CHAPTER 1

THE PRESIDENTIAL ADDRESS: THE PROMISE AND THE PERFORMANCE OF ARBITRATION: A PERSONAL PERSPECTIVE

BYRON R. ABERNETHY*

As its members are aware, the National Academy of Arbitrators has had a Special Committee on the Future Directions of the Academy at work during the past two years. At the invitation of Co-chairman Jack Dunsford, I spent a working weekend with Jack and members of his committee in St. Louis last December as they attempted to prepare a draft committee report. During one coffee break, Tom Roberts, one of the district subcommittee chairmen, made an observation which at first rather startled me, but which upon further reflection I concluded probably was correct. Tom's observation was, "Do you realize that Byron will be our last founder president?" He was suggesting in fact that, due to the passage of time, I will be the last to serve as president of this organization of that group of early arbitrators who had some part, even though a very small part in my case, in the founding of this Academy.

As I later pondered Tom's observation and all of its implications, it occurred to me further that I also probably shall be the last to serve as president of the Academy who was a member of that group of arbitrators introduced to the profession through employment with the National War Labor Board during World War II.

Then another interesting fact emerged. One of the discoveries of the Committee on Future Directions was that, while this is the 36th Annual Meeting of the Academy, fully one-half of the members responding to the committee's questionnaire have been members of this Academy for only eight years or less.

---

*President, 1982–1983, National Academy of Arbitrators, Lubbock, Texas

These thoughts induced me to do a little further exploring on my own. In what appears to have been the first specifically designated "Presidential Address" required of an Academy president, then President John Day Larkin indicated that between the time of the founders' meetings in April and September 1947 and the First Annual Meeting of the Academy in Chicago on January 16 and 17, 1948, the Membership Committee brought the list of charter members up to 105.[1] When I checked the members listed in the current Academy Directory who became members in 1947, I found only 29 of us still listed, approximately 4.5 percent of our current membership.

Without going further, these data suggest, it seems to me, that the Academy has reached a significant period of transition. A generation of arbitrators, of which I and others of my era have been a part, is disappearing—or has largely disappeared—from the scene. The great body of arbitrators now active in this profession constitutes a new generation of arbitrators, a generation to whom, for the most part, the beginning of this profession and of the Academy are historical events—events quite outside and beyond their personal experience. Those coming into the profession of arbitration, and becoming members of the Academy today, are entering an established, an accepted, and an ongoing profession and organization, the existence of which for them is simply taken for granted. The same would appear to be increasingly true of the management and labor representatives who in the past have presented, and who now do present, the disputed matters which we arbitrators are called upon to resolve.

It would appear then that times and events have so converged as to place me in that rare but privileged position of one who stands at the unique point of transition in which one age in arbitration and one age in the affairs of the National Academy of Arbitrators finally, and quite irrevocably, gives way and merges with another. It is a unique, a challenging, and a privileged position in which to find one's self, elected by the mere accident of time to be the one who is permitted to attempt to pass the torch, I hope still intact and flaming brightly, from one generation to another.

It is a time when the performance of this profession quite

---

[1]Larkin, *The First Decade*, Presidential Address, in Critical Issues in Labor Arbitration, Proceedings of the 10th Annual Meeting, National Academy of Arbitrators, ed. Jean T. McKelvey (Washington: BNA Books, 1957), xi.

properly is assessed against its promises—its promises to individual arbitrators and its promises to labor, to management, and to the public.

Given, then, the theme of this year's program, as chosen by the Program Committee—namely, "The Promise and the Performance of Arbitration"—it has occurred to me that it might not be inappropriate, in a luncheon address such as this, for me to reflect briefly on the promise and the performance of arbitration as seen through the eyes of one arbitrator who joined the staff of the War Labor Board in January 1943, a little over 40 years ago, in one of its regional offices, who continued with the Board until its termination on December 31, 1945, who began arbitrating two weeks later, and who has continued to arbitrate since; and one who, to some small degree, participated in the founding and the start of this Academy and has remained an active member of the organization throughout its history. Thus the topic which I have chosen for this presidential address: "The Promise and the Performance of Arbitration: A Personal Perspective."

I should like to approach the topic from three points of view: first, a totally personal one of the promises of arbitration to an individual arbitrator—an arbitrator who started to arbitrate in January 1946; second, the early promises of arbitration to the worker, to the employer, and to the public—to society and to the country generally; and third, the promise of the National Academy of Arbitrators for the arbitrator, for arbitration, for the industrial community, and for the public. Finally, in each instance I should like to offer briefly my personal appraisal of the performance of arbitration on its promises in each of these areas.

Admittedly, I have proposed an ambitious endeavor, a thorough treatment of which must be beyond the scope of a luncheon address. But I shall try to be reasonably brief and to touch on highlights only, aiming at a rather quick overview.

As we turn to the first of these approaches, the purely personal one, the question arises initially as to what I, and others in my situation, expected of arbitration for ourselves personally, as arbitrators, when we began arbitrating 37 or more years ago. I suspect that those of us who started arbitrating with the termination of World War II initially approached arbitration with a somewhat different outlook than do those who aspire to become arbitrators in the present environment. The "promise" then was

not what it is today. A glance at that earlier "promise" to the arbitrator may be of interest, however.

To understand my personal expectations, it is necessary first to consider the context of the times and what was happening to me at that point in my career.

Prior to the start of World War II, my professional career had been primarily that of a teacher. At the time of Pearl Harbor in December 1941, I had just started teaching at Texas Technological College in Lubbock, Texas. During the fall of 1942, I attempted unsuccessfully to enlist in the Navy, the Air Force, and finally the Army. Failing in those attempts to enter military service, I filed a Form 57 with the United States Civil Service Commission in hopes of obtaining employment where I might make a contribution to the war effort in a civilian capacity.

The application bore fruit and I was employed by the National War Labor Board in its regional office at Dallas in January 1943 as a wage rate analyst. The regional office was in the early stages of its operations, and opportunities for promotion came rapidly. By June 1943, I had become Regional Wage Stabilization Director in that region. I continued in that capacity until August 1945 when I was promoted to vice chairman of the regional board. I remained in that position until December 31, 1945, when the War Labor Board discontinued its dispute-settling functions and went out of existence. It was promptly succeeded by the National Wage Stabilization Board, charged with continuing the inflation-control functions of the board.

The tripartite regional Wage Stabilization Board consisted of only six regular members rather than the twelve who had been on the War Labor Board. This meant only one instead of the former two regular salaried vice chairmen, and I, not enjoying permanent Civil Service status as did the other Regional War Labor Board vice chairman, was the one to receive the pink reduction-in-force slip. This meant that as of January 1945 I was among the unemployed.

In 1945, January was not the time of year that one readily located a new teaching position. But there was an opportunity to continue as a per diem alternate public member of the Regional Wage Stabilization Board, which would provide employment two and sometimes three days per week. I availed myself of that opportunity. Almost simultaneously, I was asked to serve as a private arbitrator of a disputed matter which earlier would have gone to the War Labor Board. On January 16, 1946, I heard my

first arbitration case, and I continued arbitrating occasionally on an ad hoc basis through that summer. In September 1946, I joined the faculty of Western Reserve University in Cleveland and continued to arbitrate along with my teaching. I did the same after returning to Texas in 1947. Thus began my career as an arbitrator.

What, then, as I began arbitrating in this manner and under these circumstances, did I understand the promises of arbitration to be for me as an individual arbitrator? Several questions arise now as one looks back to that period from the perspective of the present.

One is whether, at that time, one anticipated building a professional career as an arbitrator. I, for one, did not. I simply did not think in those terms at all, and I very much doubt that many others did. In the early part of 1946, I was attempting to make a living for myself and my family while I sought a permanent teaching position. Arbitration offered the opportunity for some occasional, socially useful, challenging and interesting, ad hoc employment, along with my working two or three days each week as an alternate public member of the Regional Wage Stabilization Board. It never occurred to me at that time to think of arbitration as a career upon which I was about to embark.

Furthermore, except for those few arbitrators who enjoyed assignments as full-time "permanent" umpires or arbitrators, with International Harvester, General Motors, and so on, I don't think anyone assumed that one could have a career as an arbitrator, or could even eke out a living as an ad hoc arbitrator. Indeed, there was a general impression abroad at that time that to be acceptable and successful as an ad hoc arbitrator, one must be, or must at least appear to be, primarily something else—a teacher, a lawyer, a minister—and that only one whose primary source of income lay elsewhere could be trusted to be, or in fact could be, truly independent and impartial as an arbitrator. It was assumed by many that one who became dependent upon arbitration for his income must be expected to split his decisions, to render a relatively equal number of awards favorable to employers and to unions, regardless of merit, in order to remain acceptable to both. And certain partisan representatives may have provided some basis for that assumption. Advocates on both sides were less sophisticated then than now, and the keeping of simple score cards on arbitrators—how many for unions and how many for employers—was far from unknown.

No. When I began arbitrating I foresaw no "promise" of a lifetime career as a professional arbitrator of labor-management disputes.

As one attempts to recall his beginning to arbitrate in 1946, the question of the arbitrator's preparation and training for that activity also becomes relevant. I think that, with a very few rare exceptions, such as Bill Simkin who had had the opportunity to start working under George Taylor's guidance as early as 1939,[2] most of us started out with no specific training for or guidance in this occupation. In my case, I had had no specific training as an arbitrator and I had no mentor to whom I could turn for guidance. I had functioned as a public member of the Regional War Labor Board handling disputed matters, and that had proved to be an invaluable training experience.

But in January 1946, there was no Elkouri and Elkouri on *How Arbitration Works,* or other comparable publications to which one could turn for guidance. There was no BNA *Labor Arbitration Reports* and no CCH *Labor Arbitration Awards* to which one could turn to explore the thinking of other arbitrators on problems similar to those he confronted. The first volume of BNA's *Labor Arbitration Reports* was published later in 1946. During 1946, Clarence Updegraff and Whitley McCoy's volume entitled *Arbitration of Labor Disputes,* published by Commerce Clearing House, did become available. I obtained a copy and eagerly read it.

In 1946 there were no schools offering training for arbitration. There were no experienced arbitrators in the area to whom one might turn for advice and under whose guidance one might intern. There was no generally recognized "common law" of arbitration. There were no National Academy of Arbitrators seminars which one might attend and at which one might exchange experiences and thoughts with fellow arbitrators. And there were no printed Academy discussion guides. And, of course, that most valuable 29 volumes of Academy Proceedings did not exist.

In short, as one began arbitrating in 1946, it was pretty much a matter of groping one's way. It was a period when I, at least, approached each hearing with great trepidation, with no real sense of how one ought to open and start a hearing, or proceed

---

[2]National Academy of Arbitrators, *Oral History Project,* Edgar A. Jones interview with William E. (Bill) Simkin, 1.

with a hearing, with little idea of just what to expect, and with considerable uncertainty as to just how the parties would conduct themselves and how I might expect them to react to me. It was truly a situation of on-the-job training and of finding one's way by experimentation, retaining that which worked well and discarding that which did not, until a generally acceptable approach to one's arbitration cases emerged and one achieved some confidence in what one was doing.

During his interview of Ralph Seward in connection with the Academy's Oral History Project, Dick Mittenthal asked Ralph a question that may also be pertinent to the question of the promise of arbitration for the arbitrator in the early 1940s. Essentially, it was whether or not those arbitrators at that time had any feel that arbitration was a "new frontier" which they were pioneering.[3] It is an interesting question.

As I recall it, when I started arbitrating in 1946, I had no sense of penetrating any significant new social frontier. I failed to foresee that I was participating in the beginnings of something that would shortly become the vital and integral part of American industrial life which the process of arbitration is today. I wonder, in fact, if most social pioneers ever really are conscious of themselves as "pioneers," if this isn't something that time and history make of them only if what they do proves successful. Perhaps such social pioneers are like revolutionaries generally. They become founding fathers or traitors—at least unrealistic visionaries—depending upon the success or failure of their venture. I think we may conclude, however, that the very fact that such a question occurs to someone today, and that those early arbitrators are now looked upon as having been pioneers "on a new frontier" speaks to the "performance" of arbitration.

So much then for the promise of arbitration to the individual arbitrator first offering his services 35 or 40 years ago. Essentially, the perceived promise was meager. In my case, at least, it promised an opportunity occasionally to engage in a new and little known activity, an activity not too well understood by anyone, arbitrators or the parties, but nevertheless an interesting and very challenging activity, an activity in which I hoped to perform a service important to the industrial community, and, finally, an activity which might provide some minor, supplementary

---

[3]National Academy of Arbitrators, *Oral History Project*, Richard Mittenthal interview with Ralph Seward, 8.

income during a temporary period in my life until I could reestablish myself in my chosen profession after the disruptions of World War II.

But what of the "performance"? For me, as an individual, and I suspect for most of us of that immediate post-World War II generation of arbitrators, the "performance" has exceeded the "promise," as we perceived it, far beyond anything we might have imagined at the time.

It has provided many of us with fascinating careers. In my case, I continued to arbitrate along with teaching until 1957. Since 1957 it has provided me a full-time professional career. Of much greater significance, however, have been its other rewards. It has provided contact with some of the most intellectually stimulating and challenging individuals in our society, including both those outstanding representatives of parties on both sides and my fellow arbitrators, especially many of those arbitrators who have found their way into the Academy and whom it has been my privilege to know and to be associated with in the work of this organization.

It has provided a stimulating and challenging occupation that tries one's mettle with almost every case he hears. It has been a profession and a career which has compelled both personal growth and a great sense of humility. Where else could one so consistently encounter the kind of stimulating, intellectual challenges as are to be found in this profession? In more than 37 years of working as an arbitrator, I have yet to hear a truly mundane, routine, unchallenging, unstimulating, or unexciting case.

Arbitration has provided the arbitrator with the satisfaction of feeling that he or she is performing a service that is real, meaningful, and important to society.

It has provided a degree of independence which I doubt could be found in any "job" or any regular employment.

I suspect that arbitration also has provided arbitrators an enhanced self-esteem. Every time parties contact an arbitrator and ask him or her to serve, they in effect say to him or her, "We have confidence in you. We have confidence in your integrity. We have confidence in your competence. We have confidence in your good sense and in your good judgment. We have confidence in your conscientiousness. We trust that you will give our problem the careful and thorough attention which we think it deserves. We have confidence in your fairness." All of this con-

tributes to the arbitrator's self-esteem. It also imposes upon him or her a heavy sense of responsibility.

I might go on detailing the promises fulfilled and the promises exceeded—the "performance" of arbitration for the arbitrator. But this should suffice to indicate that, from the perspective of one arbitrator at least, the performance of arbitration has far exceeded the "promise." Moreover, the satisfaction of this profession to the arbitrator has already been better outlined by Dick Mittenthal in his 1979 presidential address on "Joys of Being an Arbitrator."[4]

For me, if I had been privileged to design a profession or a career primarily for the kind of person I am, I could not have improved on the one I have had as an arbitrator. And I don't suppose that I would have had the imagination and the ingenuity in the 1930s and 1940s to have fashioned in advance such an ideal career for myself.

The second approach to an appraisal of the promise and the performance of arbitration which I suggested is that of the early promises of arbitration to the worker, to the employer, and to the public generally.

Here, too, I suspect that most of us in the 1940s failed to pay a great deal of attention to these broader promises of arbitration. But there were those who did. Foremost among them were the National War Labor Board, the November 1945 Labor-Management Conference called by President Truman, many advocates of arbitration, and those parties who voluntarily negotiated collective bargaining agreements providing for an effective grievance procedure culminating in arbitration by a neutral third party.

First of all, for them arbitration "promised" a peaceful and civilized alternative to industrial warfare, a rational substitute for strikes, lockouts, and tests of economic strength as a means of resolving disputes over the interpretation and application of existing collective bargaining agreements. It promised, as a substitute for strikes and lockouts, a relatively prompt, inexpensive, informal, equitable, and effective resolution of such disputes. It

---

[4]Mittenthal, *The Presidential Address: Joys of Being an Arbitrator,* in Arbitration of Subcontracting and Wage Incentive Disputes, Proceedings of the 32nd Annual Meeting, National Academy of Arbitrators, eds. James L. Stern and Barbara D. Dennis (Washington: BNA Books, 1979), 1.

promised to substitute the justice of rational adjudication for the justice of trial by economic combat.

The promise to society as well as to the parties was for greater industrial stability, for enhanced productivity as production continued uninterrupted while disputes were being resolved. It held out the promise of improved employee morale, of greater industrial democracy, of a rule of law in the work place. It promised a growing human dignity, an enlarged sense of employee independence and freedom, an end to employee servility, and a growing sense of human worth. It promised the employee who felt aggrieved the opportunity to be heard, the freedom to stand upright, unafraid, with full human dignity, and to say to his employer, "I feel that I have been wronged and I want the wrong remedied." It promised that employee that he or she would have that complaint impartially adjudicated.

And finally, it promised the parties the freedom in each instance to devise that particular grievance and arbitration procedure that best served the unique needs of the particular parties involved without imposition by government of some standard pattern of grievance procedure.

These were substantial and significant promises. What has been the performance on them?

The answer, it seems to me, becomes immediately obvious when one considers the fact that, without any coercion by government after 1945, voluntary arbitration does now and long has enjoyed virtually universal acceptance throughout American industry. Where today does one find a freely negotiated collective bargaining agreement that does not contain its grievance and arbitration provision? And work stoppages and interruptions of production over employee grievances, common before 1940, today are virtually unheard of.

In one or two areas the performance may be becoming something less than initially hoped for. Perhaps the resolution of grievance disputes in some instances is less prompt than it might be. With the growth of litigiousness in some instances, it may be less final as well as less prompt. With the greater legalisms and greater use of lawyers, transcripts, posthearing briefs, and declining informality, in some instances it may have become more expensive as well as more time-consuming. But in the final analysis these really become the free choices of the parties involved. They are not inherent in the process, and for the most part they are not determined by the arbitrators. On the whole,

the performance here, too, has magnificently fulfilled the promise of arbitration. And in this performance, arbitration also has proved, it seems to me, to have been one of the real keystones to giving practical effect to American public policy of maintaining free collective bargaining in American industry.

As Bob Fleming pointed out in 1963, the parties "know from intimate experience that arbitration is the substitute for the strike and the lockout and that [they] can return to a show of strength at any time that the process of arbitration becomes unacceptable to them."[5] They have not chosen to return to a show of strength. The process is succeeding. The process that was emerging some 40 years ago, hesitantly, tentatively, sometimes forced or compelled by the requirements of a worldwide war, we now could not and would not do without.

Finally, where does the National Academy of Arbitrators fit into this picture? And what of the promise and the performance of the Academy in relation to arbitration?

The first time I became aware of the idea of the formation of this organization being seriously discussed by a group of arbitrators was in April 1947. Edgar Warren, then Director of the United States Conciliation Service, invited 37 arbitrators from all areas of the United States to attend a two-day "National Panel of Arbitrators Conference" in Washington, D. C., on April 25 and 26, 1947.[6] It would appear that those 37 arbitrators probably constituted the entire Conciliation Service "panel of arbitrators" at that time.

The agenda for that conference included much the same type of discussions as one might encounter at a meeting of the National Academy today. It was probably the first such national conference of independent, private, professional arbitrators of labor-management disputes ever held. Significant for this discussion, however, is the fact that at that meeting the suggestion was made that it would be desirable to have similar meetings of arbitrators in the future—meetings at which arbitrators might, as they had done there, both enjoy the professional and personal associations with colleagues and exchange experiences and ideas, thereby assisting in their education, in the improve-

---

[5]Fleming, *Reflections on the Nature of Labor Arbitration*, 61 Mich. L. Rev. 1269 (May 1963). Quoted in Prasow and Peters, Arbitration and Collective Bargaining: Conflict Resolution in Labor Relations (New York: McGraw-Hill, 1970), 32.

[6]That meeting, incidentally, including our travel costs, was at U.S. government expense.

ment of their own professional competence, and in the promotion and improvement of the arbitration process. The suggestion also was made that to assure such meetings in the future, we probably needed to think about forming a professional organization of arbitrators. These suggestions met with the approval of those arbitrators present, and it was agreed that plans would be made for an organizational meeting later that year.

Such an organizational or founding meeting of arbitrators was held at what was then the Stevens Hotel in Chicago on September 13, 1947, with 43 arbitrators in attendance. Officers were elected, and the first formal organization of the Academy emerged.[7] The first Annual Meeting of the full Academy membership followed at the Drake Hotel in Chicago, January 16 and 17, 1948. The Academy had become a reality, and it has been a most significant part of the American arbitration process since.

What did the Academy promise for arbitration? In one word, it promised the arbitrators, and it promised labor, management, and the public, the *professionalization* of this new occupation of labor relations arbitrator. As appearing in its initial statement of purposes and aims, the Academy promised:[8]

> ". . . to establish and foster the highest standards of integrity, competence, honor and character among those engaged in the arbitration of industrial disputes on a professional basis; to adopt and encourage the acceptance of and adherence to canons of ethics to govern the conduct of arbitrators; to promote the study and understanding of the arbitration of industrial disputes; to encourage friendly association among the members of the profession; to cooperate with other organizations, institutions, and learned societies that are interested in industrial relations; and to do any and all things which shall be appropriate in the furtherance of these purposes."

In pursuit of these ends, the Academy, in cooperation with the American Arbitration Association and the Federal Mediation and Conciliation Service, drafted and adopted first a *Code of Ethics and Procedural Standards for Labor-Management Arbitration,*

---

[7]Larkin, *supra* note 1 at x.

[8]From President Ralph Seward's unpublished *Opening Address* at the Second Annual Meeting of the National Academy of Arbitrators, January 14, 1949; also National Academy of Arbitrators *List of Members* (1952), 1. It will be noted that this statement of purposes has been amended and updated since 1947 with the result that in some respects it reads differently in the current Constitution and in the current Membership Directory. The essence of the purposes for which the Academy exists today, however, remains unchanged.

and subsequently its currently applicable *Code of Professional Responsibility for Arbitrators of Labor-Management Disputes.* The Academy has sought to insist upon acceptance of and adherence to the provisions of these codes by its members. It has experienced some interesting internal struggles during the years concerning what constituted proper professional conduct by arbitrators, which time does not permit detailing here, but in almost every instance these have been resolved with the establishment of increasingly demanding standards of professional behavior—standards that merit the support not only of arbitrators, but of everyone with a true interest in the ever improved performance of arbitration by arbitrators and by advocates.

The Academy has sought to extend the privilege of membership in the Academy to arbitrators of the highest integrity, competence, honor, and character.

The greatest educational contribution of the Academy has been its annual meetings and the published proceedings of those meetings, which by now constitute probably the most outstanding collection of commentaries on the arbitration process available anywhere. Additionally, the Academy has engaged in other educational programs, including the preparation of discussion guides on various arbitration-related problems, together with its program of seminars.

This is not the place, however, to go on attempting to detail all of the Academy's undertakings in pursuit of its purposes. Time does not permit that. But it is, I think, the place to emphasize that, through all of its activities, the great basic contribution of this Academy to arbitration in North America has been its successful attempt to convert what began for many of us as something of an incidental activity into a profession in the very best sense, a profession which today has become a full-time professional career for many.

The dominant commitment of this Academy throughout its history has been to the advancement of arbitration, not to the advancement of arbitrators. That essential ingredient of true professionalism, a keen and controlling sense of social responsibility—a sense of responsibility for advancing socially desirable goals lying outside and beyond one's personal or group interests—has motivated this Academy and its dedicated and committed leadership throughout its history. And, as the Academy has promoted the professionalism of arbitrators and arbitration, it has, I suggest, enhanced the professionalism of advocates as

well. The entire atmosphere within which arbitration is conducted today differs markedly from that which prevailed in many areas 35 years ago, and much of the credit for this enhanced sense of professional responsibility must go, I suggest, to this Academy and to those committed and dedicated arbitrators who have given so much of themselves to the Academy's work during these years since early 1947. All of us stand in their debt.

Here too, then, when one's view spans that period from the April 1947 United States Conciliation Service sponsored "National Panel of Arbitrators Conference" to this meeting today, which it is my great privilege to address as the current president of this Academy, the conclusion is clear and dramatic that the Academy's performance regarding arbitration in America has far exceeded any promise that any of us foresaw as this organization took form.

In short, then, from this arbitrator's perspective of some 40 years, I suggest that not only have the promises of arbitration held out to arbitrators, to workers, to employers, and to society in the 1930s and 1940s been magnificently fulfilled, but the "performance" at every turn has exceeded anything actually foreseen by any of us at that earlier time.

Admittedly, the performance has not been without its shortcomings on occasion—shortcomings which will occur again as time goes on. But a paraphrasing of a 1942 comment of Dr. George Taylor's about the work of the War Labor Board during the early days of World War II would seem to be appropriate here. Like an umpire in a ball game, arbitrators may occasionally miscall strikes and balls. And the country has preserved the inalienable right to hiss the umpire. But it is important to emphasize that the umpire system has now become essential to the playing of this ball game.[9]

And in conclusion may I return for one moment to the thought with which I began—that today in some respects signifies a transition from one generation of arbitrators and advocates to another. While those of an earlier generation may now be viewed as innovators and pioneers, and while their idealism and dedication may appear to some of you as belonging to an-

---

[9]From an address by George W. Taylor, Vice Chairman of the National War Labor Board on May 5, 1942. Quoted in Termination Report of National War Labor Board, Industrial Disputes, and Wage Stabilization in Wartime, Vol. 1 (Washington: U.S. Government Printing Office, 1948), 403.

other age, those pioneering early arbitrators pass on to you a great heritage of professionalism in arbitration. As this newer generation of arbitrators succeeds the old, the profession of arbitration, employers, employees, and society in general will continue to need, and will have, the good technicians in arbitration which it has always had. But even more, the successful future of the profession will demand arbitrators and advocates who are aware of and who are committed to that heritage of high purpose, firm integrity, and unselfish commitment that characterized the emergence and development of this profession. As you of a newer generation pick up and carry forward the torch which that earlier generation hands you, you, too, will find new problems to be faced, new courses to pursue, new ventures to pioneer. As you pursue your venture in this profession, may this heritage of conscientiousness and dedicated, unselfish, and sincere professionalism also characterize your approach to the high calling of arbitration.