

II. OUR FIFTY-YEAR PAST: RUMMAGING AND RUMINATION

JAMES OLDHAM*

When Janet Gaunt asked me to spend a while with you on Academy history highlights, I was flattered, but also a little anxious, since I knew the assignment called for me to be, at the least, both informative and entertaining. Also, I knew that you would each have in hand your copy of *Fifty Years in the World of Work*, the splendid recounting of the Academy's half-century by Gladys Gruenberg, Joyce Najita, and Dennis Nolan, and little point would be served by my telling you what is in the book that you will want to read for yourself. So I chose to rummage through a source that was not tapped heavily for the Gruenberg/Najita/Nolan book: the transcriptions of interviews of past presidents conducted over the years by the History Committee. From this source came two products, one just for fun, the other with perhaps a little substantive content. The whimsy is a Twenty-Question Past President Trivia Quiz.

I will administer the quiz now; please get pencil and paper ready. Many of you will know the answers to some of the questions, but I am rather certain that no one will get them all. I will pose the questions first, and after my other comments I will repeat them and give the answers. Since my sole source was the transcribed interviews, some past presidents are omitted because not all past presidents were captured by the interview process. Also, to permit the quiz to be administered fairly, those past presidents in the audience who recognize themselves as the answers to some of the questions are instructed to remain impassive. No doubt keeping a "poker face" will be second nature.

Here goes:

1. What past president was the youngest charter member of the Academy?
2. What past president was named to his first permanent umpireship just after he turned 29 years old?
3. What past president issued his first solo award at the youngest age?

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4. What past president claimed that he learned more from selling magazines for three summers than he did in law school and college combined?
5. What past presidents played on the War Labor Board softball team, and what positions did they play?
6. What past president, the son of a dentist, competed for the United States as a member of a U.S. Olympic team?
7. Whose early career was boosted by advising New York Senator Irving Ives not to fret about certain troubling statistics, since statistics, after all, were nothing but political arithmetic?
8. Who initiated what were called "Author Awards," such as the award for an action or publication that raised the blood pressure of Academy members to the highest level in history?
9. Who professes to have once heard 17 separate, individual, nonexpedited grievances in a single day?
10. Who attended Harvard University as a fallback after he was frankly told by a representative from Antioch College, his first choice, that there might be problems with Antioch's work/study program because he was Jewish, and—times being how they were—Antioch was having trouble finding jobs for Jews?
11. Who takes the prize for issuing the largest number of nonexpedited awards in a single year?
12. What past president had a father who was one of the draftsmen of the National Labor Relations Act?
13. What past president had a father who fled Rumania in the 19th century in the false bottom of a stagecoach in order to avoid the draft?
14. Who was the only past president to become umpire simultaneously for two of the major auto companies?
15. What past president defined his ideal Academy president as one who would embody a little of each of those who have served in the past, but who, in particular, would have "the distinction of a Seward, the administrative skill of a Mark Kahn, the reasonableness of a Stark, the Academy dedication of a Miller, the grace of a Murphy, the energy of a Valtin, the brightness of a McDermott, the good fellowship of a Rock, and the earnestness of a Dunsford"?

16. What past president once taught a law course in Admiralty Law in the great port city of Pittsburgh?
17. Who claims not only to have dated Gloria Steinem but also to have been recruited at age 27 (perhaps on behalf of the Central Intelligence Agency?) to attend a Communist Youth Festival in Vienna, and to have traveled the world gathering information under cover of being a Ph.D. candidate doing research for a thesis on labor training in developing countries?
18. Who laid the groundwork for Judge Wapner by playing the judge on TV in the 1950s and 1960s in two programs, "Traffic Court" and "Day in Court," logging over 2,000 half-hours of network television?
19. Whose early days as a wage earner were spent as a clarinet player in a dance band where he learned about the realities of politics when he was disqualified for running for office against an incumbent officer of the American Federation of Musicians because he had paid his union dues one day late?
20. What past president, on graduating from law school during the depression, and on finding law jobs scarce, finally, after pounding the pavement, went to work for a necktie company?

* * *

In order to give loose organizational shape to the extracts from the interviews, I have grouped them into four categories: Labor relations and labor law—how it was at the beginning; snapshots about the Academy as an organization; reflections on the business of arbitrating; and revisiting the end of the golden age.

The Way It Was

In the early days, creativity was at a premium since everything had to be created. There was no recognized "field" called labor law, and industrial relations might be better described as industrial warfare, or at least skirmishing. Speaking of a time many years later, Tony Sinicropi, on graduating from Cornell's School of Industrial and Labor Relations in 1958, described his idea of what the life of a personnel manager would be like: "My goal and ambition at that time was to become a personnel manager, wear a white shirt,

belong to a country club, play golf and maybe be part of a weekend poker group.”¹ Now compare with that Bert Luskin’s description of the typical labor relations man from the 1940s:

You’d walk into a plant and you’d see a man walking down an aisle and he’s got riding britches on. He’s got boots on. And when you found out who he was and where he came from you found out that he was a retired army colonel. Manufacturing plants were looking for those kinds of people because “They could handle men.” That was the concept, which was the most asinine, ridiculous thing in the world and why we didn’t have labor revolutions, is beyond me.²

Peter Kelliher recalled, in fact, that the threat of violence was a real problem in the early days. He noted that “the most important function of the arbitrator was to keep the parties apart, and we always wished for as wide a conference table as possible.”³

And as to the field of law, Russell Smith observed that there wasn’t really a field known as labor law—it had to be invented.⁴ When Bert Luskin was asked in 1942 by the Dean of DePaul Law School to teach a course in labor law, he responded, “I told the dean I knew nothing about Labor Law, and [the dean] said, ‘Well, that’s all right, you’ve got a lot of company, as nobody else does.’” Luskin summarized: There was the Railway Labor Act, the Wagner Act, “and beyond that there was nothing on the books that meant anything at all. Within a matter of several weeks in the library, I became an expert.”⁵

The Organization

In the dinner address given at the first annual meeting of the Academy on January 16, 1948, Ed Witte, then Chairman of the Department of Economics at the University of Wisconsin, observed: “Altogether too many arbitrations have turned out badly and have set back the cause of arbitration.”⁶ Many things contrib-

¹Tr. at 1. In this and following footnotes, “Tr.” refers to “transcript,” and the transcript referred to is, in each case, that of the interview of the past president being referred to or quoted in the text. Copies of the transcriptions of past president interviews are held by Cornell University, as part of the Academy Archives, and by the Chair of the Academy History Committee.

²Tr. at 16–17.

³Tr. at 18.

⁴Tr. at 2–3.

⁵*Id.*

⁶Witte, *The Future of Labor Arbitration—A Challenge*, in *The Profession of Labor Arbitration: Selected Papers From the First Seven Annual Meetings, 1948–1954*, National Academy of Arbitrators, ed. McKelvey (BNA Books 1957), 1, 16.

uted to this, he thought, such as the incompetence and inexperience of the arbitrators, failure of the parties to define the issues, poor preparation of cases, and “the inexcusable practice, often indulged, of tricking the other side into accepting as arbitrators persons known to be partisans.”⁷ In his view, “Treating arbitration as a contest to be won rather than as a means for solving a labor relations problem which the parties could not solve themselves is bound to lead to disappointments.”⁸ He believed

[t]he National Academy of Arbitrators will serve a most useful purpose if membership in the Academy comes to be regarded, as I believe it is already, as a badge of distinction. . . . [T]he Academy will stimulate beginners in arbitration to give their work their very best efforts [It] will also serve the very desirable purpose of enabling the labor arbitrators to get together, to discuss their common problems and to profit from an exchange of experiences. . . . It also has great potentialities in the sound formulation and general acceptance of professional standards for arbitrators. . . . Its fundamental purpose should be the advancement and improvement of labor arbitration, in the interests of better labor-management relations and public welfare . . . [not as] an organization interested primarily in setting fees and keeping out competitors

Whether the National Academy of Arbitrators will realize its full possibilities will depend mainly upon its members and officers.⁹

Well, how has the Academy done over the years? Clearly the high aspirations expressed by Ed Witte were not achieved overnight. Many in this room will remember the Symposium conducted at the 1960 meeting called “The National Academy After Twelve Years,” and in particular the “in your face” speech by a brash, nearly new member named Valtin entitled, “What I Expect of the Academy.” Fairly observing that “arbitration is today no longer in the experimental stage,” Valtin queried, “Has the time not come . . . where the Academy should stand ready to concern itself with and to declare itself on questions of policy?”¹⁰ He noted, for example, that at the 1959 meeting, “David Feller, referring to what he considered the horror of a judicial decision on arbitrability . . . , suggested that the Academy make use of the device of the *amicus* brief.” Valtin added, “I don’t think he was being facetious.”¹¹ Valtin also raised “the

⁷*Id.*

⁸*Id.*

⁹*Id.* at 17–19.

¹⁰Valtin, *What I Expect of the Academy*, in *Challenges to Arbitration*, Proceedings of the 13th Annual Meeting, National Academy of Arbitrators, ed. McKelvey (BNA Books 1960), 13, 16.

¹¹*Id.* at 18.

nagging question as to whether the Academy's orientation is one of a club or of an influential professional organization," and if the latter, "Should it not keep searching for appropriate mechanics for the enforcement of its own standards?"¹²

Well, even though the Academy may at times be accused of having a penchant for self-congratulation, are we not at least a little bit entitled? In the years since Rolf's speech, the organization has often taken up fundamental questions of policy; indeed it is doing so right now in responding to Arnie Zack's Due Process Protocol for employer-promulgated arbitration. The amicus brief took a little while—it was not until Bill Fallon was President in 1985 that Dave Feller filed the first one, but the good news is that Dave Feller is *still* filing amicus briefs. Only two days ago the Board of Governors unanimously endorsed the preparation (by Dave Feller and others) of an amicus brief in a federal circuit court case, this time in the form of a brief in support of a petition for certiorari. And the seminal importance of the Academy's Code of Ethics is well-known to all.

Early on, of course, the Academy was a shoestring operation. Our most recent secretaries, Dana Eischen and Bill Holley, will appreciate, no doubt, Bert Luskin's recollections about his years as secretary from 1950 to 1956. Luskin said that when he took office he was handed a manila envelope, and was told that everything that was important

was in that manila envelope. There was no correspondence. There was no record of anything. Gabe Alexander had just finished the term of secretary, and Gabe handed me a check for a hundred and twenty five dollars. That was the Academy treasury. And he said, "Here Bert, do the job." . . . Dues . . . were ten dollars a year. . . . There was no budget for the secretary, who also served as treasurer. For the same money, they could hire the same man, like they hired me. . . . When an Academy meeting finished, a couple of the old timers would go around to other old timers and would ask for contributions, to pay the deficit, what we owe the hotel and what we owe for this, that and the other.¹³

Becoming a member of the Academy was naturally less formal in the early years than it has since become. But even as early as the 1960s, the process was more than simply whom one knew. Tom Roberts recalls that he first heard about the Academy in 1961 from the General Counsel of the Federal Mediation and Conciliation

¹²*Id.* at 19.

¹³Tr. at 20–21.

Service, who said to Tom, “You certainly have joined the National Academy of Arbitrators, haven’t you?” Tom replied, “Well, what is that and how much does it cost?” He then got an application, applied, and “was promptly turned down, as not having had enough arbitration experience.” He was admitted two years later.¹⁴

And for those of you who are new or relatively new members, we trust that you appreciated and benefited from your orientation into the traditions and characteristics of this excellent organization, but attentiveness to new members was not always one of our traits. Bill Murphy recalled that when he became a member in 1966, he came to the first meeting and several years passed before he came to another one. The reason? He recalls not being introduced to anyone at his first meeting, and as he put it, “I just felt like a wallflower the whole time. I don’t think I even stayed for the whole meeting, I felt so unwanted and so unknown.”¹⁵ Poor Bill! Luckily for us, he gave the Academy another chance.

One of the most recurrent themes in the past president interviews is the Academy committee structure. As early as 1963, Syl Garrett complained, “We have too darn many committees and too darn many committee members.”¹⁶ Twenty years later, Mark Kahn recalls, there were about 22 committees and 190–200 committee members.¹⁷ Bill Fallon put the number of members serving on committees in 1985 at about 250.¹⁸ And Al Dybeck stated that “Tom Roberts and I both agreed that we had committees stepping all over each other.”¹⁹ Of course, it was during Al Dybeck’s presidency in 1989 that Howard Block presented to the Board of Governors the careful final report of the “committee on committees” that he chaired—“The Committee to Review Inter-Committee Relationships and Functions.” Despite the need to streamline committee work to keep committees from stepping on each others’ toes, all past presidents concur in the importance of committee work to the successful functioning of the Academy, and in the difficulty, sometimes delicacy, of selecting committee members.

As a final note on the organization, I will mention another recurrent theme in the past president interviews, the need for training and developing new arbitrators. In the main, this comes

¹⁴Tr. at 8.

¹⁵Tr. at 10.

¹⁶Tr. at 32.

¹⁷Tr. at 21.

¹⁸Tr. at 15.

¹⁹Tr. at 33.

through as a subject of continuing disappointment to those serving as president of the Academy. Jack Dunsford in particular was especially frustrated by the cautious response he encountered in the membership on this subject.²⁰ Syl Garrett also observed that the problem of Academy members “who did not relish the prospect of having new people come in to compete for the available business” was “something that has plagued the Academy for years and it’s still out there.”²¹

The Process of Arbitrating

Ben Aaron recalls being told by George Taylor that “[b]eing dependent upon arbitration as the sole source of income was psychologically very dangerous.” Taylor advised Aaron against this. What Taylor was concerned about was the subconscious danger that is inescapable “when you know your whole livelihood depends on remaining acceptable to both sides.”²²

Nevertheless, as members of this organization have demonstrated time and again, it is possible to live honorably in the profession as a full-time arbitrator, without pandering to either side. But it takes conscientious effort, and a stance on high moral ground to do so—and somehow surviving the testing years when one is seeking and slowly gaining confidence in one’s own abilities, as well as achieving acceptability to the parties. Of course, we might not all agree with Dick Mitterthal, who, in an illustration of what we might call his congenital humility, said that as an arbitrator, “you need a threshold of three to four hundred, maybe five hundred, cases before you really begin to understand what the hell you are doing.”²³

It has been possible, moreover, to live what we might call “the grand style” of arbitrating, in a manner that George Taylor would have approved. Here is the way Gabe Alexander put it:

I came into the field and was nurtured to believe that arbitration should not be elevated above the internal collective bargaining relationship and that the influence and encroachment by the courts and other institutions is just bad. . . . I am positive that the courts ought to keep their hands off. . . . I think I am out of step today [the interview was in 1989]. The courts are doing more and more to oversee arbitrators . . . and I think arbitration may wind up as a system of labor courts.²⁴

²⁰Tr. at 30–32.

²¹Tr. at 27.

²²Tr. at 4.

²³Tr. at 9.

²⁴Tr. at 16–17.

Gabe added, “This is what happens with old people, everything seems to be, ‘Why can’t it be like it was, perfect in every way?’”²⁵ But Gabe is unfair to himself here, since his concerns are echoed by many in the profession, both old and young. Let me use his comments as a bridge to my last section.

The End of the Golden Age

Everyone is familiar with Dave Feller’s classic talk at the 1976 annual meeting, “The Coming End of Arbitration’s Golden Age.” Perhaps, looking back, there would be more willingness now—than there was at the time he wrote his provocative speech—to say that Dave got it right. Interestingly, I discovered in looking through the annual meeting proceedings that the very next year after Dave’s speech, Academy President H.D. Woods gave a presidential address entitled, “Shadows Over Arbitration,”²⁶ in which Woods pointed out how much farther down the “legalization” trail arbitration then was in Canada than in the United States. As Woods stated, “In my deepest moments of gloom . . . I have difficulty repressing the despairing cry: ‘Arbitration is dead, long live the legal profession.’” Woods described himself as “one of a vanishing breed—an arbitrator who is not trained in the law.”²⁷

The so-called end of the golden age is connected to several phenomena—the proliferation of statutes, the encroachment of the courts, and, of course, the coming of the locusts, or rather, the lawyers. But this is not as new a complaint as we might suppose. Allen Dash recollected in his interview that in the late 1950s, union-side articles appeared (e.g., one in an AFL-CIO publication known as *The Digest* entitled, “Our Avaricious Arbitrators”) complaining that “arbitration was getting too expensive, was taking too much time, was becoming legalistic.” And Dash started talking to the NAA regions about “the legalisms that were creeping into arbitration.”²⁸

As many of us know, this has been a pet theme for Eva Robins. She explained in her past president interview, “I am sure that the quality of a hearing does not depend upon the law degree. As a

²⁵*Id.*

²⁶Woods, *The Presidential Address: Shadows Over Arbitration*, in *Arbitration—1977, Proceedings of the 30th Annual Meeting*, National Academy of Arbitrators, eds. Dennis & Somers (BNA Books 1978), 1.

²⁷*Id.*

²⁸Tr. at 18–19.

matter of fact, I think that people who want to make it a law court process can't be good arbitrators right away until they shed some of that."²⁹

Some arbitrators, of course, take some pleasure in bringing the lawyers under foot at the arbitration hearing. Lew Gill described having "found a good deal of success in the occasional confrontation at a hearing when two lawyers keep insisting . . . that the arbitrator silence the other one and let him finish and stop interrupting." Gill's policy in such cases was to "instruct the reporter to stop taking it down . . . and I say that my ruling is that you should both go ahead and talk simultaneously. I will take no notes and neither will the reporter, but go right ahead. That seems to work pretty well."³⁰

Eva Robins says that she "would like to see somebody think about taking these new arbitrators away from the law courses they've had." When she gets attorneys "who are making objections up one street and down the other," she "will call the two lawyers outside in the hall—which is what hallways are made for—and tell them not to do it because I'm not going to recognize these great principles."³¹ And as far as Academy meetings are concerned, Eva thinks "we should stop presenting lawyers as speakers," or at least slot in some practical labor relations people and "get them to talk about the process as it should be. We present the lawyers as though this is what the new arbitrator should know."³²

Well, perhaps Eva and others who share her view are shouting against the wind, but who knows? The golden age may have ended, but we have embarked lately upon the new age, that of employer-promulgated arbitration, and once again we worry about things comparable to those that Ed Witte articulated in his talk at the very first Academy meeting—bad results in arbitration due to incompetent or inexperienced or partisan arbitrators. Who can say what the patterns will be two, three, five decades from now. But the Academy is not watching from the sidelines, and we trust, never will be.

And through it all, the pioneering past, the uncertain future, it is worthwhile to try to maintain what Tony Sinicropi called in his past president interview "a balanced perspective"—while becoming accomplished in and while practicing our profession to know

²⁹Tr. at 25.

³⁰Tr. at 20.

³¹Tr. at 27.

³²*Id.* at 26.

how to laugh at ourselves and to know when not to take ourselves too seriously.³³ I will close by borrowing the words of a professor friend of Tony's: We have had a splendid 50 years of which we are, and are entitled to be, proud. But we should never forget that there are a billion people in China who have never heard of us.

* * *

Now, as promised, here are the answers to the trivia questions:

1. What past president was the youngest charter member of the Academy? [Charles Killingsworth—he was about 27 years old.³⁴]
2. What past president was named to his first permanent umpireship just after he turned 29 years old? [Dick Mittenthal. In fact, Mittenthal declared, “My youth was the largest problem I ever had.” He said that, since his wife Joyce was prematurely gray, he took her with him to his hearings so that the ensemble would look older.³⁵]
3. What past president issued his first solo award at the youngest age? [Arnie Zack—about 26 years old.³⁶]
4. What past president claimed that he learned more from selling magazines for three summers than he did in law school and college combined? [Lew Gill.³⁷]
5. What past presidents played on the War Labor Board softball team, and what positions did they play? [Lew Gill, first base; Eli Rock, center field; Syl Garrett, left field; Ben Aaron, pitcher; Robben Fleming, nonhitter. Reportedly Fleming had had a tryout with the Chicago White Sox, but according to Lew Gill's recollections, Fleming could not hit softball pitching at all.³⁸]
6. What past president, the son of a dentist, competed for the United States as a member of a U.S. Olympic team? [Rolf Valtin—soccer team, 1948.³⁹]
7. Whose early career was boosted by advising New York Senator Irving Ives not to fret about certain troubling

³³Tr. at 16.

³⁴Tr. at 6.

³⁵Tr. at 8–9.

³⁶Tr. at 7.

³⁷Tr. at 2.

³⁸*Id.* at 13–14.

³⁹The father's occupation is at Tr., 3. Rolf's participation in the 1948 Olympics is not revealed in his past president interview, but if strongly pressed, he will admit to it.

statistics, since statistics, after all, were nothing but political arithmetic? [Jean McKelvey.⁴⁰]

8. Who initiated what were called “Author Awards,” such as the award for an action or publication that raised the blood pressure of Academy members to the highest level in history? [Art Stark, and the award mentioned was given to William “E for Ethical” Simkin for his pioneering work on the Code of Ethics.⁴¹]
9. Who professes to have once heard 17 separate, individual, nonexpedited grievances in a single day? [Byron Abernethy.⁴²]
10. Who attended Harvard University as a fallback after he was frankly told by a representative from Antioch College, his first choice, that there might be problems with Antioch’s work/study program because he was Jewish, and—times being how they were—Antioch was having trouble finding jobs for Jews? [Dave Feller.⁴³]
11. Who takes the prize for issuing the largest number of nonexpedited awards in a single year? [Allen Dash—178 awards in one year while umpire at General Motors.⁴⁴]
12. What past president had a father who was one of the draftsmen of the National Labor Relations Act? [Arnie Zack.⁴⁵]
13. What past president had a father who fled Rumania in the 19th century in the false bottom of a stagecoach in order to avoid the draft? [Dave Feller.⁴⁶]
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⁴⁰Tr. at 7.

⁴¹Tr. at 21.

⁴²Tr. at 40.

⁴³Tr. at 3.

⁴⁴Tr. at 4.

⁴⁵Tr. at 3.

⁴⁶Tr. at 5.

⁴⁷Tr. at 16.

- the brightness of a McDermott, the good fellowship of a Rock, and the earnestness of a Dunsford”? [Dick Mittenthal.⁴⁸]
16. What past president once taught a law course in Admiralty Law in the great port city of Pittsburgh? [Mickey McDermott.⁴⁹]
 17. Who claims not only to have dated Gloria Steinem but also to have been recruited at age 27 (on behalf of the Central Intelligence Agency?) to attend a Communist Youth Festival in Vienna, and to have traveled the world gathering information under cover of being a Ph.D. candidate doing research for a thesis on labor training in developing countries? [Arnie Zack.⁵⁰]
 18. Who laid the groundwork for Judge Wapner by playing the judge on TV in the 1950s and 1960s in two programs, “Traffic Court” and “Day in Court,” logging over 2,000 half-hours of network television? [Ted Jones.⁵¹]
 19. Whose early days as a wage earner were spent as a clarinet player in a dance band where he learned about the realities of politics when he was disqualified for running for office against an incumbent officer of the American Federation of Musicians because he had paid his union dues one day late? [Tony Sinicropi.⁵²]
 20. What past president, on graduating from law school during the depression, and on finding law jobs scarce, finally, after pounding the pavement, went to work for a necktie company? [Russell Smith.⁵³]

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As a final note, and in order to bring these historical reflections to a close, I need to consult my source on the last trivia question. I read now from the transcription of Russell Smith’s interview: “After . . . an interlude, when I did a little special teaching during the depression out in Nebraska, I got back into Grinnell and spent an extra year there in graduate work in mathematics and then decided to go to law school and went to the University of Michigan

⁴⁸Tr. at 35–36.

⁴⁹Tr. at 6–7.

⁵⁰Tr. at 40–41.

⁵¹Tr. at 27–32.

⁵²Tr. at 17–18.

⁵³Tr. at 2.

and graduated there in 1934. . . . This was in the depression, there weren't that many jobs around for lawyers coming right out of law school. I wound up with a cravat firm in New York. . . ." Now some of you may think that this is a mistake—that Russell Smith was really saying that he went to work for the *Cravath* firm (Cravath, Swain & Moore) in New York. But who is to say what is the truth here? Surely the historical truth is what is recorded in the archives. There it is, and there it will stay. *Russell Smith went to work for a cravat firm in New York*. And is it not right that he did so? After all, which is better preparation for a life as an arbitrator—the polished mahogany of Wall Street, or the realities of the garment trade? And so, in celebrating 50 years in the world of work, we find ourselves indebted, yet again, to an unsung, anonymous worker who, in transcribing the Smith interview, instinctively understood the importance to posterity of a little revisionist history.

III. ACADEMY ANECDOTES: FIFTY YEARS OF RELIGION, ROYALTY, SEX, AND MYSTERY

GLADYS W. GRUENBERG*

A 50th anniversary celebration brings to mind a welter of historical incidents, and it is difficult to sort them out in a coherent fashion. In fact, I think I will adopt Lew Gill's disclaimer while he was editor of the Academy Newsletter in 1963. He noted that there was an "undue mass of stuff to write about." As a result, he offered apologies "to those who are about to be slighted."¹ To that I say, "Amen."

To organize the wealth of material in the archives of the National Academy of Arbitrators, I decided to use the categories that an elementary school teacher announced to her writing class.² She told her fourth grade students to write a short story involving four main topics: (1) religion, (2) royalty, (3) sex, and (4) mystery. After about five minutes, she noticed that Johnny Smith in the back row was sitting idly looking out the window, while all the other children were busily writing. She went over to him and asked whether he was

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¹NAA Newsletter (Nov. 1963), 1.

²Among Academy members, Jim Hill is considered the originator of this story, but others attribute it to English novelist Somerset Maugham.