revise the Public Employee Law of Pennsylvania (June 1968), at 12.

12. Title 16, Section 2010, VERMONT STAT. ANN., Cum. Supp. (1969).

Furthermore, if the required showing is made, the court order must be tailored so that it prohibits only the specific acts found to pose a clear and present danger.

Third, there were noteworthy developments at the judicial level. I will mention three.

A possible harbinger of softening of judicial attitudes lies in *Anderson Federation of Teachers Local 519 v. School City of Anderson*,¹³ in which the chief justice and one other member of the Supreme Court of Indiana dissented from the opinion of the three-man majority holding that strikes by public employees, including teachers, are illegal and enjoined. The chief justice's opinion was grounded on the proposition that the dichotomy between public and private employee strikes must, if it is to survive constitutional attack on equal protection grounds, have a rational basis, viz., a necessary difference in impact on the community. Since the form and ownership of an enterprise—public or private—does not determine the amount of disruption caused by a strike of its employees, this distinction is not a permissible reason for differential treatment.

In *Joseph Carroll et al v. President and Commissioners of Princess Anne et al*,¹⁴ the Supreme Court of the United States held that activities associated with speech and assembly cannot be restrained without a hearing in the absence of proof that it was impossible to serve or notify the defendants and give them an opportunity to be heard. This decision would appear to be fully applicable to efforts to enjoin activity ordinarily incident to a strike—picketing, congregating, meeting, encouraging, inducing, persuading, condoning, etc.

In *School District for City of Holland v. Holland Education Association*,¹⁵ the Supreme Court of Michigan imposed three restraints on the use of injunctions to regulate public employee strikes:

(a) There must be a hearing.

(b) Judicial discretion, not proof of violation of a statute, must control the question whether an injunction should issue. (Indeed, for the legislature to require the court to issue injunctive relief in every case involving a strike by public employees would raise a serious constitutional question. Such a legislative mandate would destroy the independence of the judicial branch of government.)

(c) The proofs necessary to justify issuance of an injunction against a public employee strike must establish more than that a concert of prohibited action by the public employees has taken place: they must show irreparable harm for which there is no other adequate remedy. Furthermore, proof of employer bad faith at the bargaining table may cause injunctive relief to be withheld.

Exclusivity

Collective bargaining—United States style—operates on the principle that the organization with majority support in an appropriate bargaining unit shall be the exclusive negotiating representative of all members of that unit. Early in the decade there was substantial doubt over whether the principle of exclusivity would be part of the institutional underpinning of collective negotiations in education. This doubt now appears to be resolved.

Of the eighteen state statutes, only two—California and Minnesota—rejected exclusivity. The California and Minnesota statutes call for the creation of a negotiating council with each organization having membership on the council *proportionate* to the percentage of the employees who support it. These experiments appear to be destined for a short life. Both the Minnesota Education Association and the California Teachers Association, prime sponsors and lobbyists for this type of system during the 1960s, have become disenchanted and are ready to accept the exclusivity principle. The legislatures of both states may foot-drag, but if experience in other states is a guide, they will move to exclusivity when a rash of strikes over the right to negotiate erupts.

Supervisors

There are two basic issues concerning the involvement of first-line supervisors—usually principals, program directors, and their hierarchical superiors—in a collective negotiations structure: (1) Should a supervisor be in the same bargaining unit as those persons whom he supervises? (2) Should a supervisor belong to the same organization as rank-and-file employees.

The caterwauling of doctrinaire answers which NEA and AFT gave to these questions in the sixties has subsided and will probably remain at a low decibel level. This is true for three reasons.

First, the hyperactive strike record of NEA affiliates during the latter half of the decade makes it fatuous for the AFT to argue that supervisory membership in an organization or inclusion in a bargaining unit ipso facto debilitates the process and causes it to be "company-dominated."

Second, NEA by now has had enough experience with the realities of conflict between first-line supervision and rank-and-file teachers in the negotiation and administration of collective agreements to know that "unity of the profession" often is more fancy than fact.

Third, the statutes and cases manifest a pattern of diversity. Thus, Michigan holds that supervisors should be in separate units represented by separate organizations.¹⁶ Massachusetts says that while units should be separate, the organizational representative

13. No. 868 S. 121, Supreme Court of Indiana, October 1969.

14. 393 U.S. 175 (1968).

15. 380 Mich. 314, 157 N.W.2d 206 (1968).

16. Board of Education, School District, City of Hazel Park, Lab. Op. 233, 63 LRRM 1001 (Mich. LMB 1966). Hillsdale Community Schools, 1968 L. Op. 859, CCH Lab. L. Rep. para. 49,994.04 (Mich. LMB).

may be the same.¹⁷ Wisconsin excludes supervisors from the statute¹⁸ but permits them to belong to rank-and-file organizations functioning under the act.¹⁹ New Jersey opts for separate units and separate organizations for supervisors (with some exceptions), but permits rank-and-file representation by organizations with supervisory members.²⁰ The State of Washington requires a single, all-inclusive unit represented by an organization in which both supervisors and rank and file are eligible for membership.²¹ In light of the fact that the legislatures and administrative agencies that have struggled with this problem have been unable to find a monolithic answer, it seems grandiose to assert that there is one "true" position.

Although I lack supporting data, I would guess that the concept of supervisory "separateness," both in terms of bargaining unit inclusion and organizational membership, gained more acceptability in collective negotiations systems during the 1960s than the competing concept of "togetherness." The abandonment in 1969 of the Connecticut experiment with resolving the unit question by secret-ballot vote may be a manifestation of this. Connecticut now holds for separate units.²²

This does not mean that all-inclusive units and organizations do not continue to exist and function. On the contrary, such arrangements are common, particularly in middle-size and smaller communities. Furthermore, even where there are separate units and separate organizations, supervisors and rank-and-file teachers can be expected to work together in situations where both groups are threatened. Thus, the supervisors' association supported the strike of the United Federation of Teachers in New York City in the fall of 1968. To a frequent reader of union literature, it seemed more than a touch ironic that the success of strike action by its largest local was assured by the support of once reviled administrators. The need for picket lines to keep scabs from going to work is sharply reduced when the employees with the keys to the buildings have agreed to stay home.

Emergence of a Constitutional Base for Collective Negotiations

During the decade the right of public employees to form and join organizations for the purpose of collective bargaining and, through such organizations,

17. In the Matter of City of Springfield School Committee and Springfield Federation of Teachers and Springfield Education Association, CCH Lab. L. Rep. Para. 49,805 (Mass. LRC 1966).

18. Association of Graduate and Registered Engineers of Milwaukee, 58 LRRM 1571 (Wisc. ERB 1964).

19. West Milwaukee-West Allis Federation of Teachers, Local 1067, and Wisconsin Federation of Teachers, AFL-CIO and Joint City School District No. 1 of the City of West Allis, 54 LRRM 1337 (Wisc. ERB 1963).

20. N. J. STAT. ANN. Section 34:13 A-1 to 11 (1965) as amended in 1969, Section 8(d); Section 7.

21. Attorney General's Opinion 65-66*No. 42, State of Washington (September 28, 1965).

22. CONN. GEN. STAT. ANN. Section 10-153 (1967), as amended by Public Act 811 (1969).

to importune their employers for improvements in their terms and conditions of employment emerged as an interest of constitutional magnitude. Public school teachers, tenure or nontenure, cannot be discharged or otherwise discriminated against for participating in such activities.²³

These decisions have a number of implications, only one of which I will explore here. In *Shapiro v. Thompson*,²⁴ the United States Supreme Court held that a one-year residency requirement for welfare benefits tends to inhibit exercise of the constitutional right to interstate travel. The position of the Court was that an exclusionary classification which infringes upon the exercise of a constitutional right violates the equal protection clause of the Fourteenth Amendment unless the state can demonstrate a *compelling* interest that necessitates the classification.

Similarly, the exclusion of public employees from a statute guaranteeing collective bargaining rights to private employees, or the exclusion of an occupational group of public employees from a statute that extends collective bargaining rights to public employees generally, inhibits the exercise of the constitutional right to associate for the purpose of collective bargaining by disadvantaging them and making such exercise a futility. The members of the excluded classification are penalized solely because they are members of a particular occupational group. *Shapiro* teaches that such a classification cannot withstand a challenge on equal protection grounds unless there is a compelling state interest that makes it necessary. It is not enough to establish that the classification has a rational relationship to the objectives of the statute.

Impact of Collective Negotiations on Tenure Systems

The values that underlie a system of collective bargaining inevitably impinge on the values protected by a tenure statute. During the sixties conflict developed in two areas.

Most of the eighteen statutes provide that a public employer commits an unfair labor practice if it discriminates against an employee for engaging in organizational activities. Such a provision, if it is to accomplish its purpose of protecting employees from coercive interference with their exercise of statutory rights, must extend to nontenure as well as tenure teachers. The administrative agencies in Wisconsin, Michigan, and New York took this position, even though protecting the job interests of probationary

23. *McLaughlin v. Tilendis*, 398 F.2d 287 (7th Cir. 1968); *American Federation of State, County and Municipal Employees, AFL-CIO v. Woodward*, 406 F.2d 137 (8th Cir. 1969). Cf. *Indianapolis Education Association v. Lewallen*, 71 LRRM 2898 (S.D. Ind. 1969), motion for stay granted, Case No. 17808, August 13, 1969 (7th Cir.).

24. 89 S.Ct. 1322 (1969). See also *Williams v. Rhodes*, 393 U.S. 23 (1968), striking down Ohio's cumbersome election machinery on the ground that it effectively suffocated the right of association.

teachers reduces the importance of tenure status.²⁵ Some courts took a different view, holding that probationary teachers are fair game for discrimination-minded school boards.²⁶ The latter position is clearly an erroneous accommodation of the old to the new.

The second conflict occurred as more and more teacher organizations, plagued by the problem of the "free loader," negotiated agency-shop provisions in their collective agreements requiring all members of the bargaining unit, as a condition of employment, either to join the organization or to pay a service fee (usually equivalent to membership dues and fees). *Query:* What happens in a state like Michigan, where an agency shop is lawful as a matter of construction of the public employee bargaining act,²⁷ when the recalcitrant employee is a tenure teacher who argues that failure to pay a dues equivalent to those of a private organization does not constitute reasonable and just cause for discharge under the tenure statute?²⁸ This question is not yet settled, although the direction of the Michigan decisions is toward affirming the enforceability of an agency shop against tenure teachers.

Scope of Bargaining

Statutory standards governing the subjects of bargaining between school boards and teachers developed in a diverse pattern. At one end of the spectrum is the broad language of the Washington statute, which mandates negotiations over policies relating to—but not limited to—curriculum, textbook selection, in-service training, student teacher programs, personnel, hiring and assignment, leaves of absence, salaries and salary schedules, and noninstructional duties.

At the other extreme is the narrow language of the Minnesota statute, which requires school boards to meet and confer in an effort to reach agreement over economic aspects relating to terms of employment but not education policies. The Nevada statute also falls at this end of the spectrum. Section 10(1) requires every local government employer to negotiate concerning wages, hours, and conditions of employment.

25. Koeller and Muskego-Norway Consolidated Schools Joint District No. 9, 60 LRRM 1246 (Wisc. ERC 1965), affirmed, 35 Wisc. 2d 540, 151 N.W. 2d 617 (1966); In the matter of Donald Leon, Kenneth Young, and State University of New York at Cortland, Case No. R-001, 1 PERB para. 1-800 (hearing officer, N.Y. PERB, undated); Gagnier and Board of Education, Ockawamick Central School District, CCH Lab. L. Rep. para. 49, 994.57 (N.Y. PERB 1968); Summerfield School District, Case No. C68 D-37 (Mich. LMB 1968).

26. E.g., Helsby v. Ockawamick Central School District, — N.Y.S. 2d — (Sup. Ct. Columbia County, June 1969) reversing the Public Employment Relations Board's order in the Gagnier case, *supra*, n. 25, on the ground that the long-standing rule under New York's education law that a non-tenure teacher may be dismissed without a hearing or without reasons should not be held to have been amended by passage of the Public Employee Negotiations Law in the absence of a clear manifestation of such a legislative intention.

27. In the matter of Oakland County Sheriff's Department, 1968 L. Op. 1 (Mich. LMB); City of Warren v. Firefighters Local 1383, 68 LRRM 2977 (Mich. Cir. Ct. 1968).

28. See Clampitt v. Board of Education of the Warren Consolidated Schools, 68 LRRM 2996 (Mich. Cir. Ct. 1968); Decisions of the Michigan Teacher Tenure Commission, Docket Nos. 68-14 and 68-15 (1969); Smigel v. Southgate School District, 70 LRRM 2042 (Mich. Cir. Ct. 1968); See also In the Matter of Southgate Community School District and Linda Morrison and Southgate Education Association, Case No. C-69 B-18 (Mich. 1969).

However, Section 10(2) specifies that such an employer has the right without negotiation or reference to any agreement resulting from negotiation: (a) to direct its employees; (b) to hire, promote, classify, transfer, assign, retain, suspend, demote, discharge or take disciplinary action against any employee; (c) to relieve any employee from duty because of lack of work or for any other legitimate reasons; (d) to maintain the efficiency of its governmental operations; (e) to determine the methods, means, and personnel by which its operations are to be conducted; and (f) to take whatever actions may be necessary to carry out its responsibilities in situations of emergency.

The intermediate position is reflected in such statutes as those of Connecticut (to negotiate with respect to salaries and other conditions of employment and confer in good faith with respect to salaries and other conditions of employment), Michigan (to bargain collectively is the performance of the mutual obligation of the employer and the representative of the employees to meet at reasonable times and confer in good faith with respect to wages, hours, and other terms and conditions of employment), and New Jersey (to negotiate in good faith with respect to grievances and terms and conditions of employment).

As yet there are no data showing the correlation, if any, between the dimensions of statutory definitions of the subject matter of bargaining and the scope of what in fact is bargained about. A priori, I suspect that the latter is not often a function of the former. In the real world, the reach of negotiations seems to depend primarily on bargaining power, not on the law. If the organization has much bargaining power, everything is negotiable. If it has little or no bargaining power, nothing is negotiable.

Systems for Dispute Settlement

A few months ago I sat on a fact-finding panel in a California dispute between a school board and a teacher association over the procedures for doing business with each other. One of the issues was the type of settlement procedure that would be appropriate if the parties reached an impasse over the terms and conditions of employment. We were advised that the school board was agreeable to intervention by an outsider to assist in ameliorating such a dispute and helping the parties to reach agreement, provided that he was not called a "mediator." We were further advised that the reason for this taboo was that school administration thought mediation was the same thing as arbitration. Finally, being persuaded that the persons responsible for the education of the youngsters in this community were themselves more trainable than educable, we recommended the term "impartial third party," and the argument was settled.

This would have been a credible story coming from Michigan, New Jersey, New York, Massachusetts or Connecticut—five years ago—before collective negotiations had caught hold and flourished. California is

not really benighted. It is merely suffering from a cultural lag.

Only two of the eighteen state statutes fail to provide any mechanism for resolving or avoiding impasses over the terms and conditions of the agreement. Significantly, California is one of these. Fourteen of the statutes call for mediation, 15 provide for fact-finding, and 13 provide for both mediation and fact-finding. Two of the statutes also call for binding arbitration of non-money issues.

Mediation, since it is merely an extension of the bargaining process, has not generally been the subject of controversy. However, this is not true of fact-finding. There are many questions about fact-finding, most of them as yet unanswered.²⁹ Will it become addictive, thus making a farce of the bargaining process? Is the role of the fact-finder adjudicative? Or is his role one of finding positions that are acceptable to the parties? Finally, since fact-finding recommendations may lawfully be effectively vetoed only by the employer (absent a right to strike), can the process serve as an adequate substitute for strike action in terms of motivating the parties toward agreement?

As for binding grievance arbitration of disputes over interpretation and application of the terms of the agreement, it has spread rapidly. Any significant doubts about its legality seem to have been set at rest,³⁰ and teacher arbitration has become another source of income for moonlighting law professors and other academic types.

A LOOK AHEAD

On the legislative front it seems reasonable to predict that more states will enact statutes that mandate some form of collective negotiations in education. The most likely jurisdictions are Pennsylvania, Illinois, Indiana, Ohio, Kentucky, Iowa, and Colorado.

There is a possibility of federal legislation under the constitutional law principle of *Maryland v. Wirtz*.³¹ However, this seems unlikely because it runs

29. See McKelvey, *Fact Finding and Public Employment Disputes: Promise or Illusion?*, 22 *INDUSTRIAL AND LABOR RELATIONS REVIEW* 528 (1969).

30. *Local 1226 v. The City of Rhineland*, 35 *Wisc. 2d* 209, 151 *N.W.2d* 30 (1967); *Local 953, AFSCME v. School District of Benton Harbor*, 66 *LRRM* 2419 (*Mich. Cir. Ct.* 1967).

31. 392 *U.S.* 183 (1968).

against the grain of even a "new" federalism and because answers to the difficult questions in collective negotiations in education should be sought by testing hypotheses against experience. For example, the question of what role strikes should have is more likely to be dealt with intelligently if there is experimentation; and experimentation is more likely to occur if the dimensions of trial and error are limited.

There is little doubt that collective negotiations will continue to expand—embracing new occupational groups (e.g., paraprofessionals), new elementary and secondary systems (including many that are privately funded), and, perhaps more significantly, large segments of faculty in higher education. Indeed, collective bargaining has already gained a substantial beachhead not only in the junior or community colleges in such states as Michigan, New York, Illinois, and the State of Washington, but also in the four-year colleges and in the universities. Collective bargaining now exists for the 10,500 faculty members of the City University of New York. A proceeding that surely will lead to a representation election among the 12,000 members of the professional staff of the State University of New York should end during this academic year. In New Jersey, each of the faculties at the six New Jersey state college campuses voted by substantial majority to be represented in collective negotiations by the Association of New Jersey State College Faculties, an NJEA-NEA affiliate. In Massachusetts, the State Labor Relations Commission recently directed elections in several units of academic and nonacademic employees at Boston State College.

The 1960s were the era of explosive growth of collective negotiations in the elementary and secondary schools. The decade ahead seems destined to be recorded as the era when collective bargaining arrived as the primary vehicle for faculty participation in the governance of institutions of higher learning. One of the better bets of 1970 is that (circa 1980) some graduate student in some industrial relations school will write a doctoral dissertation entitled: "Poets on the Picket Line: The Day the United Association of Liberal Arts Professors Socialized the Medical School's Differential Salary Schedule: A Normative Response"; or (short title): "Why Local 751 Hit the Bricks."

*the individual and his needs as they relate to the
treatment of delinquency*

By Richard R. McMahon

SUPPOSE FOR A moment that you forgot whatever professional training and experience you have had. In its place you were given: More courage, a greater capacity to care, a deeper interest in your fellow man, more friends you could trust, boundless energy, and a deeper commitment to the task of doing something about delinquency. How would your views of the deviant behavior we call "delinquency" change? How would your approach to the problem of changing the behavior of delinquents differ? I ask these questions because I think it may be time that we relook at the assumptions and guiding principles under which we operate in approaching the problem of delinquency. We need to assess our perceptions of man's nature and see how our professional views differ from our everyday operating assumptions. In doing this, we might find that when we consider friends and neighbors we use different kinds of assumptions from when we consider people who have deviated too far from our expectations of what is right and proper.

Consider, for example, how we might describe a friend and neighbor who is a successful but fairly ruthless businessman. I think that we would probably say something like "basically Joe is a good person even though he has his share of hang-ups. He's had a rough go in life but despite this has made a success of himself." However, when we are called upon to look at a person who has been defined by someone as deviant, our training goes to work—to the psychologist, the 15-year-old sexual offender may be seen as a schizoid character with psychopathic tendencies needing strict control and intensive individual

treatment. The social worker may describe him as an acting-out, rebellious youth requiring intensive case-work with the individual and the family. She might also recommend a psychiatric diagnostic work-up to help define the major areas of conflict. All of us who have special training or experience may view the deviance in slightly different ways as a result of our training; when we look at the individual through our professional spectacles, we see an object—a person robbed of his humanness and needing techniques or methods dictated by our training or professional orientation.

Before I am completely misunderstood, let me say that I believe in education and training. I also believe in certain treatment methods, even though at times I believe the methods may be less important than the attitudes of people employing these methods. My position on these matters is not based purely on hunches or emotional reactions to life. Anyone who chooses may review the history of the treatment programs in a variety of fields (psychiatry, delinquency, drug addiction, alcoholism) and assess for himself how well we have mounted effective treatment programs. On the other hand, anyone who knows the work of probation officers, caseworkers, cottage-life parents, and others working with delinquents realizes that they handle many cases that by all rights should end up as failures, but in fact end up as startling successes. In many of these instances the fully trained professional would "know better than to try and treat the cases in the first place." But, in their ignorance of proper treatment and diagnosis, the "undertrained" walk in where other professionals fear to tread. Indi-

viduals are using something far more effective and valuable in their treatment approach than professional methods. They are using their feelings, emotions, good sense, and warmth. They are people who are not afraid to love, get involved, or take a risk in the interest of the client's successful adjustment.

FROM THEIR ASSESSMENT of what has happened in the history of man's effort to treat people who have exhibited behavior deviating too far from the norms of society, a number of authors, treatment people, and academicians have begun to focus their attention on a special set of human needs. As one author puts it "Man has a need to be a person in a community of persons," or "a person needs to feel that he is 'good for something.'" Erik Erickson, while coming out of the traditions of psychiatry and psychoanalytic thinking has emphasized the importance of man's developing "a sense of identity." He describes that sense of identity this way:

The accrued confidence that the inner sameness and continuity prepared in the past are matched by the sameness and continuity of one's meaning for others. As evidenced in the promise of a "career."

William Glasser, another psychiatrist trained in the psychoanalytic tradition, has described man's major psychological needs as being:

The need to love and be loved and the need to feel that we are worthwhile to ourselves and others.

Each of these expressions of man's needs emphasizes in one form or another the need for people to develop a positive sense of self, self-esteem, identity, or sense of being a person if they are to manage an "adequate" adjustment in this world. In each instance these authors would contend that a major factor contributing to the individual's becoming deviant is the fact that he has not had the type of socialization process that permitted him to develop a positive sense of self. It has been said that a positive self-image is an "insulation against delinquency." This idea may be "old hat," but it is so important that I feel we need constantly to remind ourselves of what we are doing in treating delinquents. A very large part of what we

The author works in the fields of juvenile delinquency and corrections at the Institute. This article was adapted from his presentation at the First Community Workshop on Juvenile Delinquency held at North Carolina Wesleyan College in February.

have to do is to provide opportunities for the delinquent to build a sense of self, to feel worthwhile, to learn how to love and be loved. If this is our task, it might be helpful to look at a few of the factors that are important in developing this essence of self.

In order to fulfill our needs—that is, to develop a sense of self—we must first of all be involved with people. Glasser, the author of *Reality Therapy* and *Schools Without Failure* says: "A person must have at least one person who cares about him and whom he cares for himself." Any teacher, parent, police officer, or juvenile corrections worker who has taken time to observe people has seen the blossoming of emotionally deprived individuals when someone begins to show a genuine interest in them and begins to care what happens to them. On the other hand, it never ceases to amaze me how people who couldn't care less about people can't understand why individuals in trouble won't listen to reason. Much well-meaning advice is given in the context of noninvolvement and is doomed to failure from the start.

Another of Glasser's points regarding feeling worthwhile about oneself is that in order to be worthwhile one must maintain a satisfactory standard of behavior. We could probably quarrel all night about what is meant by satisfactory standard of behavior and not come up with an answer that would satisfy everyone. In Glasser's terms, the satisfactory standard is tied to the point about involvement with a person who cares about you. It is difficult for one to feel worthwhile when he sees a negative evaluation reflected in the appraisals of others he cares about. Think about your own feelings for a moment. What is it that makes you feel good about yourself? The success of a son and daughter who makes good grades, gives a recital, scores a touchdown, is praised by the teacher; to be given an advancement in your work, praise by your superior, accomplish a meaningful task. In each of these situations we feel good about ourselves as a result of some behavior valued by our peers and the ones we love. A positive sense of self appears to come from the reflected appraisal we see in the eyes of others who mean something to us. Likewise, we feel rather negatively when the reflected appraisal is negative. I think this partly explains why the individual who we feel does everything wrong in a professional sense in dealing with people often turns out to be very successful with many of the people he is dealing with. He may be evaluative and critical at times, but he also has an immense capacity to care about those he works with.

ALL OF US would likely admit that the ability to consistently fulfill our needs is learned. This learning begins early in life and continues throughout our allotted years. If we fail to learn—that is, if we do not grow up in an environment that provides us an opportunity to discriminate between those behaviors that bring fulfillment and those that do not—all

manner of behavioral problems may be manifest, delinquency being but one.

In our early years much learning comes through the imitation of adult behaviors, or the process that might be referred to as identification. It is through this process that we not only take as our own behavior patterns of significant figures around us—parents, teachers, etc.—but also experience a vicarious or empathic reaction to the feelings and emotions of these significant others. The child senses his parents' insecurity or negative feelings toward the self experienced by them. He sees the reflected appraisal of others in the community toward his parents or family and takes them as his own. If the appraisals the community has of the family are low—that is, if the family is seen as bad or negatively evaluated—the child feels that he also must be bad and begins to have low esteem for himself. He handles these feelings through the behaviors he learns either through imitation or through the reward and punishment system provided by the adults around him. He may find it more comfortable to be with peers who also shared the same problems of low esteem and take the attitude that it doesn't matter what other people think.

In some family situations, even where the family is held in high esteem, the child runs into considerable difficulty in becoming a significant person in the family. The adults may fail to respond to his subtle efforts to gain attention, to get their approval, to elicit some reaction that says to him, You are a significant person. In such a circumstance, he may find that if he causes enough trouble, someone will pay attention: while the consequences of his action may lead to punishment, he has at least become important enough to gain someone's attention. Often he gets also something else, because the adult administering the punishment may experience a sense of guilt and behave in some fashion to atone for his guilt feelings.

This was well illustrated some years ago to me by a neighbor in Ohio. The mother was a gifted, creative woman. Generally she would send her young son out of the house, or if it were raining, send him to his bedroom to play while she created. The child ran wild over the neighborhood. Occasionally he had to make sure that his mother still knew he was around, so he would do something like tear all the clothes off the line, break a window, tease a dog, make a racket near the house, or hurt himself. Mother would appear and punish him for misbehaving, but then would give him a popsicle or dish of ice cream and send him off again.

The child, a very bright young fellow, became a serious problem in school because he couldn't learn to read—much to the parents' chagrin. Intervention by a psychologist and help from some friends who cared enough to help them see the nature of the boy's behavior quickly got things on the right track. He is learning how to satisfy his needs with different be-

haviors, and the parents are learning how to allow him to satisfy these needs in a much more satisfactory manner.

This little illustration adds another dimension to the business of learning to satisfy our needs—that is, that the persons involved with growing children must be in touch with reality themselves and able to fulfill their own needs within the world.

THE IMPLICATIONS of this point are important in considering what happens when we are dealing with children who have had as their primary influences parents who themselves have many unfulfilled needs. One author points up the problem in relation to the child's dependency needs. His contention is that it is through the dependency relationship that the child learns to gratify his needs. Often, however, his efforts to satisfy his needs in this relationship are met with aggression, rejection, or disinterest, so that efforts to gratify needs lead to assaults on his self-image. He develops a growing conviction that to rely on others to gain approval for being significant will result in further punishment and more hurt. His conclusion may be that to depend on others doesn't pay, and he becomes himself an aggressive, punishing, self-centered person. In working with this type of individual it is reasonable to expect that he might meet any effort to establish a relationship, to provide love, to teach him to gratify his needs with an aggressive, unappreciative violation of the trust that you have tried so hard to establish.

Let me illustrate this with an example from a personal experience I had in working with aggressive young offenders in a special unit we had at Chapel Hill a few years ago. The boy in question was 19 years old, serving three to five years for breaking, entering, larceny, and receiving. He was bright—IQ of 119 with 11 years of education—and he had a reputation for being a pretty tough individual. Jim laughed at everything, and at times it was hard to engage him in serious conversations. Jim's father was a notorious criminal, his mother a legal secretary. As you watched him interact with people, you could see that part of Jim reflected the acceptance of certain socially acceptable patterns of response and an ease in superficial relationships. With his peers you could see his struggle to maintain status through the tough facade, the arrogance, and the rough language—he could play the dirty dozens with the best of them. I spent a good deal of time with Jim. We played a lot of ping-pong together, with him teaching me. I think we were beginning to develop a basically sound relationship. He had revealed to me one night that he was a scared little boy inside. He laughed to hide his fear. He was anxious in his relationships. But one night, he and two other boys took advantage of their freedom in the unit to break into an office and steal some articles. It was later discovered that the articles

had been passed to his father and some associates. Jim was tried and convicted and at last report was in Central Prison.

I mention this story because I am convinced that in his association with me, and others on the staff of the unit, Jim had begun to depend on someone else. He was beginning to care about someone else who cared about him. We were establishing the conditions under which he could begin to learn how to fulfill his needs. This was inconsistent with his expectations, he was afraid to allow himself to trust or risk suffering the pain of caring for someone and being let down. I would have liked to continue to work with Jim in the free community. We couldn't. Why? Not because the law isn't flexible enough to allow it, but because some distorted sense of justice tells us that he had a chance and violated it. He betrayed a trust and should feel the full sanction of the law. Jim didn't intentionally violate a trust; he did the thing that helped him solve a growing problem for him. That problem was the one of caring about someone and the risk of hurt that was implicit in it. I feel that Jim needed to recognize that his behavior was irresponsible and that he would have to live with limits for some time to come. But I would also have liked to have been able to place these sanctions through the unit where people who were placing the sanctions cared, were involved, and were willing to help him learn how to live responsibly. Instead, an impersonal court process meted out the punishment, placed him in an impersonal world that is devoid of normal outlets, and admonished him to behave himself. They reaffirmed Jim's bad self-image. Ask yourself: if Jim is to be significant, if he is to be a person, if he is to establish an identity, where he will be permitted to be significant, be a person, establish identity? His best chance is with his delinquent peers, his best identity will be what we might call a "negative identity," his best choice of behaviors will be those valued by his delinquent peers.

ALL OF YOU who have worked in the residential school setting know how powerful the influence of the peer group can be. To deny this influence is a failure to recognize one of the realities of institutional life. The only way we can begin to exert a more positive influence from staff working in the institutions is to care enough to guarantee that we are making every effort to look at all phases of our program so that the students have opportunities to develop new behaviors to satisfy their needs and to feel significant or worthwhile. For example, it is critical to determine why kids in your charge misbehave. It is much more important that discipline be administered in order to meet the needs of the individual child than to guarantee organizational or institutional calm or control. Many children misbehave when they have begun to care. They may be testing, in a sense, but they are also trying to solve a very important

problem to them. There is a risk in beginning to care and being let down. Thus, they may misbehave in order to turn you away from them. Frequently our response confirms the fact that we have turned away. He is punished and told that he had such a wonderful chance and that this behavior wrecked it. We might add that he can't be trusted as long as he continues to violate our trust. In other words, we remove the danger of caring and confirm his suspicion that we really don't care. By contrast, I feel we should care enough to listen more carefully, trust enough to help and understand enough to appreciate that his behavior is an effort to solve a problem for him. Certainly we need to confront him with the fact that the behavior—whether it be fighting, running away, or whatever—is self-defeating in the long run, but we also must confront him with the fact that we still care about him and that his behavior cannot convince us to quit caring and being available to him whenever he needs us to help him think through what he is trying to accomplish. Learning to care can be very frightening; for many of our students, it entails a tremendous risk, and this risk is not worth taking unless the people he has about him care enough to suffer, get involved, and maintain a consistent positive regard for the individual ("unconditional positive regard").

WHEN I CONSIDER the complexity of human behavior, I know there is no cure-all. Love is not enough, even under the set of conditions I have spelled out here. But let me try to suggest what it means if these assumptions I have made are a necessary, even though not a sufficient, condition for bringing about change in the behavior of delinquents.

1. At the very least, these assumptions suggest that since many of the delinquents we deal with are suffering from the effects of inattention and the failure of love, the cherished belief of many professionals concerning the need for objectivity and noninvolvement must be abandoned. I sometimes believe that this whole area of objectivity and noninvolvement was developed by those who wanted to help people without really giving themselves in the process. Don't feel that you are not professional if you take the problems of your students home with you or that you miss a night's sleep worrying about someone—maybe such concern is necessary for the success of your working with delinquents.

2. These assumptions suggest that one of the major resources for change is people, professional or otherwise, who can become involved, can love and be loved, and have demonstrated their ability to satisfy their own needs.

3. These assumptions also suggest that we must assess our programs to determine how fully we have

exploited the possibilities for giving the students opportunities to feel good about themselves and learn new responses that help them satisfy their needs. Conversely, we need to strip out of our programs those experiences that are degrading and lower the students' feeling of worth.

4. These assumptions suggest that a major overhaul needs to be made of any process that is impersonal, uninvolved, and unable to provide for the delinquents to feel worthwhile about themselves.

5. Finally, these assumptions suggest that no program is likely to be successful when we fail to provide the families of the delinquent opportunities to feel worthwhile and learn more effective ways of satisfying their needs. After all, in many cases the family must ultimately become the caring, involved person who provides the opportunities for the child to capitalize on whatever learning has taken place under your programs.

I WANT TO MAKE one other set of comments that is not intended to be critical of anyone but needs to be considered by all of us working in this field of helping others. We need to place our responsibility to the client above our particular interests, concerns, or problems. When we sit down and consider changes in programs, we need to remind ourselves that the objective is to deliver the best possible service to the child despite the fact that the new program may disturb our little comfortable world. I guess what I am saying and asking is those of us who try to help people must be bigger than life, extraordinary in our tolerance, able to accept conflict as a means to a better program or service, and truly believe that what we are trying to do is get ourselves out of business. That's why I think that what I said at the beginning makes sense. If you don't have that little extra in courage, caring, interest in your fellow man, trusted friends, energy, and commitment, it's difficult to be a successful helping person.

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Union County Will Have a New \$4.1 Million Governmental Center

**By H. L. Pete Jenkins
Union County Manager**

(MONROE, N.C.)—Flexibility is the key word describing the planned \$4.1 million Union County government center, which is now off the drawing boards and ready for construction. It is the result of years of diligent work by three boards of county commissioners working closely with citizen study committees and professional consultants.

The ten-story building will consolidate county departments now in 14 separate locations into one central complex with plenty of growing room for each agency.

The built-in growing room was developed through a space-utilization study by the architectural-engineering firm of Henningson, Durham and Richardson, Inc. of Charlotte, N.C. A. L. Henderson, an HDR vice president, said, "We made a careful study of each county employee's job and the space used to perform that job, the interrelations with other agencies, growth and other trends in county services, and population growth patterns. With this data, we projected the space needs of each county department for the next 20 years. Once the space requirements and total work characteristics were determined, we then were able to design areas for their most efficient long-term use."

Coordinating activities scattered throughout the county has been a citizen inconvenience and an administrative headache for the county manager's office. The new center will be a model for the rest of the state. By use of an inside wall structure that can be moved without a major construction effort, it has been possible to tailor the initial interior to

serve space requirements in 1971, and also be able to rearrange that space later to meet the changing needs of 1975, 1980, or 1985.

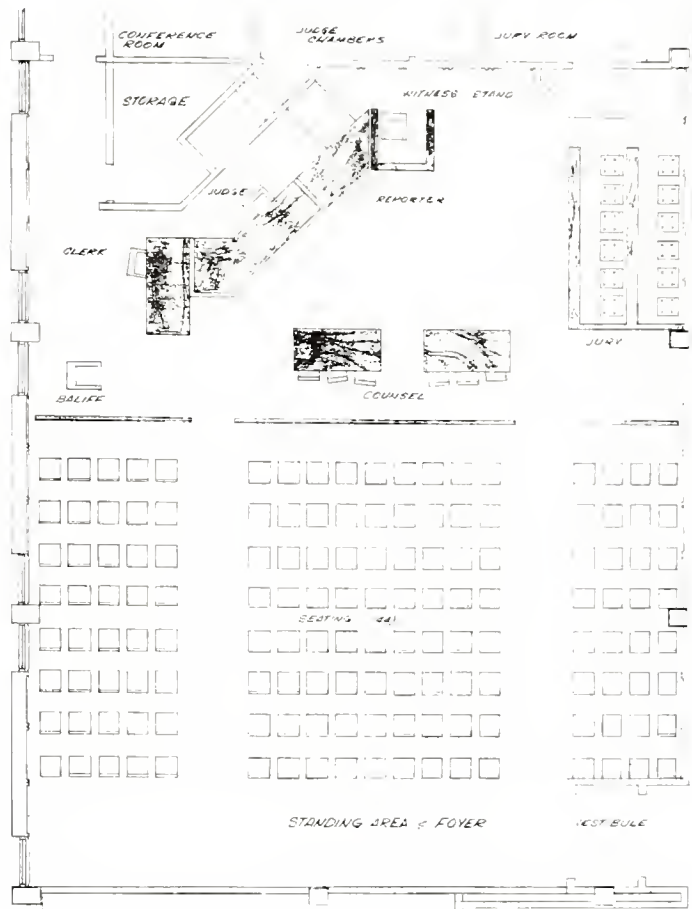
Construction of the 122,000-square-foot building is expected to start in the summer of 1970. It will be located in Monroe's urban renewal area, within two blocks of the current 83-year-old courthouse. A site adjacent to the new county building is planned for a future city administrative building.

County Commission Chairman H. F. McCray, Jr., said, "A large number of citizens worked to develop this building. Now, for the first time in well over 60 years, our citizens will be able to go to one building for all county governmental services. The new courthouse will be the hub of our progressive county and at the same time contribute to the efficiency and total effect of our county government."

The Henningson, Durham and Richardson, Inc. architectural-engineering team used a computer in their design work, but put a major consideration on public convenience in the building's plans. Therefore the Department of Social Services, the Health Department, and the tax collector offices were located on the first floor. Several outside entrances were located in both the health and social services areas. Wayne Davis, director of social services, said the positive setting for his agency in the new building "can result in more effective social work."

Perhaps the most unusual feature of the building will be the jail, which occupies the third floor. The jail is to be equipped with electrically con-

The nontraditional courtroom that will be part of Union County's new governmental center.



trolled cell doors and will have separate facilities for juvenile, mental, and sick prisoners. "In addition to having one of the most modern jails in the country," Sheriff D. S. Griffin said, "we will also have one of the most secure. From the time an arresting officer's car drives into the security garage and the doors automatically close until the prisoner is in his cell, there is virtually no way of escape from the security area."

The second floor of the building was devoted to the courts and court-related activities, including the register of deeds. Courtroom design broke away from tradition by having a more concentrated group setting. The judge's bench was pivoted to one side, with the witness chair in the center of the area between the judge and the jury. Superior Court Judge James Exum, who assisted in courtroom planning, said, "The plan is very functional and an improvement over the old or customary design by proving better communication between the judge, the jury, the witness, and the attorneys."

The fourth through tenth floors make up the tower portion of the government center.

The county has two school administrative units that will be located on adjoining floors to ease consolidation of work and eventual merger of the two systems. The chairman of the Union County Board of Education, Bill F. Howie, said, "Our audio-visual aids operation has been recognized as one of the best in the state, but we have been handicapped by having to operate out of cramped temporary quarters. The new facility will allow us to realize an even higher level of performance in all efforts of our school administrative unit."

A well-designed and efficient operational area for audio-visual aids is planned for the ground floor of the building.

Various county, state, and federal offices are also located in the building with the top floor housing the county administrative offices and county commission board room.

As the largest building in Union County, the government center will become an immediate landmark. It also marks a new era in governmental flexibility and efficiency.

The thrust of these seminars of which this presentation is a part is to discover proximate solutions to the problems of delinquent behavior among youth. It is significant I think that, perhaps for the first time, we are to solve problems (or a problem) before we can isolate the cause of the problem. For that it is neither unusual nor unscientific to offer solutions to a problem before we understand what its cause is. If we needed all causal facts before medical treatment was started for a physical ailment, doctors would still be leeching patients and waving eagle feathers over them. Medicine, to say the least, has many instances of the development of successful treatments and even preventive methods before the causes of some illnesses were known. Similarly, efforts to control or prevent delinquency need not, and must not, await a comprehensive statement of causes.

Most of the efforts of researchers have been attempts to relate to and isolate the causes of delinquent behavior. On the other hand, the thrust of federal, state, and local programs is, and has been, directed toward treatment or corrective programs. It is too bad that some workable combination of the two approaches cannot be invoked. Such a combination would be a happy and profitable one for those of us whose interest is in making our culture an attractive and viable force.

Many of you are familiar with the psychological, sociological, legal, and theoretical approaches to delinquency. Those of us in law enforcement, social work, education, and corrections owe a great deal to these various approaches.

Cultural Factors Relating to Delinquent Behavior

By HARVEY D. MILLER

The Institute's police administration specialist speaks before the First Community Workshop on Juvenile Delinquency held at North Carolina Wesleyan College in February.

(Certainly, those of us in academic life owe a good share of our substance to them. We have been touting them, flouting them, criticizing them or railing either for or against them since their inception.)

Pinning one's hopes for delinquency prevention and control to these approaches is about as substantial and permanent as nailing jello to a tree. The difficulty in the psychological, sociological, physiological, legal, and theoretical approaches to juveniles and delinquency is this: they examine only the behavior of those who have departed from the norms of juvenile behavior set by the adult cul-

ture; and because of this, the findings have value only as they relate to the particular case and situation under investigation at that specific moment. We cannot take the findings and generalize to the larger population because the set of circumstances, facts, and actors cannot be exactly replicated at any future time:

No physical abnormality, no degree or type of insanity, no extremity of poor health, no extreme of poverty, no filth of slum life, no lack of recreation, no stimulation of press, radio, movie or television, no hysteria or crime wave, no family discord or broken home, will surely or without exception produce crime. A crime is committed only when

a peculiar combination of personal and social factors come into juxtaposition with an utterly unique physical structure of a human being, to create a specified crime situation. And, viewed in a merely external fashion, the same apparent constellation of factors might not produce a crime the next time they merge simply because that precise sameness can never absolutely reoccur.¹

From these words it appears as if a combination, or perhaps a cultural approach, to delinquency prevention and control might be established. I would like to suggest that the community and the unique culture it represents may not only be the causal factor in delinquent behavior but also be the logical place to search for solutions.

Let us examine the community culture and try to see whether the past as we look at it holds anything of substance for today. Most of us who are now adults grew up in a time and place that would be unrecognizable to the youth of today. As a matter of fact, the same time and place would probably seem foreign to us if we were allowed to return to it! Nonetheless, a culture of family, known friends, slight to moderate family mobility, on-street or at least neighborhood schools and churches, and reasonably predictable responses to fairly routinized situations were the hallmark of my childhood, and I imagine of yours also. And our generation—given the shocks of a waning depression, seemingly interminable wars, an apparent lessening of the value of the individual, and the accompanying increase in the supposed worth of the “group” (whatever that is)—seemed to accept and adopt a cultural premise that “if we only group together in clubs, fraternal organizations, PTAs, dance clubs, and so on, somehow everything will be all right.” Now I am not copping out on my era or my particular adaptation of the culture. What we said, thought, and did was probably right—for my generation. But, somehow in those

rare moments when I try really to look objectively and dispassionately at the institutions and values we tried to create, I wonder where I lost sight (or maybe, we, collectively, lost sight) of some more important goals and values in life? Where, in all of our mouthings of morality and admonishments to good work, did I (and many of us) start to make fine distinctions between that which we professed to believe and the patterns of overt and covert actions that are, indeed, the life and cultural values that we actually propound?

I want to suggest to you that the “hard sell” that you and I have given our kids concerning our values and expectations for them may well be one of the causal factors contributing to delinquent behavior today. I sincerely believe that the cultural value that places a premium on personal and group security or that implies the acquisition of things, or sets man upon a quest for status as the mark of success is only partially acceptable to the youth of today. I hope that you will bear this statement in mind, because it forms the thesis for the remainder of this presentation.

Now comes a generation that believes, dresses, behaves, and apparently thinks differently from those of my generation. Their needs seem individualized, so some of us call the entire generation selfish. Security and survival are equated as one and the same, so we say they are self-actualized, rather than group-actualized. They are openly willful—while our generation probably hid our disobedience to parental and social constraints, or at least we thought we were performing our acts without an eye upon us. And, finally, although the listing is far from complete, the present generation believes in honesty, as they define honesty, just as we believed in honesty, as we defined it. Their culture believes in society as it contributes to the growth of self—our culture believed in self as it contributed to the society.

Our generation was and is immersed in questions of science and technology. We are the “How” generation. That is, our efforts are geared for production—a sort of a uniform, mass-produced society. The present generation is asking a second question and attempting to arrive at an answer. They are the “Why” generation. Should not “why” be the second step in man’s progression? Perhaps you and I should have anticipated this question in our race for security—but we did not. To many of us, the “Why?” generation often appears overeager in its quest for an answer. Actually, the question is as old as man himself.

So, it appears that a generation gap does indeed exist—and that this gap may be cultural rather than personal.

Well then, let me expound a moment on the cultures and values I have outlined as causal factors in delinquency among juveniles and then, perhaps, explore some tentative proposals for solution to the problems.

However, before I do, let me state for the record that because I cannot understand their motives, I must necessarily exclude some members of the “Why?” generation and some from the “How?” generation from my arguments. These would be the societal “cop-outs” of the “Why?” generation that freak out of the world either through the use of drugs or from deliberate choice—and an even greater number of persons in the “How?” generation (my generation), who have also freaked out because of the use of alcohol or the inability to adapt to the demands of the culture.

So with these elements eliminated both by choice and because of the general ineffectiveness of our existing institutions in dealing with them, comes the Miller proposal concerning delinquent behavior among youth. Essentially, it is this:

A person engages in behavior that might be adjudged delinquent not

1. H. E. Barnes and N. K. Teeters, *New Horizons in Criminology*, 3d. ed. (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1959), p. 116.

because he identifies too closely with the culture of his peer group (the underlying rationale of Sutherland's Differential Association Theory), but because he is unable to identify closely or feel comfortable with any culture. Because of this lack of cultural identification, he either attempts to create his own culture, one that melds into a satisfying whole portions of both cultures as he perceives them, or he will selectively reject portions of both of the dominant cultures so that he will be accepted, in some degree, in both.

Consequently, what may occur is not *societal anomie* as Durkheim suggests—that is, a sense of “not belonging” in a sociological group sense—but a *cultural anomie*, a situation in which the cultural expectations and values the youth has been taught by the adult culture conflict with reality as he perceives it.

Thus, the juvenile may turn to delinquent or destructive behavior because the objects of his actions, whether they are human or material, at the same time both represent the cause of his particular behavior and, perhaps suggest the answer to his problems of cultural identification.

For example, a youngster may vandalize a school, possibly alone, but probably with others in or near his age group. The fear of being caught in the act, perhaps the basic constraint that kept many of us from similar acts, is hardly considered at the time of commission. The youth knows, you see, that the schools are scattered geographically and there is only a 2 or 3 percent chance that the police will arrive on the scene during the commission of the act and that he is therefore really quite safe from immediate discovery.

But why vandalize a school? Certainly, if you're going to commit a crime, why not go all of the way and hit some place where there is money or something of material value? Well, I suspect that the reason is more complex than the simple acquisition of ob-

jects of value. Perhaps the school was chosen not only because it was relatively safe but also because the school itself represents an institution that cannot be readily assigned to one culture to the absolute exclusion of another. The school, much like the offender, is a cultural stepchild—that is, it does not have a cultural identity of its own. For schools are admixtures of cultures, built and operated by adults, advocating a particular set of middle-class values, with an educational set geared for entry into a culture whose dominant precepts are those of the present adult world, and yet they are a system that must make adjustments to the values of youth. Somehow, it seems as if the task allotted to school people is an impossible one, for there are no rules of culture that will completely satisfy the demands of all the groups they are called upon to serve or are responsible to.

Then, how about crimes against the person committed by juveniles; the rapes, muggings, and robberies that take place? First, let us eliminate the crime of rape from the discussion, for we know from experience that in most cases of reported rape the perpetrator is known to the victim. But, in other street crimes I suggest to you that the victims of muggings and robberies are categorized by the perpetrator as acultural, as objects rather than human beings.

So, what do these examples have to do with my idea that the youthful offender is unable to identify positively with either of the dominant cultures that impinge on his awareness? I believe that the youth lashed out at those objects that he believes to be bicultural or acultural because he is trying to gain recognition or status in either of the dominant cultures. Status does not accrue to him by legitimate means, so he turns to unacceptable or illegal behavior as a means of access to a dominant culture. In short, the juvenile offender may be searching for methods or techniques of cultural stabilization.

Lacking legitimate means to cultural stabilization, the potential juvenile offender has only three major elements or methods at his disposal to gain status—and each one of these is recognized in patterns of delinquent behavior.

The first is fear. The potential juvenile offender seems to want acceptance by either his peer culture or the adult culture and yet appears to be afraid of becoming too closely involved with either. Perhaps he is afraid of rejection—perhaps he is uncertain whether he can make the necessary effort to be accepted. Or perhaps he is ambivalent in his feelings toward either set. He just does not know which culture to move toward. Whatever may be the cause, and I have no idea what factors might generate it, fear seems to be an almost universal condition expressed by adjudged delinquents to interviewers.

The second factor noted in the behavior of the juvenile might be called “systems testing.” Youth is the time when the cultures of both the peer group and the adult are pushed, squeezed, and stretched by the juvenile in an attempt to analyze the elasticity of the limits of the culture. As a matter of fact, both the peer and adult cultures seem to expect the young to attempt the testing process. However, if the push, squeeze, or stretch is too great—such as muggings, robbery or vandalism, to name a few—and if he is apprehended by the authorities and adjudged delinquent by the courts, the juvenile finds himself confronted by at least one of two possible situations. First, he is given juvenile probation; generally the conditions are not too difficult to fulfill, but at least the probation represents a situation in which he receives some status, either as a person, as a caseload number, or in some instances through the actual process of being adjudged a delinquent. Second, if he successfully completes the terms of probation, he may be reluctantly ac-

cepted into his peer group or the adult culture. If he finds no acceptance, he probably is no worse off than he was before apprehension.

If the adjudged delinquent has the misfortune to be sentenced to a training school—or if, as the case might be, he successfully completes probation and is accepted by some element of the culture, he finds himself in the third element of development, the approbation stage.

If he is sentenced to a training school, he attempts to adapt to some form of culture in the institution—he either plays the game and gains status, or he rebels and is considered a “hard case.” In either event, he has already gained some kind of status by being sentenced. The act of sentencing is the *entré* to the culture of the institution. As I mentioned before, if he receives probation and successfully completes its terms, he either finds himself accepted by a culture or, if not, recognizes that he is no worse off than he was before the commission of the delinquent act for which he was sentenced. In the latter eventuality, he is well aware that he can start the process all over by committing another criminal or delinquent act.

What has this to say about the possibilities of community-based treatment for juvenile offenders, and the prevention of behavior among youth that might be adjudged delinquent? In short, what can the policeman, the city father, the social worker, or the civic leader do to prevent delinquency

and to aid the habilitation of the adjudged delinquent?

It seems apparent that some of our present programs, properly staffed and utilized, have merit. Some work fairly well, while others work less well. Probation has a good record of success. Other programs, the youth-center approach for example, appear to me at least, to be of questionable value. I do not believe that this kind of program reaches the juvenile most likely to get into trouble with the law.

Consequently, it seems to me that community efforts in delinquency prevention and control should be aimed at attempting to induce voluntary patterns of cultural acceptance among youth. By this I mean *a* culture, and not necessarily *my* culture or *yours*. I suspect that the greatest aid toward cultural acceptance for youth might be found in the same way you and I gained acceptance into our cultures—by being valued as a person—by being appraised of the rules of life through persuasion and even through trial and error—for is it not the legacy of every person of every generation to widen the horizons of man physically, intellectually, and socially? Finally, we might induce voluntary acceptance of a law-abiding culture by considering all youth as *worthy* members of society fulfilling a *worthwhile* role until they prove themselves other than worthy.

How can this goal be accomplished? Obviously, any society can force compliance with most of

its rules. I suggest that the dominant culture would have to pay too high a price in denying to all of us important values and attributes if this forcible approach were adopted. We can also take a legal or Socratic approach and through question and argument impress upon youth the values of our culture. It seems that those among us who see some continuing thread of, or search for, rationality in man's behavior are attuned to this method. But, somehow, I do not think either of these approaches will succeed. In either case the youth might be valued as a subject for the experiment, but I doubt that *he* would consider *himself* worthy or worthwhile.

Perhaps, we need to combine our present programs with something else. It seems to me that we may have already been shown the way. Experiments such as VISTA and the Peace Corps (as far out as they may seem to some of us) give us some indication of what we might do in our respective communities. Maybe a Youth Services Corps sponsored by the communities and modeled after the school's distributive education programs might be a way to help our youth find their spot in their culture. Perhaps in a learn-and-earn situation, one where *concern* as well as *rules* are part of the game, some opportunities may be presented to us to prevent delinquent behavior and to bring the adjudged delinquent back into the mainstream of a productive culture.

Somehow, I think the effort would be worthwhile.

*Adapted from an address given last
winter before the Communications Workshop of
the North Carolina Council on Mental Retardation*

working with city and county governments

By ELMER R. OETTINGER

Albert Coates describes government as a pyramid. The base consists of local government, the layer just above of state government, and the top layer of federal government. Orville Freeman sees government as a marble cake. Once again the bottom layer is municipal and county government, the middle layer is state government, and the top layer is federal government. Some of the icing on top and in the middle layers runs over the sides to reach the bottom of the cake.

I can appreciate both these images, but somehow I also see government in Robert Frost's image, as fire and ice. For, to be effective, government at all levels must burn through the trappings that tend to obscure and distort public problems and cast the glow of humanitarian warmth and understanding upon human need. If competence and conscience do not spark the flames, if the fires are banked or left unlit, government is cold and unresponsive and the public shivers in the dark. The glow of human concern must infuse government if it is to perme-

ate the hearts and minds of the people it serves.

Yet there has to be an icy objectivity to counterbalance the warmth of human concern if government is to evaluate needs and act in the interest of the people. In effect, too often, government takes on the image of an iceberg. The exposed portion is small. The large frozen mass under the surface remains hidden from public gaze and, consequently, from public awareness. The result is that the human warmth which infuses so much of government tends to be lost in the subsurface ice.

True, the news media peer through the fire and chip away at the ice. The fragments that the energetic reporter recovers are important to the ultimate ability of the public to scrutinize and analyze the virtues and defects of their government. Yet often they are fragments—isolated, lacking sufficient context and explanation to truly inform people and uplift the governmental process.

The existence of this untapped underbody of governmental happenings is ironic in the light of the

gigantic effort—millions of words per day—to report and interpret what goes on at all levels of government. Much of this information is obtained from public information people serving government. So great is the competition for the ear and eye of the public that the private citizen who would get away from it all has a difficult if not impossible task—even for a day. Newspaper print, radio voices, and television images are his constant companions. They inform him, concern him, harass him, and entertain him, and occasionally anger him in his waking and often his sleeping hours.

Never has the demand for expert advice and help in reaching the public been so great. Information specialists are becoming the order of the day in North Carolina. State agencies employ a half hundred. Three cities (Charlotte, Winston-Salem, Raleigh) and one city public school system (Greensboro) have public information officers. So does one county (Mecklenburg).

Psychologists, psychiatrists, social workers, statisticians, and a

host of others with special knowledge about human behavior or the significance of facts, law, government, or events are invited to join in the information process. If Dr. Joyce Brothers remains a *rara avis* in television, her counterparts are present in increasing numbers behind the scenes in government and industry.

If we stop there, it would be clear how complex the business of retailing information to the public or a public has become. But we can't stop there. We must recognize other pertinent considerations. (1) If our iceberg analogy holds water, the implications bear thought. One implication is that, with all our new-found resources, what the public does not know about government still probably represents much of what there is to know. That leaves questions as to how to retrieve the untapped or unavailable information and to discover its newsworthiness. (2) Unlike private enterprise, government has a separate set of ground rules that must be observed by anyone who hopes to understand or to report and interpret it to the people.

If governments may be likened to icebergs, local government may be the least visible and the least understood in its ramifications. Theoretically, government at local level is nearest to the people. We like to say that it represents grass-roots government. Actually, it is the least glamorous and the least publicized of all our pyramid or marble cake government. It is both the base of the pyramid and the bottom layer of the cake. Unlike human underpinnings, city and county government, the underpinnings of our whole democratic system have not until recently—except in a few graft-ridden cities—attracted much attention. Except in the major cities—New York, Chicago, Los Angeles, and a few others that have a strong-mayor form of government—news about local government often has been relegated to the inside and back pages of the newspaper and the tail end of the radio and television

newscast. Aside from scandal, which among public officials always reaches the front pages and the lead items of the news programs, city and county government have been tucked sedulously away from view, like the poor relation.

The result too often was that local government was neglected. It was neglected by the news media, neglected by the public. How often have we heard that it is difficult to get good people to run for local office? I do not think that that generally is true any more, but at local levels for a long time there was some validity to the plaint.

Thus, interest and information about local government was at low ebb. The gaps that Albert Coates found to exist in liaison, standards, and basic communication among officials (and even more so between officials and the public) stemmed in large measure from the routine and rather bored attitude of the citizen toward his county and municipal government. Something needed to be done. Somehow, some of the hidden under-surface of the iceberg had to be put on display for officials and the public to see and think about.

A number of breakthroughs have begun to open up local government. The beginning almost 40 years ago in North Carolina of training schools for local officials was one. So was the research, the publication, and consultation that went with it. New awareness of problem areas in education, health, welfare, elections, law enforcement, housing, and other environmental factors brought increased public interest. The gradually greater involvement and interest of local citizenry in their local governments constituted another breakthrough. So did increased coverage by the news media. Most recently, the advent of federal grant programs and direct federal relationships with local government has focused attention on local needs as never before. Public information officers, in what was once the province of federal gov-

ernment and private industry, turned up in state and then in local government, to provide another breakthrough.

A healthy climate of close scrutiny has begun to develop in and around city hall and county courthouse. A notable upgrading of the caliber of officialdom and the standards of performance appears to have occurred. Today it is as important that newsmen go to school to learn about covering government and that public information officers go to meetings and seminars to learn about government in depth and to seek ways of reporting and interpreting it truthfully and intelligently to the public as it is that public officials themselves drink continuously at the fount of knowledge. For seven years the North Carolina newspapers, radio, and television newsmen who cover courts and local government have attended local government reporting seminars at the Institute of Government.

So, concern with and coverage of local government has increased almost like the Gross National Product. That is evident. And officials and other governmental personnel with public information responsibilities are springing up, if not like the proverbial weeds, at least like crabgrass in late summer. What should the public information or public relations officer know about his responsibility to the governmental agency he serves, to government in general, and to the public? First of all, it seems to me, he or she should be aware that a different set of ground rules governs reporting and interpreting of government to the people. Those who publicize toothpaste, hair tonic, shaving cream, uplift bras, and form-fit girdles have, or take, more leeway with the public tolerance for puffing products, embroidering on truth, and creating illusion than can the informant about government. The Madison Avenue brand of publicist can, and does, claim for his sponsor that the product will make the buyer and user smell, taste, feel, attract, work,

function, or create better. He need not say better than what. The inference is there, but the import of the claim is left to the imagination of the audience: the product may taste better than rope, smell better than sulfur, or attract mostly flies. He can use a hard sell. Unless the Federal Trade Commission or the Federal Communications Commission decides that he is overstepping the bounds of consumer protection, the purveyor of private products can use the media with consummate skill through the employment of sometimes nebulous claims and slick, if not always precise, appeals to human appetites.

It is not hard in such circumstances to remember the origin of press agency in the barker with the old traveling patent-medicine shows who hawked the colored water in the bottles lined up on rear platforms as cure-alls for warts, dandruff, cancer, or whatever ailed you. It is not difficult to remember that an oil tycoon hired a publicity man to clean up his reputation following the muck-raker exposés, or that plays and books about hucksters went through a period of popularity. Even today, we read in national magazines how the image of presidents have been created to suit desired aims rather than accurate portrayal.

To say this is not to infer that all or even most public information efforts have a base of quicksand or are perpetrated upon a gullible public by moral eunuchs. I have a strong conviction that a very considerable body of integrity exists among most people with public information or public relations responsibility. I do feel that there could be a jacking and tightening-up of standards to insure that the public gets a fair shake in the kind and quality of information it receives from government and nongovernment sources.

The distinctions which, it seems to me, must prevail between efforts to market a private product and to report and explain government

should be clear to anyone working with government. First, not only is public office a public trust but the reporting of public business is equally a public trust. One who works with city and county government must be aware that officials today, especially in our larger communities, tend to be much more knowledgeable and professional than in earlier times. Public demands for performance are greater. Professionalism is prized and sought. North Carolina is in the forefront of the nation in the number and quality of city and county managers. These are full-time professional administrators. Furthermore, professional administrators are employed by city governing boards to whom they are responsible. And these men tend to bring in and train other professionals who, in turn, associate with and often bring in and train other capable people. They and their boards have to deal with city attorneys who have legal training and know-how. They work with accountants and auditors and specialists in public purchasing, public utilities, and public planning. They have increasingly knowledgeable members of boards of education, health, welfare, election, and tax officers, law enforcement personnel, and others. These officials are usually appointed. But the part-time elected officials whom we tend to think of as running local government—mayors, city councilmen, boards of county commissioners—also are going to school, upgrading their knowledge and performance, and generally becoming competent to the point that those who work with them, including the press and general public, are called upon to increase their own store of information and knowledge if they are to be able to comprehend, converse about, and interpret what is going on. Media and information people must be able to work effectively with government and interpret its relevance and potential to the individual citizen and the public at large. More and more, both are

tapping research and academic sources for background and foreground information on government.

Working with local government requires not only keeping pace with the upgraded official but also an awareness of new agencies and new programs and new ideas in local government and their purposes and prospects for public service. In North Carolina it requires an awareness of the new Department of Local Affairs; of councils of government, which have begun to link local governments with mutual interest and concern for more effective functioning; for the study in some major areas of consolidation of city and county function; of the brand-new organizing of the state by uniting counties into groups for special study and functions; of recent recommendations that the number of counties in the state be reduced; of the State Planning Task Force; of regional concern for improving the quality of our environment; of the remarkable development of mass media materials printed, taped, and filmed—analyzing and explaining new developments, challenge, and directions in local government.

In short, those providing information about local government must increase their own awareness and capabilities to match the rapid advances in government and mass communication.

Communication, like the moon, has a dark side. For a long time governments and the media were slow to recognize that fact. Once recognized, however, a result has been a vast and rapid turn to human relations programs at local level. A number of North Carolina local governments have employed human relations directors. Race relations and, in the larger sense, relations with all the people in a given governmental unit (for discrimination on the basis of income and social status also have come full focus) require a blend of skill, tact, and fairness that can tax the

abilities and conscience of the most able person in the exercise of public information responsibilities. To communicate with racial and economic minorities calls for added dimensions in our substantive knowledge and communicative powers. The factors of race and age affect even the selection of media. Consider this quotation from a new article on law and communication:

The social turmoil in our society, as evidenced in the dissatisfaction of the Negro and certain of our young, may best be understood as a function of the shift from one dominant mode of communication to another. The lineal-visual culture of print is being replaced by the all-inclusive integral culture of electronic communication. Black culture, already more closely akin to tribal culture than the culture of the traditional West, is more readily adaptable to the new electronic culture than is the culture of the majority. Black power and black separatism reflect a mode of conscious awareness which de-emphasizes equality as defined in the abstract, e.g., equal protection of the law, and emphasizes involvement and participation—equality as it is actually experienced. Student dissent is the voice of the T.V. generation come of age. Television has encouraged a mode of thinking and experiencing reality that demands involvement and participation and which cannot be contented with abstract legalistic explanations of social problems. The T.V. generation is more prone to approach a problem in terms of its truth or falsity as measured against total lived experience and less likely to accept an explanation in terms of categories and relationships to other ideas.” [Mark H. Aultman, *Law, Communication, and Social*

Change—a Hypothesis, 38
FORDHAM LAW R. 63 at 67-68.]

So dispensers of information about government must understand government and people. Yet they cannot afford to puff or oversell the product. Honesty is imperative. An accounting to the public must be made regularly through appropriate channels, and it must be a straightforward accounting that tells things as they are. To work with local government, then, is to find, know, and tell the truth. The public deserves and should receive no less. Shortcomings should not be minimized. They should be scrutinized with a view toward recognizing and overcoming them. I well recall a veteran city manager appearing on a panel who was asked what he did when he discovered that he or someone in his government had made an error or bungled in some action. His prompt reply was: “I call in the news media and I make a clean breast of everything.” “Why?” he was asked. “If I tried to sweep things under the rug, they’d discover them anyway and crucify me,” he replied. “But, regardless of that, I owe it to the public to tell them what’s happening and to tell it straight.”

Not every public official would be so candid. No doubt some have tried to hide things that should have been told, and no doubt some things have been concealed that should have been revealed. But, more and more, local government is responsive to the public. More and more, those in local government are conscious of the fact that an informed public is an understanding public and, where appreciation is due, an appreciative public. More and more, local officials are coming to understand the growing importance of their roles in the governmental scheme of things and the crucial nature of public understanding to their success in administering governmental affairs. More and more, local officials are recognizing the need to communicate constantly

and effectively with the people in their city or county. More and more, local officials are looking beyond municipal and county borders to the interrelated problems of adjacent cities and counties and the entire region. More and more, local officials are seeking help in upgrading their performances and assuring better decision-making.

The Institute of Government presently serves some 6,000 officials every year in short courses and through publications and consultations. The North Carolina League of Municipalities and the North Carolina Association of County Commissioners serve large clientele in city and county government respectively. The new Department of Local Affairs is moving ahead. Councils of government and inter-city and inter-county relationship groups are under way. And there is coordination between these various service agencies and the officials and publics they serve. If there is danger of overlap of function, there is at least a close liaison and constant communication between organizations to try to avoid duplication and to assist each other in appropriate public service.

The task of those who must work with local government is first of all to know what local government is; second, to know how it functions; and third, to know how to reach it and the public it serves. To achieve the first requirement, your respective roles and responsibilities in relation to the different units of local government in North Carolina (and elsewhere) must be understood. So must the growing importance of local government and the reasons. To know how local government functions, you must study its inner workings, including specific divisions and individual personnel in government and separate publics within the public at large.

An obvious primary source of information is local officials. Usually they are both competent and available. However, for the broad view and for the advantage of research into local government, one

communication . . .

must recognize the university-based and other resources available in our state and call upon them for more information.

If you are called upon to assist local government, it may be important that you not only know how to prepare releases and comprehend statewide and local issues, new programs, and official techniques, but also to know something about writing speeches, preparing newsletters, bulletins, and special materials, locating appropriate film, and handling guests and news media personnel at large gatherings. In other words, anyone who wants to work with local government has to understand both the bases and techniques of working with local government and of reaching the public, and where to obtain and when and how to use information about local government.

It is important to know who makes policy in the community and who administers it, how to reach the council members, the city manager, and department heads individually and collectively, and how to reach the public, both in person and through the news media. It is important to know what mass channels are available locally, whether there is a morning or afternoon newspaper, how many readers the paper reaches, and its acceptance in the community. It is equally important to know what broadcast and telecast facilities exist in the community, how available they are for public service programs, and how effective they are in reaching the public. It seems to me that it is vital to know something about the media themselves and how they function; the difference in the use

of space, as in newspapers, and the use of time, as in radio and television; the difference in deadlines and in preparation of copy; the proper uses of the written release and the spoken word.

The challenge of knowing, and having consideration for, time schedules is reciprocal. The public information officer, like the newsman, needs to understand the requirements of the official time schedule as much as the official should appreciate the time schedule of the reporter or public information officer. Although we have problems of inconsistency in our law of access to governmental meetings in North Carolina, the problems of access to individual officials and the news media often may be as important and as sensitive. That is, we need to establish general rules of access which make for certainty in arrangements. The public information officer needs to have information available to and in the hands of the news media, wherever possible, in time for their deadlines. Local government needs to appreciate, and I think that most officials do, the press as a conduit of information to the public. It is a two-way street and must be so recognized.

The communicator's awareness of government should extend to substantive proposals for local governmental change, including those to reduce the number of counties in North Carolina and to make local government more responsive to public needs by combining city-county functions and establishing regional responsibility for planning the future. But it also requires an awareness that North Carolina cities like Charlotte are currently involved in intensive self-examina-

tion with such goals in mind. It is worth knowing that Nashville-Davidson County, Tennessee; Miami-Dade County, Florida; and Jacksonville-Duval County, Florida have established combined governments. Very recently new legislation consolidated the governments of Indianapolis and Marion County in Indiana. Thus, was created the "consolidated city of Indianapolis," the twelfth largest city in the United States.

The reasons for such consolidations are basically to make government more responsive to the electorate. Although we have not yet moved so drastically in North Carolina, the questions of a plethora of governmental units and of responsibilities for governmental services are affecting our thinking on local government.

Awareness of change also must extend to the growth and influence of the North Carolina news media. For example, the newspapers of the state have just been reported to be growing at a pace much faster than the state's population. According to a survey by Professor Ken Byerly, in the past twenty-four years circulation of North Carolina's 48 dailies and 148 weeklies has doubled to some 1,250,000, while the market value of these papers exceeds \$200,000,000 as compared with \$50,000,000 at the end of World War II. The approximately 80 percent growth in circulation is more than twice the population growth of the state. Furthermore, according to Louis Harris, North Carolina's daily and weekly newspapers are among the best in the nation for the size of the cities in which they are published. Radio stations in North Carolina total only a few less than newspapers,

while North Carolina's television stations, nearing thirty at last count, cover much of the metropolitan area of the state. If the most effective kind of communicating is eyeball to eyeball, assuming that the communicator is able and adept, nonetheless the most effective method of communicating with large audiences is often through the mass media. To do that well requires awareness of what newspapers are looking for and what radio and television stations are willing to put on the air. It requires personal and organizational competence. It requires daily contacts and the establishment of good will and good personal relationships through and with reporters, editors, columnists, and news directors. It requires an understanding of what is considered by the press to be hard news and what is merely deemed to be self-serving publicity. Obviously, the news has a much greater chance of publication or airing than mere publicity. It also is necessary to have some understanding of what is considered to be front-page news and which items are customarily relegated to the inside pages. And it requires an understanding of what types of information are likely to be excised from articles, and why.

Effective understanding and use of the media require awareness that the radio and television stations are operated under federal regulations "in the public interest, convenience and necessity," and that they are required to provide a certain percentage of "public service" programming. Any public information person working with government should know the types of programs available on radio and television—including newscasts, interviews, panel discussions, debates, speeches, and documentaries—and the advantage of prime time.

And it is important that you have and take opportunities to attend some of the programs through which public officials, news media, and public information people are taught and trained in the state. For modern man should have

learned (and this has special application to government and those linked with it) that the learning process does not end with high school or college or university; the learning process is a life-long process that must be renewed and accentuated when new responsibilities are assumed throughout life.

I do not wish to be misunderstood. I am not saying that local government is more important than state or national government. I am saying that local government has a role to fulfill; and that role, in a world of growing urbanism and increasingly complex problems wherever humanity has congregated in large numbers, is becoming ever larger and ever more dependent upon public understanding, participation, and support. Those agencies that work with special segments of the public and are, therefore, called upon to work with local government need to understand that local government is nearest to the people, most aware of their wishes, and, if it functions well, most responsive to their immediate needs. It is essential that those wishes and needs be communicated clearly and constantly to all levels of government and, specifically, by city and county to other levels of government. The great need now in local government is to broaden horizons to the point that decisions are made in larger context and with greater appreciations of the relationship of needs locally to those at state and national levels. Such expansion and extension of programs require the kind of coordination that is possible only if the people understand and approve needs and goals. And the people will understand only if those charged with informing the public and informing local government leaders are aware, alert, and responsive to the times, only if they understand and fulfill their particular responsibilities to government and people alike.

A greater exchange of information among agencies, and especi-

ally public information people, a better liaison between them, and a mutual willingness to grow and learn together in the interest of greater personal and group capacity for public service are keystones in our advancement. It has become customary in certain circles to laugh at apostles of progress, ranging from poets like Shelley to philosophers like Jeremy Bentham, to political figures like Harry Truman. Often it has been said and written that just beneath the surface of civilization lies the barbarian in man. Perhaps so. Perhaps our constant recourse to war and violence tends to prove it. But man has progressed and will progress. And much of his progress comes through law and government that have their roots at home in the basic units of local government.

If we agree with Eric Sevareid that one of the handicaps of youth is that it does not have enough experience to look back or to the side to compare things or ideas on the basis of lived experience, then we become aware of both the challenge and the complexity that the impact of the young on government and vice versa brings to the information process. If, as has been claimed, "the entire history of Western thought may be viewed as a process of overcoming the bias imposed upon the Western mind by writing and print technology," governmental and press spokesmen indeed have an accountability to the public beyond easy measure. It is an accountability that can never be taken lightly, never be fully met, and never be forgotten. It suggests that news media and public information people need more time and inclination for introspective thought about their relationship to society and to the art of communication.

In sum, even though this is supposed to be the age of the specialist, it really is an age in which we need new emphasis on versatility, on the concept of the Renaissance man as adapted to the Space Age.

The requirement is one of dedicated people who are bright, flexible, and personable enough to understand people and communities and government as well as human and community and governmental resources and responsibilities, and to put them together in vivid, reliable patterns to inspire public thought, feeling, and involvement. We are, as Shakespeare

said, "such stuff as dreams are made of." Given enough human warmth, will, and brainpower, dreams can and do become reality. We have witnessed the marvels of the applied human mind in advances ranging from atomic energy to space walks. With similar application, our complex problems confronting local government can be illuminated to the benefit of us all.

Updated

A GUIDE TO

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By Mason P. Thomas, Jr.

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BOOK REVIEW

The Quest for Regional Cooperation: A Study of the New York Metropolitan Regional Council. By Joan B. Aron. Berkeley and Los Angeles: University of California Press, 1969. 225 pp. \$7.00.

The New York metropolitan region is a governmental nightmare, where some 1,500 governments share responsibilities and compete for resources. Fragmentation is a feature of any large metropolitan region, but it reaches its apex in New York. Local governments there cannot act without affecting their neighbors, and the problems they face have a way of disregarding political boundaries. Reacting to this fragmentation, the New York area has been a rich source of ideas in governmental organization on a regional scale. Its classic contribution has been the large public authority, charged with responsibility for a function that spreads across the region and given power to act throughout the region; the Port of New York Authority is the leading example.

But authorities, while permitting unified policy for particular functions, can distort priorities and resource utilization and thrust yet another government into the arena. Dissatisfaction with the authority solution has led, in part, to the council of governments movement. Such councils, now usually called COGs, are regional organizations of elected officials, each representing his government. The first was formed in the Detroit area in 1954; within three years a like experiment was underway in the New

York region. *The Quest for Regional Cooperation* is the story of the New York council, particularly the story of its failure. Dr. Aron skillfully portrays the manifold problems facing the Metropolitan Regional Council (MRC) in the later fifties and early sixties and the missteps (and there were many) that occasioned its failure. Some of the circumstances that plagued the MRC have been removed by federal support of COGs, while others were peculiar—at least in their extreme—to the New York area. But Dr. Aron's book remains an interesting narrative of the difficulties facing any structural innovation in urban politics and should be of value to present councils. A good number of the problems faced by the MRC confront any COG and the reasons behind its failure can instruct COG leaders today.

The MRC was established, following a regional meeting called by Mayor Wagner of New York City, in 1957. Eventually it included 37 members from a 21-county area of Connecticut, New York, and New Jersey, and represented a majority of the region's population. Initial expectations for the MRC were high, but as problem followed problem—it was short on funds, short on staff, short on power, and spent its energies for several years in a futile effort at achieving legal status—controversy and apathy took over, and by 1964 or 1965 the MRC was primarily a paper organization. What happened and why are the substance of *The Quest for Regional Cooperation*. The book will be of most interest to persons presently involved in councils, or thinking of establishing such an organization, for a few continuing obstacles to council success emerge from the book.

Voluntary Nature. The early COGs were completely voluntary organizations; there was no federal stick. Governments could join or not, contribute or not, and imple-

ment council recommendations or not, all as they wished. Even today, despite the federal pressures, COGs remain largely voluntary, and the primary loyalties of members remain local. Voluntariness and retention of local loyalties hampered the MRC in a number of ways. It established numerous committees, which wrote numerous reports and made numerous recommendations. But the recommendations were often ignored, if not by most governments, then by enough to destroy the effectiveness of the recommendations. Finances were always a matter of tension, as the council could never assess dues. Because of a voting requirement of near-unanimity, controversial issues were rarely raised before the council. These problems plague any COG, and the best solution would appear to be education as to the regional nature of many governmental difficulties.

Fear of New York City. A source of suburban distrust of the MRC was its close ties with New York City. Mayor Wagner was the moving force in the establishment of MRC, its headquarters were in the City, and its staff was the staff of the City Administrator, working part-time. Unsurprisingly, given the normal level of suburban distrust of the City, some suburban members feared MRC domination by New York City, or even, in their wilder statements, a plot leading to "affiliation." Many suburbanites had left New York City to escape its problems and they, and their leaders, could and did view the MRC as an attempt to reinvolve them in those problems. Such fear may often occur wherever a central city naturally dominates its region. In establishing a council, the central city (or county) must exercise care to avoid the appearance of domination, or of stigmatizing the COG as primarily an instrument to solve the city's problems. It is not such an instrument—it is a method of solving the

region's problems, and that is hard enough to sell without confusing the issue by an emphasis on core-city problems.

Lack of full-time, independent staff. MRC never, in this period, had a full-time staff. Rather, as noted just above, it depended upon staff from New York City's government. With no one giving full time to the problems of the COG, it suffered and suffered greatly. With a staff, the MRC might have achieved a firmer grounding in public opinion and opened lines of communication with local legislative bodies. (MRC members were all local executives, elected separately from local legislatures, and members did not do a good job of keeping their boards informed of council activities.) A full-time staff possibly might have avoided expenditure of almost all MRC resources for three or four years in the struggle to achieve separate legal status, leaving the council unable to respond to substantive problems as they arose. Finally, with staff, the MRC could have made a sustained effort at implementing committee recommendations. The one committee that was successful at implementation had just such staff help, from a private regional planning agency. More COGs have staff help today, and Dr. Aron makes quite clear the need for it.

The final chapter of *The Quest for Regional Cooperation* contains a few comments on COG activities and possibilities elsewhere, plus events in New York since the rebirth of MRC under the Lindsay administration. This chapter is the weakest in the book, probably because so much has been written about COG potentialities (and so little done) that originality is about impossible. However, the major part of the book remains valuable, and local leaders interested in the council of government movement could profit from its reading.—D.M.L.

STATE OF NORTH CAROLINA
Local Government Commission

Date	The Bond Buyers Index 1		National Volume Outlook, April 23, 1970		Yields Currently Available on North Carolina Issues (%)		
	20 Bonds	11 Bonds	Blue List Supply	\$	Aaa	Aa	A
4-23-70	6.73	6.61	30-day visible	541 million	5.50	5.60	5.75
4-16-70	6.50	6.38	Total Supply	1,220 million			
3-26-70	5.98	5.86	Total supply last week	1,537 million	6.00	6.20	6.40
4-3-69	5.25	5.12					

RECENT BOND SALES IN NORTH CAROLINA

ISSUER	DATE OF SALE	PURPOSE	AMOUNT	NO. OF BIDDERS	YEARS AVERAGE LIFE	FIRST, SECOND & LAST BIDS	WINNING MANAGER	MOODY'S RATING	NCMC RATING
County of Polk	4-7-70	County Hospital	\$1,415,000	2	12.30	5.7568-6.6227	N.C. National Bank	NR	67
City of Asheville	4-7-70	Redevelopment	1,400,000	5	10.36	5.402-5.6257-5.7715	FC Bank & Trust Co.	A	78
Town of Tarboro	4-7-70	Water	330,000						
		Sanitary Sewer	225,000						
		Street	400,000	6	10.45	5.4846-5.5358-5.8045	FN Bank of E.N.C.	A	83
Town of Pembroke	4-14-70	Water and Sewer	215,000	1	23.99	4.25	EDA ²	NR	70
Town of Severn	4-14-70	Sanitary Sewer,							
		Series 1969	85,000	1	22.35	4.25	EDA ²	NR	69
Town of Chocowinity	4-14-70	Water, Series 1970	15,000	1	11.17	5	FHA ³	NR	NR
Town of Canton	4-14-70	Town Hall	500,000	4	10.50	5.8957-5.9857-5.9982	FC Bank & Trust Co.	NR	82
County of Union	4-21-70	County Courthouse	3,000,000	3	12.57	5.9883-5.9958-6.0659	NC National Bank	A	88
City of Rocky Mount	4-28-70	Water	3,000,000	2	10.50	5.9976-5.9986	Morgan Guaranty Trust Co.	A-1	85
Town of Chapel Hill	4-28-70	Sanitary Sewer	850,000						
		Public Improvement	650,000	1	13.44	5.9997	N.C. National Bank	A	80
Town of Ayden	4-28-70	Town Hall	350,000	2	8.90	5.9975-5.9987	Southern B&T Mt. Olive	NR	74

VISIBLE BOND ISSUES, MAY AND JUNE, 1970

City of Winston-Salem	5-5-70	Sewage Disposal System	6,000,000
Town of Kernersville	5-12-70	Water and Sewer	1,650,000
County of Rowan	5-19-70	Courthouse Renovation	165,000
County of Macon	6-23-70	Courthouse	980,000
Edwin Gill, Chairman and Director			
Harlan E. Boyles, Secretary			
Edwin T. Barnes, Deputy Secretary			

- Weekly Bond Buyer, April 27, 1970
- United States Government financing, Economic Development Administration
- United States Government financing, Farmers Home Administration